CALIFORNIA LEGISLATURE—ASSEMBLY

FORTY-FIFTH SESSION

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 8, 1923.

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of twelve o'clock meridian, the Assembly of the forty-fifth session of the Legislature of California was called to order by Jerome B. Kavanaugh, Chief Clerk of the forty-fourth session.

In conformity with law, the following officers of the forty-fourth session were also present: Arthur A. Ohnimus, Minute Clerk, and William J Leflar, Sergeant-at-Arms.

PRAYER.

By invitation of the Chief Clerk, prayer was offered by Rev. William E Harrison of Sacramento.

APPOINTMENTS.

The Chief Clerk announced the following appointments of attaches for the temporary organization of the Assembly:

Pages, Thomas Prendergast, Frank Sullivan, Daven Morey, Charles Spalding.
Stenographers, Bessie Manning, Martha Clarke, Norma Brown, Winnifred Merriman, Wilhelmina Snyder, Geneva Bernard, Madge Cross.
Assistant Sergeant-at-Arms, C. E. Whiteside.
Assistant Postmistress, Arvilla Ball.

CERTIFICATE FROM SECRETARY OF STATE

The Chief Clerk read the following certificate of duly elected members of Assembly of the forty-fifth session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election, held on the seventh day of November, A. D. 1922, to represent the people of the State of California as members of the Assembly of said State at the forty-fifth session of the Legislature of said State, as appears from the statement of vote, received from the county clerks of the county or counties and the registrar of voters of the city and county of San Francisco, comprising the several Assembly districts of the State of California, said statement of vote being a record of and on file in my office, viz:

MEMBERS OF THE ASSEMBLY-ELECT.

Name	Number of District	County or counties comprising district
G H Douglas	First	Del Norte, Siskiyou.
Fred J Moore	Second	Humboldt
Earnest Dozier	Third	Shasta, Trinity
A J. Mathews	Fourth	Plumas, Lassen, Modoc, Sierra
Van Bernard	Fifth	Tehama, Glenn, Colusa
P Connolly	Sixth	Mendocino
Bert Snyder	Seventh	Butte
Fred B Noves	Eighth	Yuba Sutter, Yolo
Cora M. Woodbridge	Ninth	Nevada, Placer
Robt B McPherson	Tenth	Solano
Frank L Coombs	Eleventh	Napa, Lake
Emmett I Donohue	Twelfth	Sonoma
Lucien Fulwider	Thirteenth	Sonoma
John W Johnston	Fourteenth	Sacramento

MEMBERS OF THE ASSEMBLY-ELECT—continued

Name	Number of District	County or counties comprising district
Percy G. West	Fifteenth	Sacramento
F. G. Stevenot	Sixteenth	Amador, El Dorado, Alpine, Calaveras
Chas. F. Reindollar	Seventeenth	Marin
Thomas M. Carlson	Eighteenth	Contra Costa
Bradford S. Crittenden	Nineteenth	San Joaquin
Geo. A. Dean	Twentieth	San Joaquin
Fred C. Hawes	Twenty-first	San Francisco
Thomas A. Mitchell	Twenty-second	San Francisco
Joseph F. Burns	Twenty-third	San Francisco
Walter J. Schmidt	Twenty-fourth	San Francisco
William B. Hornblower	Twenty-fifth	San Francisco
Roy Fellom	Twenty-sixth	San Francisco
William Seward Scott	Twenty-seventh	San Francisco
Louis F. Erb	Twenty-eighth	San Francisco
Harry F. Morrison	Twenty-ninth	San Francisco
Clarence W. Morris	Thirtieth	San Francisco
Albert A. Rosenshine	Thirty-first	San Francisco
Walter J. Rock	Thirty-second	San Francisco
John B. Badaracco	Thirty-third	San Francisco
E. H. Christian	Thirty-fourth	Alameda
Homer R. Spence	Thirty-fifth	Alameda
Edward J. Smith	Thirty-sixth	Alameda
Richard M. Lyman, Jr.	Thirty-seventh	Alameda
J. Crotei	Thirty-eighth	Alameda
Frank W. Anderson	Thirty-ninth	Alameda
Chris B. Fox	Fortieth	Alameda
Anna L. Saylor	Forty-first	Alameda
Frank L. Ekswand	Forty-second	San Mateo
George C. Cleveland	Forty-third	Santa Cruz
T. M. Wright	Forty-fourth	Santa Clara.
C. C. Spalding	Forty-fifth	Santa Clara
Esto B. Broughton	Forty-sixth	Stanislaus
Geo. A. Clarke	Forty-seventh	Mariposa, Tuolumne, Mono, Inyo
C. C. Baker	Forty-eighth	Monterey, San Benito
David C. Williams	Forty-ninth	Merced, Madera
Chas. A. Foster	Fiftieth	Fresno
Herbert McDowell	Fifty-first	Fresno
S. L. Heisinger	Fifty-second	Fresno
Alex McMillan	Fifty-third	San Luis Obispo
Frank Johnson	Fifty-fourth	Kings
Chas. W. Cleary	Fifty-fifth	Tulare
Grace S. Dorris	Fifty-sixth	Kern
Isaac Jones	Fifty-seventh	San Bernardino
Jeffry J. Prendergast	Fifty-eighth	San Bernardino
Edgar W. Stow	Fifty-ninth	Santa Barbara
Walter H. Duval	Sixtieth	Ventura
Frank C. Weller	Sixty-first	Los Angeles
Hugh R. Pomeroy	Sixty-second	Los Angeles
Sidney T. Graves	Sixty-third	Los Angeles
Harry Lyons	Sixty-fourth	Los Angeles
Joseph L. Pedrotti	Sixty-fifth	Los Angeles
Otto J. Emme	Sixty-sixth	Los Angeles
Eleanor Miller	Sixty-seventh	Los Angeles
Allen G. Mitchell	Sixty-eighth	Los Angeles
Charles B. Dawson	Sixty-ninth	Los Angeles
Frank F. Merriam	Seventieth	Los Angeles
Henry E. Carter	Seventy-first	Los Angeles
Willard E. Badham	Seventy-second	Los Angeles
Elmer P. Bromley	Seventy-third	Los Angeles
Frederick M. Roberts	Seventy-fourth	Los Angeles
Edwin Baker	Seventy-fifth	Los Angeles
C. D. Ball	Seventy-sixth	Orange
Chester M. Kline	Seventy-seventh	Riverside
George H. Davis	Seventy-eighth	Imperial
P. A. Whitacre	Seventy-ninth	San Diego
Edwin A. Mueller	Eightieth	San Diego

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this sixteenth day of December, A. D. 1922.

[SEAL] FRANK C. JORDAN, Secretary of State.

ROLL CALL OF COUNTIES.

The Chief Clerk directed that as the roll of counties was called the members-elect, representing such counties, should proceed to the clerk's desk and take and subscribe to the oath of office.

MEMBERS SWORN IN.

As required by section 239 of the Political Code, the clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election and duly qualified by taking and subscribing to the following oath, administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeal:

OATH OF OFFICE.

I do solemnly swear that I will support the constitution of the United States, and the constitution of the State of California, and that I will faithfully discharge the duties of the office of members of the Assembly for the forty-fifth session of the Legislature of the State of California, according to the best of my ability.

Frank W. Anderson, J. Croter, E. H Christian, Chris B. Fox, Richard M. Lyman, Jr., Mrs. Anna L. Saylor, Edward J Smith, Homer R. Spence, F. G. Stevenot, Bert Snyder, Van Bernard, Thomas M. Carlson, G. H. Douglas, Chas. A. Foster, S. L. Heisinger, Herbert McDowell, Fred J. Moore, George H. Davis, George A. Clarke, Mrs. Grace S. Dorris, Frank Johnson, Frank L Coombs, A J Mathews, Willard E. Badham, Edwin Baker, Elmer P. Bromley, Henry E. Carter, Charles B. Dawson, Otto J. Emme, Sidney T. Graves, Harry Lyons, Frank F. Merriam, Miss Eleanor Miller, A. G. Mitchell, Joseph L. Pedrotti, Hugh R. Pomeroy, Frederick M. Roberts, Frank C. Weller, David C. Williams, Chas. F. Reindollar, P. Connolly, C. C. Baker, Mrs. Cora M. Woodbridge, C. D. Ball, Chester M. Kline, John W. Johnston, Percy G. West, Isaac Jones, Jeffry J. Prendergast, Edwin A. Mueller, P. A. Whitacre, John B. Badaracco, Joseph F. Burns, Louis F. Erb, Roy Fellom, Frederick C. Hawes, William B. Hornblower, Thomas A. Mitchell, Clarence W. Morris, Harry F. Morrison, Walter J. Rock, Albert A. Rosenshine, Walter J. Schmidt, William Seward Scott, Bradford S. Crittenden, George A. Dean, Alex McMillan, Frank L. Eksward, Edgar W. Stow, C. C. Spalding, T. M. Wright, George C. Cleveland, Earnest Dozier, Robert B McPherson, Emmett I. Donohue, Lucien E. Fulwider, Miss Esto B. Broughton, Fred B. Noyes, Chas. W. Cleary, Walter H. Duval.

ANNOUNCEMENT.

The Chief Clerk announced that the next order of business was the election of officers for the forty-fifth session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

NOMINATIONS FOR SPEAKER.

Mr. Isaac Jones of Ontario placed in nomination for Speaker Hon. J. J. Prendergast of Redlands.

Nomination of Hon. J. J. Prendergast was seconded by Miss Esto B. Broughton of Modesto.

Mr. B. S Crittenden of Tracy placed in nomination for Speaker Hon. Albert A. Rosenshine of San Francisco

Nomination of Hon Albert A. Rosenshine was seconded by Homer R. Spence of Alameda and Herbert McDowell of Fresno.

Mr. Chas. W Cleary of Lindsay placed in nomination for Speaker Hon. T. M. Wright of San Jose

Nomination of Hon. T. M. Wright was seconded by Mrs. Anna L. Saylor of Berkeley

Mr. Hugh R Pomeroy of Redondo Beach placed in nomination for Speaker Hon Frank F. Merriam of Long Beach.

Nomination of Hon. Frank F. Merriam was seconded by Clarence W. Morris of San Francisco, John W. Johnston of Sacramento, and Wm. Seward Scott of San Francisco.

NOMINATIONS CLOSED.

Mr. Harry Lyons moved that nominations for Speaker be now closed.

The motion was seconded by Mr. Eksward.

Motion carried.

Nominations closed.

ELECTION OF SPEAKER.

The roll was called, with the following result:

For HON. JEFFRY J. PRENDERGAST of Redlands—Broughton, Clarke, Connolly, Johnson, Jones, West, and Wright—7.

For HON ALBERT A ROSENSHINE of San Francisco—Anderson, Badaracco, Bernard, Carlson, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Hornblower, Lyman, Mathews, McDowell, Mitchell, T. A., Morrison, Reindollar, Rosenshine, Schmidt, Spence, Stevenot, Woodbridge—25.

For HON. T. M. WRIGHT of San Jose—Cleary, Heisinger, Prendergast, Saylor, Spalding—5.

For HON. FRANK F. MERRIAM of Long Beach—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Davis, Dawson, Donohue, Douglas, Dozier Duval Eksward, Erb, Foster Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Merriam, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Whitacre, Williams—42.

For HON. E. H. CHRISTIAN of Hayward—Cleveland—1.

The Chief Clerk announced the vote of the Assembly, and declared Hon. Frank F. Merriam the choice of the Assembly for Speaker

MOTION TO MAKE ELECTION UNANIMOUS

Mr. T. M. Wright moved that the election of Hon. Frank F. Merriam for Speaker of the Assembly be made unanimous.

Mr. Van Bernard seconded the motion.

Motion carried.

APPOINTMENT OF COMMITTEE OF ESCORT.

The Chief Clerk appointed Messrs. Frank W. Anderson, John W. Johnston and Mrs. Anna L. Saylor a special committee to escort Speaker-elect Hon. Frank F. Merriam to the chair.

OATH OF OFFICE.

Upon arriving at the bar of the Assembly Speaker-elect Hon. Frank F. Merriam took and subscribed to the following oath administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and I will faithfully discharge the duties of the office of Speaker of the Assembly to the best of my ability.

NOMINATIONS FOR SPEAKER PRO TEMPORE.

The Speaker declared the election of Speaker pro tempore next in order, and called for nominations.

Mr. Eksward of Burlingame nominated Hon Frank W. Anderson of Oakland.

Nomination of Hon. Frank W. Anderson was seconded by Mr. Lyons of Los Angeles.

Nominations closed.

ELECTION OF SPEAKER PRO TEMPORE.

The roll was called, with the following result:

For Hon. FRANK W ANDERSON of Oakland—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Hon. Frank W. Anderson being the choice of the Assembly for Speaker pro tempore the Speaker declared him duly elected.

APPOINTMENT OF COMMITTEE OF ESCORT.

The Speaker appointed Messrs. Eksward and Carter a special committee to escort Speaker pro tempore Hon. Frank W. Anderson to the bar of the Assembly.

OATH OF OFFICE.

Upon arriving at the bar of the Assembly Speaker pro tempore Hon. Frank W. Anderson took and subscribed to the following oath, administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Speaker pro tempore of the Assembly to the best of my ability.

NOMINATIONS FOR CHIEF CLERK.

The Speaker now declared the nomination and election of Chief Clerk of the Assembly in order.

Mr. Sidney T. Graves of Los Angeles nominated Mr. Arthur A. Ohnimus of San Francisco

The nomination of Mr. Ohnimus was seconded by Mr. Harry Lyons of Los Angeles.

Nominations closed.

ELECTION OF CHIEF CLERK.

The roll was called, with the following result:

For ARTHUR A. OHNIMUS of San Francisco—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

Mr. Arthur A. Ohnimus, being the choice of the Assembly, was declared duly elected Chief Clerk of the Assembly.

Mr. Arthur A. Ohnimus appeared before the bar of the Assembly, and took and subscribed to the following oath of office administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeal:

OATH OF OFFICE.

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Chief Clerk of the Assembly to the best of my ability.

NOMINATIONS FOR MINUTE CLERK.

The Speaker declared the next order of business the nomination and election of Minute Clerk of the Assembly.

Mr. Clarence W. Morris of San Francisco placed in nomination for Minute Clerk of the Assembly Mr. Richard P. Benton of Los Angeles.

Mr. Edwin Baker of Los Angeles seconded the nomination of Mr. Benton.

Mr. Frank W. Anderson of Oakland placed in nomination Mr. C. William Booth of Oakland.

Messrs Schmidt and Hawes of San Francisco seconded the nomination of Mr Booth.

Nominations closed

ELECTION OF MINUTE CLERK.

The roll was called, with the following result:

For MR. RICHMOND P. BENTON of Los Angeles—Badham, Baker, C. C., Baker, Edwin; Bromley, Carter, Coombs, Davis, Dawson, Donohue, Eksward, Emme, Graves, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Stevenot, Weller, and Mr. Speaker—26.

For MR C. WILLIAM BOOTH of Oakland—Anderson, Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Dean, Dorris, Douglas, Dozier, Duval, Erb, Fellom, Foster, Fox, Fulwider Hawes, Heisinger, Hornblower, Johnson Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Noyes, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, West, Whitacre, Williams, Woodbridge, and Wright—53.

Mr. C William Booth, having received a majority vote of the Assembly, was declared duly elected Minute Clerk of the Assembly, and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeals:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Minute Clerk to the best of my ability.

NOMINATIONS FOR SERGEANT-AT-ARMS.

The Speaker declared the next order of business the nomination and election of Sergeant-at-Arms of the Assembly.

Mr. Elmer P. Bromley of Los Angeles nominated Mr. W. J Leflar of Sacramento.

Mr. Robert McPherson of Vallejo seconded the nomination of Mr. W. J. Leflar.

Nominations closed.

ELECTION OF SERGEANT-AT-ARMS.

The roll was called, with the following result:

For MR W J LEFLAR—Anderson, Badaracco, Badham, Baker C. C., Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier,

Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Noyes, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—62.

Mr. Leflar, having received a majority vote of the Assembly, was declared duly elected Sergeant-at-Arms, and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeals:

OATH OF OFFICE

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Sergeant-at-Arms of the Assembly to the best of my ability.

NOMINATIONS FOR CHAPLAIN

The Speaker declared the next order of business the nomination and election of Chaplain of the Assembly.

Mr. Percy G. West of Sacramento placed in nomination for Chaplain of the Assembly Bishop William H. Moreland of Sacramento.

Messrs. Graves, Cleveland and Scott seconded the nomination of Bishop William H. Moreland.

Mrs. Cora M. Woodbridge of Roseville placed in nomination for Chaplain of the Assembly Rev. Geo. M. Gardner of Lincoln.

Messrs. Pomeroy, Williams and Bernard seconded the nomination of Rev. Gardner.

Nominations closed.

ELECTION OF CHAPLAIN

The roll was called, with the following result:

For BISHOP WILLIAM H. MORELAND of Sacramento—Anderson, Badaracco, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hornblower, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Morris, Mueller, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stow, West, Whitacre, and Wright—50.

For REV. GARDNER of Lincoln—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Cleary, Crittenden, Davis, Dorris, Duval, Foster, Fox, Hawes, Heisinger, Lyman, McMillan, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Roberts, Spalding, Stevenot, Weller, Williams, Woodbridge, and Mr. Speaker—27.

For RABBI COFFEE of Oakland—Croter—1.

The Speaker thereupon declared Bishop William H. Moreland the duly elected Chaplain of the Assembly.

MESSAGES FROM THE SENATE—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day organized and elected the following officers:

President pro tempore, Hon. A. H. Breed.
Secretary of the Senate, J. A. Beek.
Sergeant-at-Arms, J. F. Nolan.
Minute Clerk, J. A. Miller.
Chaplain, Wm. E. Harrison.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, January 8, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1 relating to inaugural ceremonies.

JOSEPH A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Morris asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, without reference to committee.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Senate Concurrent Resolution No. 1 read.

The question being on the adoption of the resolution.

Senate Concurrent Resolution No. 1 adopted.

Title read and approved.

Senate Concurrent Resolution No. 1 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 1.

Relative to inaugural ceremonies.

Resolved by the Senate, the Assembly concurring. That a committee of three members of the Senate be appointed to confer with a committee of four from the Assembly, to make arrangements for the inaugural ceremonies, said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises Any expenses to be paid equally by the Senate and Assembly out of their several contingent funds, and not to exceed in the aggregate the sum of five hundred dollars

ANNOUNCEMENT.

The Sergeant-at-Arms announced that in accordance with the power vested in him by the statutes he had appointed Mr. Ben Cohen bookkeeper to the Sergeant-at-Arms at the per diem provided by law, and respectfully asks that the Assembly confirm said appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Douglas, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Mitchell T. A, Moore, Morrison, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73

NOES—None.

ANNOUNCEMENT.

The Chief Clerk announced that in accordance with the power vested in him by the statutes he had appointed Mr. Ellsworth E Eustice Assistant Chief Clerk of the Assembly, and respectfully asks that the Assembly confirm said appointment

The question being upon the confirmation of the appointment.

The roll was called, with the following result:

AYES—Anderson, Badaracco, Badham Baker, C. C., Baker, Edwin; Ball Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue Dorris, Douglas, Emme, Erb, Fellom, Foster Fox, Fulwider, Graves Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell,

T. A., Moore, Morrison, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

NOES—None.

OATH OF OFFICE.

Whereupon the Speaker declared Mr. Eustice duly appointed Assistant Chief Clerk, and directed him to appear before the bar of the Assembly, where he took and subscribed to the following oath of office, administered by Elijah C. Hart, Associate Justice of the Third District Court of Appeal:

I solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Assistant Chief Clerk to the best of my ability.

RESOLUTIONS.

The following resolutions were offered:

By Mr Jones:

Resolved, That the Chief Clerk be and he is hereby directed to inform the Senate that the Assembly is duly organized by the election of the following officers, namely

1. Speaker, Hon Frank F Merriam
2. Speaker pro tempore, Hon. Frank W. Anderson.
3. Chief Clerk, Arthur A. Ohnimus
4. Minute Clerk, C. William Booth.
5. Sergeant-at-Arms, W J. Leflar.
6. Chaplain, Bishop William H. Moreland.
7. Assistant Chief Clerk, Ellsworth E. Eustice

Resolution read and on motion adopted.

By Mr. Anderson:

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

Resolution read, and on motion adopted

APPOINTMENT OF SELECT COMMITTEE

In accordance with the above resolution, the Speaker appointed Miss Miller and Messrs. Williams and McDowell as such committee

By Mr. Wright:

Resolved, That the Assembly rules of the forty-fourth session of the Legislature be, and the same are hereby adopted as the temporary rules of this house until otherwise ordered, with the following changes, to-wit 1923 to be inserted in lieu of 1921, wherever that figure appears

Resolution read.

The question being on the adoption of the resolution

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Rock Saylor, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None

TEMPORARY RULES OF THE ASSEMBLY

CONVENING AND ORDER OF BUSINESS

Hours of Meeting

1 The sessions of the Assembly shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes a.m After the constitutional recess, a recess shall be taken daily at the hour of twelve o'clock noon until the hour of one o'clock and thirty minutes p.m., unless otherwise ordered by a vote of the House.

Speaker to Call House to Order.

2. The Speaker, or, in his absence, the Speaker pro tempore, shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

Order of Business.

3. The order of business of the Assembly shall be as follows
   1. Roll Call
   2. Prayer by the Chaplain.
   3. Reading and Approval of the Journal
   4. Presentation of Petitions.
   5. Reports of Standing Committees
   6. Reports of Select Committees
   7. Messages from the Governor.
   8. Messages from the Senate.
   9. Introduction and Reference of Bills.
   10. Motions and Resolutions
   11. Special Orders of the Day.
   12. Unfinished Business of the Preceding Day.
   13. Business on Special File, Second Reading, and Third Reading of Bills.
   14. Business on General File, Second Reading, and Third Reading of Bills.
   15. Announcements of Committee Meetings
   16. Adjournment.

Priority of Business.

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

Motion to Adjourn

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

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

DUTIES OF THE SPEAKER.

Speaker to Preserve Order; to Decide Points of Order; and May Speak to Same.

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

Speaker to Have Direction of the Hall; May Call Any Member to the Chair.

7 The Speaker shall have general direction of the hall He shall have a right to name any member to perform the duties of the Chair, but such substitutions shall not extend beyond an adjournment He shall have the control and direction of the journals, papers and bills of the Assembly. He shall have the power to see that all officers of the Assembly perform their respective duties, and may assign places to properly accredited newspaper representatives.

Speaker to Sign Resolutions, etc., Attested by the Clerk.

8 All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants and subpoenas issued by order of the House shall be under his hand, attested by the Clerk

COMMITTEES OF THE ASSEMBLY.

Committees to be Appointed by Speaker.

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

Standing Committees

10 The standing committees of the Assembly shall be as follows
   1 A Committee on Agriculture, to consist of seventeen members
   2. A Committee on Attaches, to consist of seven members
   3. A Committee on Banking, to consist of nine members

4. A Committee on Building and Loan Associations, to consist of seven members
5. A Committee on Civil Service, to consist of nine members.
6. A Committee on Claims, to consist of seven members
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation to consist of nine members
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contested Elections, to consist of seven members.
11. A Committee on Contingent Expenses, to consist of five members
12. A Committee on Corporations, to consist of nine members.
13. A Committee on County Government, to consist of fifteen members
14. A Committee on Direct Legislation, to consist of seven members.
15. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members
16. A Committee on Education, to consist of thirteen members.
17. A Committee on Elections, to consist of eleven members
18. A Committee on Engrossment and Enrollment, to consist of five members.
19. A Committee on Federal Relations, to consist of seven members
20. A Committee on Fish and Game, to consist of fifteen members
21. A Committee on Governmental Efficiency and Economy, to consist of eleven members
22. A Committee on Hospitals and Asylums, to consist of thirteen members.
23. A Committee on Insurance, to consist of eleven members
24. A Committee on Irrigation, to consist of twenty-one members
25. A Committee on Judiciary, to consist of twenty-one members.
26. A Committee on Labor and Capital, to consist of thirteen members.
27. A Committee on Libraries, to consist of seven members.
28. A Committee on Livestock and Dairies, to consist of eleven members.
29. A Committee on Manufactures, to consist of seven members
30. A Committee on Medical and Dental Laws to consist of nine members.
31. A Committee on Mileage, to consist of five members
32. A Committee on Military Affairs, to consist of nine members
33. A Committee on Mines and Mining, to consist of nine members
34. A Committee on Motor Vehicles, to consist of twenty-one members.
35. A Committee on Municipal Corporations, to consist of thirteen members.
36. A Committee on Normal Schools, to consist of seven members.
37. A Committee on Oil Industries, to consist of nine members.
38. A Committee on Prisons and Reformatories, to consist of thirteen members.
39. A Committee on Public Charities and Corrections, to consist of nine members.
40. A Committee on Public Health and Quarantine, to consist of nine members.
41. A Committee on Public Morals, to consist of eleven members
42. A Committee on Public Utilities, to consist of eleven members.
43. A Committee on Reapportionment, to consist of twenty-one members.
44. A Committee on Revenue and Taxation, to consist of fifteen members.
45. A Committee on Revision and Printing, to consist of five members
46. A Committee on Revision of Criminal Procedure, to consist of seven members
47. A Committee on Roads and Highways, to consist of fifteen members.
48. A Committee on Rules, to consist of seven members, including the Speaker
49. A Committee on Soldiers and Sailors Affairs, to consist of thirteen members
50. A Committee on State Grounds and Parks, to consist of seven members.
51. A Committee on Universities, to consist of seven members.
52. A Committee on Ways and Means to consist of twenty-one members.

Special Standing Committees

11. In addition to the regular standing committees of the Assembly, there shall be special standing committees, as follows

1. A Committee on Revision and Printing, to consist of five members, as provided in the Joint Rules of the Senate and Assembly
2. A Committee on Introduction of Bills after the Constitutional Recess, to consist of three members

Schedules for Committee Meetings

12. The Speaker shall be empowered to propose to the Assembly such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements

Quorum of Standing Committees.

13. Each standing committee shall determine its own quorum and the number of affirmative votes necessary to report a bill out of committee; *provided*, that not less than one-half the number of members constituting such committee shall in any case constitute such quorum, nor shall less than the affirmative votes of a majority of such committee be sufficient to report a bill out of committee.

COMMITTEE OF THE WHOLE

Appropriations of Money to Be Considered in Committee of the Whole.

14. All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

Proceedings of Committee of the Whole House.

15. In forming a Committee of the Whole House, the Speaker, as chairman or a chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

Rules in Committee of the Whole.

16. The rules of the Assembly shall be observed in Committees of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes need not be taken.

Motion to Rise Decided Without Debate.

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

SPECIAL DUTIES OF CERTAIN COMMITTEES.

Committee on Engrossment and Enrollment.

18. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and, before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

Engrossing and Enrolling Bills.

19. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly, and the report of such engrossment must be made to the Assembly on a day previous to the day on which such final action is taken.

Reports of Committee on Engrossment and Enrollment.

20. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

Committee on Ways and Means.

21. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State officers and State boards or State commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

Committee's Report on Sine Die Adjournment.

22. Concurrent resolutions for adjournment sine die shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

Committee on Contested Elections.

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

Committee on Attaches.

24. The Committee on Attaches shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have the authority to reassign any clerk or attache under him to special duties or other committees when the necessity arises.

The Committee on Attaches, in cooperation with the Chief Clerk and Sergeant-at-Arms, shall exercise general supervision over and shall systematize the work of all attaches.

The Committee on Attaches shall see to it that attaches shall not receive their per diem until they have been sworn in, and that the per diem of attaches shall be forfeited for each day on which they are absent from their duties without excuse from the authority delegated by the Committee.

All assignments of committee clerks and stenographers made by the Committee on Attaches under this rule shall be reported to the House and entered in the Journal.

DUTIES OF ASSEMBLY OFFICERS AND ATTACHES.

Duties of Chief Clerk.

25. The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. Subject to the provisions of Rule 67, he and his assistants shall read from the desk only such matters as the Speaker shall direct. He shall have the supervision of all the clerks and assistants at the desk, of all bill clerks, bill filers, stenographers, and of all committee attaches, and all pages, and shall be responsible for their performance of and regular attendance upon their duties and shall have power to suspend any such clerk or attache under him for dereliction of duty, and shall report to the Committee on Attaches such suspension and the cause thereof. Said suspended clerk or attache shall not receive any pay during the time of such suspension. The Committee on Attaches shall have the power to relieve the attache or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attache for incompetency or for wilful neglect of duty. The Chief Clerk shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Duties of the Sergeant-at-Arms.

26. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all processes issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeant-at-Arms and gatekeepers, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attache under him for dereliction of duty, and shall report to the Committee on Attaches such suspension and the causes thereof. Said suspended attache shall not receive any pay during the time of such suspension. The Committee on Attaches shall have power to relieve the attache of his suspension and shall have the power, subject to the approval of the House, to remove any attache for incompetency or for wilful neglect of duty. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of members at least one hour previous to the opening of the session.

Expenses of Sergeant-at-Arms.

27. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

Assistant Sergeant-at-Arms to Be Doorkeeper.

28. The Assistant Sergeant-at-Arms who is designated to be the doorkeeper shall be sworn to keep the secrets of the House.

Compensation of Attaches.

29. No attache of the Assembly shall demand or receive from any person any compensation other than that provided by law for services performed as such attache.

INTRODUCTION OF BILLS.

Introduction and Reading of Bills.

30. Any member desiring to introduce a bill shall rise in place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two-thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading, whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Joint and Concurrent Resolutions and Constitutional Amendments.

31. Joint and concurrent resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided, further*, that the ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments, unless regularly demanded, or required by statute or the Constitution. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they have been reported by a committee. All bills, constitutional amendments, and joint and concurrent resolutions may be amended by a majority of those voting.

Procedure on First Day of Introducing Bills.

32. In each legislative session on the first day when bills are introduced, under the "Order of Business" of "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, joint or concurrent resolution. After these two roll calls, bills, constitutional amendments, joint or concurrent resolutions shall be introduced by members on recognition of the Speaker, as provided by the rules of the Assembly, and all bills, constitutional amendments or joint or concurrent resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills by Committee.

33. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed and placed upon the Assembly file for further action.

Introduction of Bills After Constitutional Recess.

34. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either House of the same character which might be amended to effect the results sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three-fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

REFERENCE TO COMMITTEES.

Reference of Bills.

35. At the time of introduction the Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Assembly by a majority vote refer it to some other committee. A motion to re-refer a bill shall be debatable as to the propriety of such re-reference.

Order of Reference.

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

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

Referring With Special Instructions.

37. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment to a select committee, under special instructions to amend.

Reference of Senate Bills.

38. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislative day whether or not said bill is identical with the Assembly bill, and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

Bills to Be Reported Back to Committees.

39. All committees shall act upon bills, constitutional amendments and resolutions referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Assembly may at any time, by a majority vote of all its members, recall a bill, constitutional amendment or resolution from any committee.

ORDER OF CONSIDERING BILLS

Order of Making File.

40. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 30. When reported back they shall be placed upon the general file, to be kept by the Clerk, as follows: All bills when reported to the House by the committees, except such bills as are by the report re-referred to another committee, shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by two-thirds vote of the House. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present, such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in the General File, and when passed on file a second time the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing

it at the foot of the file shall be omitted from the General File. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

Order Making Special File.

41. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

Ordering Bills to Third Reading.

42. After being read the second time bills shall be ordered by the Speaker to third reading (or, in the case of Assembly bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days.

43. No Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two houses of the Legislature, unless permission to vote on such bill be granted by a three-fourths vote of the Assembly after being recommended by the Speaker of the Assembly.

QUESTIONS AND MOTIONS.

Procedure of Motions During Debate.

44. When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage

Division of Questions.

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

Substitute.

46. A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such.

Subjects Different from the One Under Consideration.

47. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment

Question Indefinitely Postponed.

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

PROCEDURE OF DEBATE.

Motions to Be Stated by Speaker, and If Desired Shall Be Reduced to Writing, or May be Withdrawn.

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

Order in Speaking to Questions.

50. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted,

except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

Speaker to Decide Who Is Entitled to the Place.

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

Calling Members to Order When Transgressing Rules.

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

Called to Order for Offensive Words in Debate.

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

THE PREVIOUS QUESTION.

Previous Question Demanded.

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

Manner of Putting the Previous Question.

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

Questions of Order After Previous Question Is Ordered.

56. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate, *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

VOTING BY ASSEMBLY.

Calling Ayes and Noes.

57. The ayes and noes shall be taken on the final passage of all bills, and when called for by five members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the clerk shall enter on the Journal the names of those demanding the ayes and noes.

Members at Clerk's Desk.

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

Voting on Question When Interested.

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

Division and Count of House.

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

Explaining or Changing Vote.

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

Election by House

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

Notice of Reconsideration of Vote.

63. On the day succeeding that on which a final vote on any bill, constitutional amendment, or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, a notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the successful side, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

MESSAGES, PETITIONS AND PAPERS.

Messengers May Be Introduced.

64. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House

Messages from the Governor and Senate.

65. Messages from the Governor and from the Senate may be considered at any time by vote of the House or by unanimous consent.

Petitions to Be Presented With a Brief Statement of Contents.

66. Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

Reading of Papers.

67. When the reading of a paper is called for, except petitions, and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate, upon brief statement of its substance by the Speaker.

THE ASSEMBLY CHAMBER.

Persons Admitted to the Floor.

68. No persons except Senators, State officers, Governors and ex-Governors of the states, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, attaches when actually engaged in work for the Assembly or a member thereof, and the wife or child of a member, shall be admitted within the Assembly Chamber, except in the gallery, during the sessions of the Assembly; *provided, however*, any other guest of any member may be admitted to the floor of the Assembly, but to no other part of the floor than to a seat at the desk of said member, and *provided, also*, that such admission of said guest shall be only by written permission of said member, countersigned by the Speaker, such permission being good only for the sessions of the day on which it is given, the names of such member and guest to be entered in the Journal when specifically requested by such member. At the convening of the Assembly in the morning, or after recess, all present except those covered by this rule shall retire from the floor of the Assembly. No one except the Sergeant-at-Arms or his deputies shall be allowed to remain in the lobby behind the rail at any time.

No Lobbying in the Assembly Chamber.

69. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation, and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire Assembly.

Speaker May Order the Galleries and Lobby Cleared.

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

Smoking in the Assembly Chamber.

71. No smoking shall be allowed within the Assembly Chamber during the session of the House, *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

Use of Assembly Chamber.

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

LEGISLATIVE PRINTING.

Printing of Bills.

73. One thousand five hundred copies of all bills, and as many additional copies as the House shall order, shall be printed The Chief Clerk or Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter and quantity thereof

Printing Extra Number of Bills, Etc.

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

Form for Printed Amended Bills.

75. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted; the omission of any matter to be indicated by the insertion of heavy parentheses and all proposed additions to be enclosed in heavy brackets.

Printing of Maps.

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

Filling Blanks.

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

MISCELLANEOUS PROVISIONS.

Protest of Members.

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

Personal Explanation.

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

Right to Address Assembly

80. No one except a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Call of the House

81. Upon a motion being carried for a call of the House the Speaker shall immediately order the doors to be closed, and shall direct the Clerk to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Assembly Chamber except by written permission of the Speaker, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House; *provided, however*, that during a call of the House it may consider and transact any matter or business that the members then present shall unanimously decide to consider, but no call of the House shall be had, during the call of the House, on any matter so taken up or considered while the House is under call. When a call of the House is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the House are dispensed with, when it will forthwith become the order of business before the Assembly.

Members Absenting Themselves.

82. No member shall absent himself from attendance at a session of the House without the leave of the House, and no member shall obtain leave of absence, or be excused without a vote of two-thirds of the House, or by unanimous consent.

Fees for Witnesses

83. Witnesses summoned to appear before the House or any of its committees shall be paid as follows For each day a witness shall attend, the sum of three dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents No mileage shall be paid, except where the witness has actually traveled for the purpose of giving testimony.

No Committee Expenditures Permitted.

84. No member of any committee shall be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Ways and Means shall, during the Constitutional Recess, be allowed his actual expenses while on such business.

RULES OF PROCEDURE.

Parliamentary Rules.

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

Suspending and Changing Rules.

86. No standing rule or order of the House shall be rescinded or changed without a vote of two-thirds of the members of the Assembly, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes.

1. Bills affecting the State Government, its revenues, its various departments or commissions or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Bills amending election or primary election laws.
5. Constitutional amendments.
6. Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule or order may be suspended temporarily by a vote of two-thirds of the members present, except Rule 43 and that portion of Rule 30 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules.

The Committee on Rules may also, at any time, report a temporary rule or regulation. When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker

RESOLUTIONS—(RESUMED).

The following resolutions were offered.

By Mr Pedrotti:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five dollars ($25.00) for the contingent expenses as provided by law, payable out of the appropriation for the contingent expenses of the Assembly; and the Controller is hereby authorized and directed to draw his warrant upon said fund for the respective amount and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dean, Donohue, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman,

Lyons, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Pedrotti, Pomeroy, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—60.
NOES—None

By Mr. Hornblower:

Resolved, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of thirty dollars ($30.00) to be used as the postoffice revolving fund, and the Treasurer is directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.
NOES—None.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

The following concurrent resolution was introduced

By Mr. Wright: Assembly Concurrent Resolution No. 1—Relative to canvassing vote for Governor and Lieutenant Governor.

Introduced, without reference to committee.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Morris asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

Assembly Concurrent Resolution No. 1—Relative to canvassing vote for Governor and Lieutenant Governor.

Assembly Concurrent Resolution No. 1 read, and considered engrossed.

The question being on the adoption of the resolution.

Resolution unanimously adopted.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Relative to canvassing vote for Governor and Lieutenant Governor.

Resolved by the Assembly, the Senate concurring, That the Senate and Assembly meet in joint session in the Assembly Chamber at 11 o'clock on the forenoon of Tuesday, January 9, 1923, for the purpose of being present when the Speaker of the Assembly shall open and publish the returns of the election for Governor and Lieutenant Governor, as provided and required by article V, section 4, of the constitution of the State of California.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

The committee to wait upon the Governor reported as follows:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1923.

The committee appointed to deliver a message to the Governor find him out and will be informed of his arrival at his office.

ELEANOR MILLER,
D. WILLIAMS,
HERBERT McDOWELL,
Special Committee.

RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. Snyder:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to procure from the State Purchasing Department, on requisition, for the use of the members of the Assembly, all necessary stationery and supplies

Resolution read, and on motion adopted.

By Mr. West:

Resolved, That the Sergeant-at-Arms of the Assembly or the bookkeeper to the sergeant-at-arms be and they are hereby authorized to receipt to the controller for all warrants for the payment of members, officers and attaches of the Assembly.

Resolution read, and on motion adopted.

By Messrs. Moore and Eksward:

WHEREAS, The Supreme Ruler of the Universe has called our late fellow member, the Honorable Frank J. Cummings, and

WHEREAS, We cherish his memory because of the inspiring lesson he gave to us throughout his long life of service as public official and as private citizen, and

WHEREAS, We desire to indicate by some token our sympathy for his bereaved widow and relatives, therefore, be it

Resolved by the Assembly of the State of California, That when we this day adjourn we do so in respect to the memory of the late Honorable Frank J. Cummings, and be it further

Resolved, That these resolutions be printed in the Journal and that copies thereof be engrossed by the Chief Clerk of the Assembly and transmitted to the widow of our late fellow member, Frank J. Cummings.

Resolution read, and on motion unanimously adopted by a rising vote.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1, relating to canvassing vote for Governor.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolution ordered to engrossment

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with Senate Concurrent Resolution No 1, relative to inaugural ceremonies, the Speaker announced the appointment of Messrs. Graves, Mathews, Scott, and Miss Broughton as such committee

ADJOURNMENT

At three o'clock and twenty minutes p m, on motion of Mr. Eksward, the Speaker declared the Assembly adjourned this day until 10 o'clock a m. Tuesday, January 9, 1923, out of respect to the memory of the late Frank J Cummings, a member of the Fourty-fourth session of the Assembly.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 9, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—80.

Quorum present

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Bromley, its further reading was dispensed with.

ANNOUNCEMENT.

Mrs. Cora Woodbridge announced she had been requested by the Placer County Chamber of Commerce to present the Speaker, Hon. Frank F. Merriam, with a basket of flowers, with which to decorate the Speaker's desk.

The basket was sent to the desk and appropriate thanks expressed by the Speaker.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and ordered printed in the Journal:

THIRD BIENNIAL MESSAGE OF GOVERNOR WILLIAM D. STEPHENS.

To the Senate and Assembly of the State of California.

In accordance with my constitutional duty, I hereby communicate to you my third biennial message concerning the affairs of the State, with such recommendations as I deem appropriate at this time.

In presenting this message I am reminded that I am now concluding six years in office as Governor of California. During that time the people of California have witnessed some of the most significant events and remarkable developments that this State and nation have known—the crisis of a World War, the subsequent readjustment of social, economic and business conditions, and the development which has given to California the unique and compelling distinction of being the most prosperous section of the Union agriculturally, industrially, commercially and financially during the years of prevailing national and world depression.

We are now confronted with the prospect of an unprecedented development and expansion for which the foundations have been well and truly laid. It is broadly true that progress in education, industry, agriculture and commerce rests back upon the principles of government in which these are fostered, and upon the practical encouragement and protection given to these interests of our people by the State. Whatever fiscal readjustments you may be called upon to effect, under limitation of revenues or other cause, I hope you will find means to enable the State to keep pace with the demands of progress witnessed in all lines of activity throughout our commonwealth. California with its vast undeveloped resources, and advancing popula-

tion, has need of governmental projects and policies uncalled for in the stable and settled states of the East.

At the same time I trust I may not exceed the proprieties, if I venture to hope that the governmental institutions which have been created and fostered under progressive and humane policies and measures, initiated by my predecessor and myself, and which I firmly believe have placed the State of California in a commanding and envied position among all the states of the Union, may be continued and protected by the Governor whom the voters have, in their wisdom, chosen to succeed me, and for whom I wish personally and administratively the utmost success in accomplishing the will of the people.

Before proceeding with an analysis of the present financial condition of the State, and a reference to some of its departmental activities, permit me to review two or three special matters of vital interest and importance to us all.

VETERANS WELFARE PROGRAM.

One of the outstanding achievements of this State has been the adoption of the soldier welfare program of which its promoters and the entire State may justly be proud, possessing as it does qualities of economic advantage to the State and of self-respecting benefit to the men who have so worthily served their country in the great wars in which we have been engaged.

The basis of this soldier welfare program lies in the genuine spirit of patriotism among the citizenry of this State, exhibited so triumphantly upon every patriotic demand during the war, whether in the enlistment of California's sons in the Army, Navy and Marine Corps, into which they went 135,205 strong and in which 3750 of them made the supreme sacrifice, or in the purchase of liberty bonds by our people to finance the war in every issue of which we went over the top, or in the Red Cross and other relief measures, in all of which our people responded with a consecration that makes the memory of the task a most gratifying one. So, that when in my first biennial message to the Legislature in 1919 I urged that this State cooperate in providing for the rehabilitation and reeducation of those who might return maimed or crippled or needing facilities for the attainment of self-support and in which I recommended the application of the land settlement principle for the benefit of returning soldiers, I found a hearty response among our legislators and people generally.

This sentiment found practical expression in the veterans welfare legislation and appropriations of 1921 which had my active support and executive approval. This legislation included four general provisions: First, the Veterans Welfare Act, creating and defining the powers of the Veterans Welfare Board with an appropriation of $1,000,000 to carry out the provisions of the act; second, the Veterans Educational Act, appropriating $500,000 to assist in giving certain educational benefits to war veterans; third, the Veterans Farm and Home Purchase Act, carrying an appropriation of $2,000,000; fourth, the Veterans Bond Act, enabling the Veterans Welfare Board to issue and sell State bonds in a maximum amount of $10,000,000. Of the latter amount, $2,000,000 is returnable to the general fund in the State treasury during the present fiscal year in accordance with the legislation of 1921, thus reducing by approximately $3,000,000 the appropriations mentioned above.

In the submission of this Veterans Bond Act for the approval of the people, I gave myself without reserve to its advocacy in all of my public addresses, and it was with the deepest gratification to me that the people of the State by an overwhelming majority in the election of last November approved these bonds for the welfare of the veterans.

In justice to all veterans concerned it should be said that the ten million dollars made available through the bond issue will but partially meet the requirements of the veterans for whom the welfare program is intended. Up to the present time applications have been received by the Veterans Welfare Board for loans under the Veterans Farm and Home Purchase Act from 9098 veterans. Of this number 2525 applications have come from wounded and disabled soldiers, and these are given preference under the act. It will require the full $10,000,000 to provide for the disabled group alone leaving practically nothing available for loans to able-bodied veterans. In view of the fact that these funds are all returnable to the State with interest, and that all that the State is giving to the veterans is the use of its credit, with the result that a stimulus will be given to land settlement and to home building, and in recognition of our debt to our war veterans, I recommend that you take into serious consideration what further steps may be necessary to provide for loans to the remaining number of applicants not provided for in the bond issue recently passed.

CONSTITUTIONAL PROHIBITION ENFORCEMENT.

California has, through ratification by the people of the Wright Act passed by the Legislature of 1921 and by its adoption of the provisions of the Volstead Act, as the law of this State taken its rightful place as a State in support of the national constitutional prohibition amendment.

From the beginning of my administration as Governor, and long before that time, I have been by personal conviction, through my study of social and economic conditions an opponent of the liquor traffic, and I have on all occasions as a citizen and

in my public life consistently supported every reasonable measure calculated to reduce the evils of that traffic. As a member of Congress I voted for the submission of the amendment to the federal constitution providing for national prohibition. I was the first Governor of California that ever announced in the platform of his candidacy his support of prohibition, which I did in my pre-primary announcement of 1918. In the same year I secured the adoption by the State Republican Convention of a platform favoring the ratification of the federal dry amendment by the Legislature at its next session. In due time the Legislature ratified the Eighteenth Amendment to the constitution. In the same session of the Legislature, in April, 1919, the Harris bill was passed, but was voted down by the people at the election in November, 1920. Finally, in May 1921, the Wright prohibition enforcement bill was passed by the Legislature and approved by me, declaring that "the courts of this State are hereby vested with the jurisdiction, and the duty is hereby imposed upon all prosecuting attorneys, sheriffs, grand juries, magistrates and peace officers in the State, to enforce the same." This statute was submitted by referendum to the vote of the people in the recent general election in November, 1922, and by a substantial majority was approved and has thereby become the law of this State.

THE ORIENTAL PROBLEM

Two measures have been adopted by this State looking to the preservation of the rights and privileges of American citizens and of others eligible to citizenship in connection with the development of the soil and its products within this area, and with the social and economic welfare of our people. The first was the Anti-Alien Land Law passed by the Legislature of 1913, forbidding ownership of agricultural lands by persons ineligible to citizenship and limiting their tenure to three-year leaseholds. The second was the initiative measure, submitted to the people with my active support in the election of November, 1920, and approved by an overwhelming majority vote which forbids the leasing of lands by persons ineligible to citizenship and also makes more effective the provisions against evasion of the act by corporations controlled by such persons.

The Legislature of 1921 enacted a law levying a poll tax of ten dollars on all male alien inhabitants of this State, and requiring such aliens to register in the counties, or in the cities and counties, wherein they may reside. The Supreme Court of California declared this act to be unconstitutional, basing its decision on certain treaty rights of Japanese protecting them from taxes that discriminate against them in comparison with taxes levied against American citizens. It does not appear, however, from this decision that there is anything to prevent the State of California from providing for a registration of all peoples ineligible to citizenship who are residents of this State, and I recommend as a means of keeping a careful watch upon the growth of the Oriental problem in this State, that a law be passed by the Legislature, providing for such registration and for the enforcement of the same.

The duty of the Legislature of this State, however, in this great problem can not be fully met by its own legislation. The welfare of this State is bound up in the national policy. The menace involved must be controlled at its source—in the immigration that comes into this country. On November 13, 1922, the Supreme Court at Washington rendered an important decision, determining that only persons of the white or Caucasian race are eligible for naturalization into American citizenship. Japanese are, therefore, debarred from naturalization. This decision amply justifies the laws which have been enacted by California as a safeguard to her own citizenship. The incompatibility of Japanese with American citizenship indicates clearly enough their inability to assimilate with the social relationships and with the economic standards of American life.

In its final solution this Japanese problem must be met by Congress. The best figures available indicate that the Japanese population of California comprises between 80 and 85 per cent of the total Japanese population of continental United States, and the safety and welfare of this State demand that Congress be educated as to the seriousness of this problem. In 1920 the State Board of Control, by my instruction, made a survey of the Japanese situation in California, and compiled the results of that survey in an exhaustive report, which I forwarded with my letter of transmittal to the Secretary of State at Washington, and to every member of Congress. This report created such a widespread interest in the problem, and inquiries became so numerous from all parts of the country, that it was necessary for the Legislature of 1921 to provide for a reprint of 10,000 copies for distribution. With the interest already awakened in many other states it is now opportune to press upon Congress the necessity and importance of passing an exclusion act prohibiting further immigration of people ineligible to citizenship into the United States, and providing for the registration of all said people within the boundaries of the United States at the time of passing such an act. Unless this is done, it is apparent to me that the Japanese problem will become even more serious than it is now, and increasingly difficult to solve.

ADMINISTRATIVE REORGANIZATION

I desire to call your attention to the progress which has been made in the matter of administrative reorganization. When I took office as Governor there were

upwards of one hundred appointive administrative agencies acting more or less independently of one another and with some overlapping Realizing that this involved waste and inefficiency, I determined upon a policy of State governmental reorganization Accordingly in November, 1918, I issued a letter inviting a small group of prominent citizens of the state to act as a Committee on Efficiency and Economy. The findings of this committee were submitted to the Legislature of 1919, with my recommendation that as a first step in the direction of reorganization for greater efficiency, the State Department of Agriculture be established, embracing all of those activities of the State having to do with plant and animal industries The results in this department proved so successful, that at the 1921 session of the Legislature I submitted a plan for the further reorganization of the State government, which, with slight modifications, was enacted into law and is now in operation. By this reorganization some sixty-three State agencies were consolidated into six major departments, the Department of Finance, the Department of Education, the Department of Public Works, the Department of Agriculture, the Department of Institutions, and the Department of Labor and Industrial Relations The agencies not included in the final reorganization expend less than fifteen per cent of the State's total expenditures thus, more than eighty-five per cent of all of the State's expense comes under the jurisdiction of these six major departments, and seventy-three appointments have been eliminated from executive patronage, and sixty-one appointments have been changed to positions having advisory powers only

During the one and one-half years in which this reorganized plan of administration has been in operation, I have been convinced that it has added greatly to the efficiency of the State government I am also satisfied that it has reduced the overhead expenditures of the agencies thus consolidated, that is, upon the basis of the business previously done by those agencies. Of course, the business of all departments has greatly expanded with the growth of the State and the general overhead has increased accordingly One point in which I have been particularly gratified is that while this reorganization has increased the efficiency, and has decreased relatively the overhead expense of the government it has not in any case eliminated any function of governmental service that is vital to the welfare, whether material or humane, of the State and its people The development of the progressive ideal in democratic government has brought to the fore not merely a larger measure of participation by the people in government but it has also emphasized the moral and humane aspects of legislation and administration No reduction of State activities should be permitted to eliminate or vitally injure any of those services or functions of government that have proven to be beneficial to the people, or that in their nature are vital to the higher welfare of the State.

STATE EXPENDITURES

The appropriations made by the Legislature of 1921, and approved by me for the two-year period ending June 30, 1923, amounted in all to $42 052,624 01 In addition to this amount, the fixed charges under constitutional and statutory provision, amounted to $46,159,199.15, making a combined total for the two-year period of $88 211,823 16 This was the exact and total amount of the final budget approved by me.

I was compelled by the nature of the financial situation with respect to available revenues and above expenditures, to veto appropriation bills passed by the Legislature of 1921, amounting in all to $3,397,520 It will be remembered that the large increase of appropriations and fixed charges for the two-year period ending June 30, 1923, over those of the previous two-year period was chiefly due to the large increase in fixed charges for education, the increased expenditure for this one function of the State being $20,557,883, of which $18,069,651 were fixed charges.

Following the appropriations made by the Legislature of 1921 I instructed the State Board of Control to exercise its supervisory powers with a view to such economies as might avoid the possibility of deficits in the various departments and reserve, if possible, a portion of the amounts already appropriated by the Legislature. Accordingly the Board of Control established a policy of a ten per cent unbudgeted reserve in the annual budgets of the various departments, releasing or transferring from this unbudgeted reserve only such amounts as in its judgment would be absolutely necessary for the efficient and economical management of the business of the State. The result of this policy of control, and of the careful management and cooperation of the departments, was that the Board of Control was able to report to me at the close of last fiscal year a conservation of $5,456 879 39 in the funds of the State available for expenditure, including $829 006 actually saved in the appropriations, and $4 627,873 conserved within departmental revenues. I am advised that there is a good prospect for a similar saving in appropriations for the current fiscal year which will make a total saving in appropriations for the two-year period ending June 30, 1923, of at least $1,500 000 There is also every prospect that the conservation within the self-supporting departments amounting to $4,627,873 on June 30 1922, will be further increased to an amount in excess of $5,000,000 by June 30, 1923

Deducting the above saving of $1 500,000 for the current biennium from the total budget of $88 211,823.16 approved by me leaves a net amount of $86,711,823 This

amount is further reduced by the return of $2,000,000 provisionally appropriated for the work of the Veterans' Welfare Board to be refunded to the general fund out of the proceeds from the sale of the $10,000,000 of Veterans' Welfare Bonds. When this $2,000,000 is deducted from the above $86,711,823, it leaves a balance of $83,811,823 net expenditures chargeable to appropriations and fixed charges for the two-year period ending June 30, 1923.

There is still due the State from the larger public utility companies $5,600,000 for taxes levied as of March, 1921.

NEW SOURCE OF REVENUE—NORWALK PROPERTY

The revenues of the state are at the present time drawn mainly from the taxation of public utilities, banks and insurance companies, general franchise taxes, inheritance taxes, license taxes, fees by Secretary of State, interest on deposits in banks, delinquent property tax redemptions, fees from Supreme and Appellate Courts, collections from punitive and reformatory schools and miscellaneous receipts. In addition there are certain operative departmental revenues not paid into the general fund but which go to meet departmental operative expenses not provided for by appropriations.

It is evident that under present growing conditions of the State consideration should be given to any further sources of revenue that may be made available to provide for the pressing needs of State departments and to avoid the possibility of an ad valorem tax.

It has developed within the past year, that the State is in possession of certain property capable of producing revenue to a very large amount. Indeed there are a number of State properties in the vicinity of oil fields that may prove to be very valuable from a revenue standpoint. One of the most valuable proven oil fields in the State, if not in the world, lies immediately adjacent to the Norwalk State Hospital grounds, and a report submitted by the State Mining Bureau shows a large part of this State property to be in what is termed a known geological structure producing oil. The adjacent oil field is known as the Santa Fe Springs oil field, and some of the wells are producing over 4000 barrels a day of oil, running as high as 36 degrees gravity. One of the newest producing wells is located about 600 feet from the hospital line. Other wells are being drilled on all sides. The State property includes a main parcel of 272.08 acres on which are located the hospital buildings, and a smaller parcel of 65.63 acres about one-half mile southeast.

While it is possible to continue the work of the hospital so far as the present accommodations will permit for a period of possibly two or three years, even though the oil development should be extended to portions of the hospital property, it is apparent that the oil development must eventually crowd out the efficient operation and the comfort of the institution. Owing to these conditions the building program inaugurated there has been discontinued. Unless immediate action is taken by the Legislature to provide for the development of this property for the oil that is in it, the surrounding oil wells will soon drain off much of the State's share in the underlying oil deposits.

Individual wells in the Santa Fe Springs field are producing oil to a value of over $2,000,000 per year at the present rate of production. Assuming a development of two or three wells to the acre over any considerable portion of the 272 acres in the main parcel of the hospital property, it becomes apparent that an immeasurably large revenue may be obtained from this property.

The Legislature of 1921 passed an oil leasing bill which was approved by me, and which I understood at the time as applying to public, but not to proprietary State lands, and believing that it was not contemplated by the Legislature that this act should apply to operative property of the State, such as that of our State hospitals, I approved of the decision of the Surveyor General, supported by the Board of Control, not to issue a permit for prospecting on the Norwalk State Hospital property. Subsequently an applicant for a permit filed suit for mandamus to compel the Surveyor General to issue an oil prospecting permit on this property, and a hearing of this suit was held by the Supreme Court in San Francisco on December 4, 1922, but at the time of preparing this message a decision had not been rendered.

Subject to the said suit, if then pending, and to the decision if rendered, I recommended that the Legislature amend the said Oil Leasing Act of 1921, so that it can not possibly be applied to the proprietary lands of the State.

I also recommend that provision be made for the securing of another site in Southern California for the erection thereon of buildings to which may be transferred the work of the Norwalk Hospital.

In view of the tremendous revenue-producing value to the State of the Norwalk Hospital property it should not be sold. I, therefore, recommend the earliest possible legislation to secure for the people the benefits of the revenue now locked up in the oil deposits assuredly there. And I submit for your consideration two alternative suggestions.

(a) The Legislature to provide a special plan for leasing the Norwalk State Hospital property for oil production upon a bonus and royalty basis. I am advised that the cost value of the 272.08 acres of land was $87,075, and that there has been expended in improvements on the property $833,898, making a total investment by

the State in the 272 acre tract of $920,973. The 65.63 acre parcel has an additional cost value of $19,785. Any method of leasing should provide for the assured realization of the above funds invested in the property. To get the largest and surest results from leasing the property should be subdivided into parcels of from twenty to forty acres each, and separate leases made for each of said parcels, each lease protecting the State adequately and according to the usual procedure in oil leases with respect to the obligation of lessees to produce oil within a specified period of time, and to continue the production of oil for a minimum number of days each year.

Inasmuch as every twenty to forty acres may be capable of supporting many wells, and consequently large revenues may be realized out of the production alone through each lease, I would recommend if leases be made that they be made on a basis of competitive bids as to royalty. Informal offers have already been made to lease on a basis as high as a thirty per cent royalty, and a fifty per cent royalty has even been suggested. Under the known conditions of this oil field high percentage royalties may be expected on a basis of competitive bidding. Then a plan should be devised for distributing the investment cost of the land and buildings over the various twenty to forty acre parcels by a system of cash bonuses to be required as a condition of the respective leases.

(b) The Legislature to appropriate a sum of money not to exceed half a million dollars as a revolving fund for the development of this property for oil by the State itself said revolving fund and control of the development to be placed in the hands of the Board of Control or the Department of Public Works. The legal power of the State to produce and sell oil from its own property may be questioned and this phase of the matter should be carefully considered, so as to avoid any possible tying up of the property for an extended period of time through injunction suits or otherwise. However, I am informed that the State expended in the year 1921 for its own use in fuel and lubricating oil, gasoline, distillate and kerosene, the total sum of $910,415, and in addition thereto, for road oil and asphalt, the sum of $118,236. The records show that the annual expenditures for these purposes is rapidly increasing. Hence, if the plan of State development for oil on its own property should be adopted by the Legislature there would appear to be some justification of the principle from the standpoint of the State's own need of oil and its by-products.

It is interesting to note that in the allotment of school lands by the federal government to the State of Minnesota, and to the State of Oregon, these states became possessed of lands in which are located large and valuable deposits of iron ore in Minnesota and valuable timber in Oregon. Under the provisions made by these states their state universities will share largely in revenues that will come from these lands and it is believed that these universities will find their ultimate permanent support chiefly if not entirely from these sources.

California can likewise avail herself of the revenues that may be derived from her oil bearing properties for the benefit of such State activities as may seem to come appropriately under such provision. Accordingly, I recommend for your consideration that out of the net proceeds received from oil production on the Norwalk State property a certain proportion, perhaps one-half, be set aside as a reserve fund, and that the remainder be used as a contingent appropriation on a percentage basis to certain of the State functions not adequately provided for out of the regular legislative appropriations, as for instance, a fixed percentage according to the respective needs to each of such activities as the University of California, the State Teachers Colleges, the State Hospitals, the Department of Agriculture and the Board of Forestry.

This whole matter should be very promptly and carefully worked out, as it is fraught with great possibilities of benefit to the State. At the same time no undue speculation as to possible profits should be indulged in, because even the most promising oil fields sometimes bring their disappointments.

STATE BANKING CONDITIONS.

The banking situation, according to the report of the Superintendent of Banks, reveals a condition of marvelous prosperity throughout the State. At the close of the last fiscal year California was fifth in the United States, exceeded only by New York, Pennsylvania, Illinois and Massachusetts in the aggregate resources in banks under State jurisdiction. On June 30, 1922 the amount of assets in the State banks, both savings and commercial, was $1,657,940,000. On June 30, 1917, the aggregate assets of the State banks, both savings and commercial, amounted to $929,224,000, showing an increase between the two dates in five years of the astounding sum of $728,716,000. In the fiscal year ending June 30, 1922, the increase of assets in State banks amounted to $161,904,000 over the previous year.

During the last fiscal year seventeen national banks with three branch offices sold their assets and transferred their deposit liabilities to state banks. During the same year thirty-six State banks with 113 branch offices were organized, making a total of 429 State banks with 281 branch offices operating under the laws of the State of California. Of these 67 are commercial banks, 99 are savings banks, 7 are trust companies, 232 are commercial and savings departmental banks, and 24 are commercial, savings and trust company banks. At the close of the last fiscal year there were 2,531,624 depositors in the State banks, a gain of 265,250 depositors in one year.

Such a growth of State banks in wealth and in banking power reveals not only a condition of present prosperity, but as well a firm foundation for a period of unprecedented development in the years to come

STATE RAILROAD COMMISSION.

One of the vital activities of this state is the regulation of its public utilities by the Railroad Commission under the constitutional and statutory laws of the State. A large part of the revenues of the State comes from the taxation of these utilities. The welfare and comfort of the people are involved in the extensions and services of these utilities and in the rates charged for their services. It is the function of the State Railroad Commission to so regulate these utilities that their operation may be maintained on an economical and efficient basis, and their usefulness extended according to the best interests of the State, with no undue burden upon the ratepayers in the rates charged for services rendered.

The work of this commission necessarily demands facilities for expert and thorough investigation of all utilities by a corps of trained engineers and accountants sufficiently salaried to warrant them in remaining in State service. Inadequate facilities for such complex and technical work may defeat the purpose for which regulation was established and leave the commission dependent upon the utilities themselves for the data with which they must proceed. The cost of maintaining the work of this commission is approximately $438,300 per annum for the regulation of utilities having operating revenues amounting to $777,675,000, and operating expenses amounting to $585,955,000 per annum, and from whom $24,625,000 per annum is received in taxes by the State.

During the past year the commission rendered 1444 decisions and instituted 28 proceedings on its own motion There were held 1088 hearings in different parts of the State and 4950 informal complaints were handled in one year. Valuations of practically all important utilities have been acquired. Investigations into the operation and service of these utilities have been made Accordingly, it may be possible in the future to set up more definite and accurate standards which the utilities may be expected to observe.

The Railroad Commission states in its annual report that the sum of $20,350,000 has been saved to the public through reductions that have been effected, as follows Electric rates, $6,000,000, gas rates, $2,900,000, railroad rates, $10,450,000; express rates, $1,000,000 I am advised that since their report was filed a further great saving has been effected through recent decisions.

Utilities reporting to the Railroad Commission show at the close of the calendar year of 1921 a considerable increase in net revenues. Operating revenues for steam and electric railways, gas, electric water, telephone, telegraph, carriers by water, wharfingers, and warehouse utilities totaled $777,674,991 as compared with $735,048,864 for the preceding year, an increase of $42,626 127. Operating expenses for 1921 were $585,945,737 as against $599,015,657 in 1920, a decrease of $13,069,920. Combining the increased revenue with the lower costs shows a net gain of $55,687,047. During the past year authorization was granted by the Railroad Commission to California utilities to issue securities for additions and betterments amounting to $148,925,206; and a total of securities for all purposes amounting to $188,401,250, including $19,075,793 for refunding purposes, mainly to take advantage of improved interest rates.

The Railroad Commission is a regulative body of a judicial character with initiatory powers, and is charged with the duty of meting out justice to both sides of every issue It was established under a mandate from the people of the State, to safeguard communities from abuses of capital control in the use of public franchises. It is inherent in the very nature of public service franchises, that the first obligation of those enjoying the control of those franchises is toward the people by whom the franchises were given. Not only is the safety and permanency of the regulative principle involved in the proper interpretation of the law governing public utilities, but as well the continuance of the trust committed by the people to the corporate holders of these franchises.

If these interests of the State are to be properly safeguarded, and justice done to all sides of each issue it is necessary not only that the commission, the people, and the corporations fully realize these principles, but that the regulating body be adequately provided with the facilities necessary for independent investigation to secure data upon which their decisions must be based.

EDUCATION.

The primary assets of any state or nation are its children, and our teachers are the chief makers of our civilization Our material developments will last for a time, but the making of our people's character is a matter for all time to come.

It is, therefore, a perfectly logical thing that the establishment and maintenance of our schools and colleges should bulk large in the regular expenditures of the State Over fifty-one per cent of the total appropriations and fixed charges for the two-year period ending June 30, 1923, was for education. Of the total budget of $88,211,823, the sum of $45,188,666 was applied to elementary, secondary, and vocational schools, teachers colleges, and the State University. Of this amount

57.3 per cent was applied to the public schools, 5.3 per cent to the teachers colleges, and 22.5 per cent to the State University.

1. Elementary and Secondary Schools.

By the constitutional amendment approved by a vote of the people in 1920, the State's contribution to the support of public schools was established on a basis of not less than $30 per pupil in average daily attendance in the day and evening elementary, secondary and technical schools in the public school system during the next preceding school year. This resulted in an increase of 110 per cent in the expenditures of the current biennium over those of the previous biennium. In other words, while the 1919 budget provided $14,423,335 for the above mentioned schools, the budget of 1921 was forced under the constitutional amendment of 1920 to provide $30,401,980 for the same purpose.

I have never had any regret that this increase was made by the people themselves, because it has enabled the school boards to pay the school teachers a reasonable salary for their invaluable services, and because it is indicative, not only of our growing educational population, but also of our growing interest in our public schools.

The average daily attendance in our elementary schools for the last three years shows an average increase of seven per cent per annum, and it is reasonable to assume that the increase per annum in the next two years will be as great. The average increase over the past three years in the high schools was eighteen per cent per year. This large increase may be partially explained by the special development in part-time instruction, and in Americanization classes. It must be borne in mind, however, that the incoming population of California is largely comprised of families with such a proportion of children of high school age as will make the annual increase in high school attendance greater than that of the elementary schools.

2. Teachers Colleges.

The enrollment in the teachers colleges, the support of which is not a fixed charge but a matter of appropriations, is growing more rapidly than in any other group of institutions. The approximate enrollment for the teachers colleges, exclusive of the training schools, for the past four years, is as follows: Seventy-first fiscal year, 2750; seventy-second fiscal year, 3100, seventy-third fiscal year, 6000, seventy-fourth fiscal year, 8000, an increase of over 190 per cent in four years. This reveals the necessity for greater support of these teachers colleges, not alone for maintenance but also for buildings.

Whatever may be the difficulties in meeting these requirements, it should be remembered from our experience in connection with the retarding of school construction during the years of the War, succeeded as these years were by a forced building program that was almost impossible to bear, that whenever the necessities of school life are held back for a period of years, such retardation only means larger expenditures later on.

3. University of California.

The University of California is inevitably expanding with the growth of the State. The enrollment on November 1, 1922, was 13,931, not including summer session enrollment of 8297, nor enrollment for University extension work of 21,000. The total enrollment of 13,931 includes 2935 attending the Southern Branch of the University in Los Angeles. The development of State junior colleges has materially relieved the pressure of increasing attendance at the University, particularly in the first two years. Nevertheless, there is a steady increase in University enrollment especially in the southern branch and a corresponding increase in the total expense of operation and equipment.

The University appropriations and fixed charges for the two-year period ending June 30, 1923, amounted to $9,738,904, and increased amounts will be required for the future to meet the extraordinary growth of the southern branch at Los Angeles, and the urgent needs of agricultural education.

STATE LIBRARY

California has made the most distinctive development, during the past six years in the use of books for the education and enjoyment of all her citizens. The State Library, containing 350,000 volumes, is available to every individual in the State through the medium of the public and county library systems. In 1917 the county libraries, which are of particular importance because they touch the lives of the men, women and children living in comparative isolation, numbered 35, with book resources of 750,000 volumes. Today, the 42 organized county libraries have more than 2,100,000 volumes. The books of the State, whether in the State Library, public libraries, or county libraries, are so readily interloaned that perhaps never in the world's history have the people of any commonwealth been able to use and enjoy with such accessibility, the literature of this and other countries.

AGRICULTURE

California is preeminently an agricultural State. It has a land area of 155,652 square miles with a population of about 4,000,000, while the combined land area of the four great states, New York, Pennsylvania, Illinois and New Jersey, is 156,043 square miles, with a population of over 28,000,000. California has 45,800 square miles or 29,365,000 acres, in cultivated farms. The total value of all farm property in this State amounts approximately to $3,500,000,000. The value of products of

the soil in 1921 was $635,519,000. California's output of fruits is equal to about one-half of the total value of fruits of the entire country.

In harmony with these conditions, the State Department of Agriculture has been organized and advanced to such a point of efficiency that the United States Department of Agriculture has freely acknowledged our department's supremacy among the state agricultural departments of the union. The reorganization of 1919, recommended by me, and which brought all of the State activities related to the plant and animal industries into one department with five divisions, made possible this efficient organization.

1. Agricultural Legislation.

The Legislature of 1921, with my active support, distinguished itself with more advanced agricultural legislation than any previous Legislature in the history of the State. Among the new laws passed in 1921, were the Pure Seed Law under which the standardization of agricultural seeds was authorized and a Seed Testing Laboratory was established in cooperation with the Federal Department of Agriculture; the Control and Destruction of Predatory Animals Law which provides for the protection of live stock from the depredations of these animals, the Grain Standards Act, providing for the voluntary licensing and bonding of agricultural warehouses, and the Economic Poisons Act. Among the new laws passed affecting the animal industry were the Tuberculosis Free Act, the Accredited Herd Act, and the Slaughter House and Meat Inspection Act. Other laws were passed amending previous statutes to provide for more adequate service along various agricultural lines.

2. Plant Quarantine.

The Director of Agriculture calls attention to the importance of plant quarantine in this State. In less than five years the Mediterranean fruit fly destroyed the peach and nectarine industries of Spain, and practically eliminated the orange industry of that country. If this pest should gain entrance to this State it would bring an incalculable loss to our State through the destruction of some of our citrus and deciduous fruit industries. The alfalfa weevil has spread over counties in the State of Nevada, and the dangerous white pine blister rust has appeared in the northern borders of the Pacific Slope. The danger to California of these and other alien enemies of our plant life is becoming very real from year to year and illustrates the importance of materially strengthening and enlarging our plant quarantine program. The State of Florida has spent over $1,300,000 in an eradication campaign against the citrus canker, Massachusetts is forced to spend hundreds of thousands of dollars annually in an effort to control the gypsy moth, and many thousands of dollars are being spent in the Southern States in an attempt to control the Mexican bean beetle.

To protect California from plant pests every boat that touches our shores from foreign or interstate ports is examined by horticultural officers for contraband material. Every freight train crossing our State border and carrying plant material is met and inspected. If such protection were not given California would be likely within a few years to find her entire fruit areas devastated by plant diseases.

3. Standardization.

The standardization work on fruits and vegetables, essential for the building up and maintaining of our fruit-producing credit, has progressed materially during the past year. The Bureau of Standardization has developed, to a high degree of efficiency on a self-supporting basis, a commercial shipping point inspection service for fruits and vegetables.

4. Animal Industry.

The Division of Animal Industry has rendered protection to livestock producers by preventing, controlling and eradicating transmissible animal diseases, and also protection to the public health by efficient inspection of animal food products.

5. Support.

Toward the fostering of this great agricultural industry in our State the Legislature of 1921 appropriated the total sum of $1,115,040 for the two-year period ending June 30, 1923. It is evident that this is one of the departments that may reasonably be expected to command increasing support incident to the growth of the industry, and the broadening efforts to cope with its problems.

STATE LAND SETTLEMENTS.

Although California ranks fifth among the states in her value of agricultural products, this wealth is drawn from a comparatively small portion of the State's area. A great influx of settlers and an enormous increase of wealth and production await the stimulus of further aid and direction by the State through land settlements, tending to make rural life more attractive and give broader opportunities to men of moderate means.

The establishment of the Durham and Delhi colonies has demonstrated the value to the State and to its agricultural progress of the land settlement plan. These two settlements have been created under legislation, fathered and supported by me, which gives settlers 36½ years' time in which to pay for farms, with interest at 5 per cent on deferred payments. It provides for the creation of communities large enough to give settlers the benefit of expert advice and direction, and it enables them to cooperate in carrying out developments and in the business management.

The Durham settlement, including approximately 6400 acres of land, which unfriendly critics previously called "a malaria marsh unfit for human habitation," has become the home of 139 settlers and their families, all enjoying prosperity and health, and the benefits of unusual community privileges.

Delhi, with 8000 acres of land, which the enemies of the State's policy called "a windswept desert of shifting sand," has been transformed into alfalfa fields, orchards and vineyards on which 217 families now live and where 400 families will live when the development is completed. Before the State bought the Delhi lands the rental income was about $4000 per year. Competent experts predict that within ten years the crops from this land will be worth $1,000,000 per year.

What the State has done at Durham and Delhi needs to be done on 15,000 acres awaiting development in the Hapon Valley district, on 100,000 acres in the Merced district, on 250,000 acres in the larger Madera district, on 300,000 acres in the Imperial Valley, and on other thousands of acres elsewhere in California.

CALIFORNIA STATE FAIR

The annual State Fair at Sacramento shows encouraging progress for the past six years. In 1916 the attendance was 110,000 and in 1922 it was 160,000. Premiums for exhibitors and races have advanced from a total of $58,000 in 1916 to $87,000 in 1922. The number of counties exhibiting has increased from 14 in 1916 to 36 counties in 1922. Live stock entries have increased from 1600 in 1916 to 2300 in 1922. The horse show has grown from 40 entries in 1916 to 200 in 1922.

A notable expansion has taken place in the exhibition of tractors and farm machinery, the space occupied having increased from 200 square feet in 1916 to 75,000 square feet in 1922. Another significant growth has been in the educational exhibits. Although an additional 10,000 square feet was added for this purpose last year, the exhibits were so crowded that the directors are seeking for an appropriation to meet further extension.

Live stock valued at over $2,000,000 was shown in 1922, the largest exhibit ever shown in the West, not excepting the Panama-Pacific Exposition.

STATE EXPOSITION AT LOS ANGELES

Exposition Park, located in Los Angeles, comprises 130 acres owned by the State, title being vested in the Sixth District Agricultural Association. The land has an inventoried value of $1,000,000, but is worth considerably more at this time.

The State maintains a State Exposition Building here for the purpose of housing "a permanent, classified exposition of the resources and industries of California." The exhibits cover agriculture, horticulture, animal industries, manufactures, mines and mining, forestry, fish and game, and scenic attractions. This exposition, open all the year, is one of the most valuable means of educating the vast number of tourists visiting Los Angeles as to the resources and attractions of all California.

The National Guard Armory is also located on the exposition property.

The State leases to the county of Los Angeles a portion of the property, which is occupied by the Museum of History and Art. The remainder of the property is leased to the city of Los Angeles, and on this portion has recently been erected, by the Community Development Association, a stadium at a cost of $900,000 that is one of the largest structures in the world, with a seating capacity for over 75,000 people.

STATE CORPORATION DEPARTMENT.

The increasing volume of work done by the State Corporation Department is another evidence of expanding business conditions in this State. During the past biennium this department has authorized the issuance of securities to an aggregate par value of $1,452,594,000. Of this amount the par value of bonds, notes, etc., was $168,354,000. During this period a total of 15,990 permits were issued by the department, and a total of 3700 permits were revoked. To meet the increasing demands of this work, the personnel of the department has been increased approximately 24 per cent, with a proportionate increase in cost of equipment and salaries.

The department has vigorously prosecuted undesirable promoters and unscrupulous salesmen in its effort to curb security frauds. Business trusts, cooperative loan companies and other organizations, some of which have sought to evade their just obligations, have been brought under the regulations of the Corporate Securities Act by advice of the Attorney General of the State. Amended legislation to strengthen the regulation of the promotion of securities may be presented for your consideration and no doubt will have your careful attention.

REAL ESTATE DEPARTMENT.

It is inevitable that the increasing population and growing prosperity of our State should be accompanied by a great expansion in real estate activity. With this expansion many dangers and evils are likely to arise which must be guarded against, while legitimate business must be safeguarded and fostered. During the past two years land has been subdivided for promotional purposes, both in the large centers and in rural districts, especially in the vicinity of the oil fields. Propositions with merit and without merit have been placed on the market. Thousands of the poorer classes of people have lost all their savings by turning over their money to unscrupulous

promoters. Manifestly these conditions are a menace to the prosperity and welfare of the State, and it was to meet such conditions particularly that the State Real Estate Department was established. The Los Angeles office of this department for months has held an average of four to five hearings, formal and informal, per day.

During the year 1922, this department issued over 37,000 real estate license certificates. The results of the work of the department have inspired confidence not only among the better class of real estate men, but also among investors, homeseekers and developers throughout the State and the entire country.

STATE INSURANCE COMMISSIONER.

The insurance business is an inseparable part of the progress of any State. Through no other medium can the economic and social conditions and the rapid growth of a commonwealth be more clearly indicated.

The increase in the volume of life business, the stabilizing of the accident and health business, the strict conformity to the provisions of the Workmen's Compensation Act, and the prompt recognition of their obligations on the part of insurance carriers of all lines in California, have contributed much to the advancement and contentment of our citizens.

The sound financial condition and conservatism in investments, and the cooperation of the insurance companies of this State with the State Insurance Commissioner, demonstrates the integrity of our insurance institutions and the high character of the men in executive control. The public confidence in the strength of these institutions, temporarily shaken in some instances by the great San Francisco conflagration, is now entirely restored.

INDUSTRIAL AND SOCIAL RELATIONS.

1. Industrial Accident Commission and State Compensation Fund.

The establishing of the State Compensation Insurance Fund in 1914 was one of the most progressive measures ever adopted by this State. Workmen's compensation insurance has been accepted by employers, employees and the public at large as an equitable way of relieving distress on a business basis, and has assisted in reducing the friction between employers and employees. Human wastage is now recognized as one of the essential items in the operating cost of industry. The State Compensation Insurance Fund received an original appropriation of $100,000, which under the act of 1921 was returned to the State treasury. The compensation fund has been so efficiently and economically managed that according to available records, its overhead expenses are proportionately less than one-half of the expenses of other compensation insurance companies, with many advantages at the same time to policyholders through dividend returns. The premiums paid into this fund in the first year of its existence, 1914, amounted to $360,000. The premium income for 1922 was approximately $5,000,000. This beneficial and financially successful State institution deserves encouragement. Any attempt to reduce the efficiency or scope of the business of the State Compensation Insurance Fund should be vigorously resisted by the Legislature.

2. Labor Commissioner.

Industrial employment at the present time, aside from seasonal conditions, is generally good throughout the State. During the winter season of 1921-1922, when there was a condition of general unemployment throughout the United States, this State suffered to some extent from the migration of unemployed from other parts of the country. But through the diligent service of our State employment bureaus under the direction of the Commissioner of Labor in cooperation with employers, and owing to the large building activity extending throughout the State, and the speeding up of State highway and building construction, the threatened unemployment in California was largely relieved, and in the early months of 1922 had practically disappeared. Seven State employment bureaus have secured employment, during the year 1921 for 132,133 persons, and during ten and one-half months of 1922 for 222,911 persons, showing a very great increase in the value of this service.

3. Industrial Welfare.

The Industrial Welfare Commission has advanced the minimum wage for women from $10 per week in 1917 to $13.50 per week in 1919, and to $16 per week in 1920. The minimum wage has been recently sustained at $16 in the mercantile industry, and it is expected that this minimum will be extended to other industries. In 1917 90 per cent of the women workers in California received less than $16 per week. Today 90 per cent receive $16 per week and over. In the mercantile, laundry and manufacturing industries, employing 67,000 women, 60 per cent receive $17 and over per week. California is the only state where wage regulation has had adequate financial support, and it is to be hoped that the efficiency and facilities of this commission may be maintained.

4. Immigration and Housing.

The Immigration and Housing Commission has been the friendly helper of thousands of strangers and foreigners in our midst. Through its Bureau of Complaints it has met and relieved many distressing situations, and by its community organization and information it has assisted many foreign-born people in our State

to become truly Americanized. Its work of inspection of labor camps, as well as its efforts to improve housing conditions among the foreign-speaking communities of our populous centers, has contributed to a better understanding by immigrants of our social, sanitary and economic standards and ideals.

WOMEN'S AND CHILDREN'S WELFARE.

Some of the most advanced steps for the welfare of women and of children in this State have been taken during my administration and with my hearty approval.

1. Women's Welfare Legislation.

The amendment to the national constitution granting to women equal franchise with men was ratified by the Legislature of California in November, 1919, at a special session which I called for that purpose. While a member of Congress I was ever an advocate of woman suffrage, and when in 1919 the measure giving the franchise to women in this State was before the voters of California, I spoke throughout southern California in its behalf.

In 1917 I approved, as Governor, a bill of the Legislature making women eligible for election as school trustees, and in 1919 I approved a bill making women eligible to act on juries. In 1917 and 1919 I approved amendments to earlier statutes, improving the provisions for limiting the hours of labor for females. In 1919 I approved amendatory legislation making more effective the regulatory work of the Industrial Welfare Commission with respect to a minimum wage for women. I have supported advanced legislation respecting community property rights of women, and I am in favor of the Legislature at this session amending the community property law of the State with proper safeguards to business stability and responsibility to enable women to make testamentary disposal of their share of community property.

2. Children's Welfare Legislation.

The minimum age for child labor in street trades was advanced from 10 to 12 years in 1917 under my approval. The Bureau of Child Hygiene, established in 1919, and the Division of Dental Hygiene, established in 1921, operate for the benefit of the children.

In 1919 the Legislature proposed a constitutional amendment, which was approved by vote of the people in 1920, authorizing the Legislature to increase the State aid to needy children from $6.25 to $10 a month per child and a new group of needy children was added to the list of beneficiaries under this State aid to include children of tubercular and permanently incapacitated parents. The total expenditures by the State for this purpose in the year ending June 30, 1921, amounted to $1,200,000, and the amount expended in the year ending June 30, 1922, amounted to $1,340,000. No expenditures for material advancement can be justified equally with the money expended by the State for the protection and welfare of its children.

3. Home for the Adult Blind.

The State maintains an Industrial Home for Adult Blind in Oakland where the blind are taught trades and encouraged to assist in their own support. There are about 2000 adult blind in the State who can not be cared for in this institution. Obviously the aged blind should be maintained in the homes of their relatives, or by local charities in the homes for old folks. Only those are admitted to the Industrial Home for Blind who can be taught some of the various trades, and use their training in at least partial self-support, and this policy should be maintained. The results of this institution have been gratifying in this respect.

HEALTH CONDITIONS.

1. Board of Health.

The health conditions of the State show gratifying improvement. The Board of Health reports that typhoid fever has almost been banished from California. The death rate in this State from typhoid fever in 1921 was about one-tenth of what it was in 1906, when vital statistics were first recorded. The tuberculosis death rate has also been reduced from 216.7 deaths per hundred thousand population in 1906 to 150.7 deaths per hundred thousand in 1921. The fact that this death rate is still high is chiefly due to the attractiveness of this climate to tubercular patients from the East, who are too far advanced in the disease to find complete recovery. But, with the financial aid now given by the State for these patients in county hospitals, and with proper education in respect to the control of this disease, it is hoped to greatly reduce this condition. Influenza has been reduced to the vanishing point both in prevalence and in virulence as compared to the years 1918 and 1919.

Among the beneficial activities of the Board of Health has been the sanitary inspection of automobile camps, the revision of plans for municipal and community sewage disposal and water supplies, and the inspection of milk under the California Milk Law, which is one of the best in the United States and has helped to reduce the infant mortality rate for California to 66.3 per hundred thousand population, one of the lowest rates for any state in the Union. The availability of the Sheppard-Towner fund, which I accepted from the federal government, has facilitated the organization and formulation of a comprehensive and constructive program for the conservation of child life, prenatal and maternity welfare. The results attained by

this department, together with its vital relation to the welfare of the people, have amply justified the support given to it by the State.

2. Other Health Boards.

To the Board of Health, the Board of Medical Examiners, the Board of Pharmacy, the Board of Dental Examiners, and the Board of Optometry, have now been added through initiative measures, carried by vote of the people in the election of November, 1922, the Board of Osteopathic Examiners, and the Board of Chiropractic Examiners.

3. State Hospitals.

The State hospitals for the insane administered by the Department of Institutions show a gradual but persistent increase in the number of patients. The records show that in 1918 the number of patients was 10,296, while in 1922 the number was 11,291. One of the gratifying aspects of the work in the State hospitals for insane is the percentage of cures that are effected, as the following list of percentages of recoveries to admissions show, namely, in the year 1918, recoveries were 23.66 per cent of the admissions, and 27.43 per cent in 1919, 26.45 per cent in 1920, 21.5 per cent in 1921, and 24.3 per cent in 1922.

On the basis of the increases during the past two years, it may be expected that in the next two years there will be an increase of over 900 patients. At the present time these hospitals are seriously overcrowded by an excess of 800 patients. Provision will, therefore, have to be made for additional building accommodations for patients in these hospitals. This problem of accommodation is further seriously increased by the situation at Norwalk Hospital, which was established in 1913, to relieve the overcrowded condition in the other hospitals. The oil development which has taken place in the immediate area around that hospital makes it all the more necessary to immediately provide for the purchase of land elsewhere in southern California, and the erection of buildings on the new site, so that the hospital work can be transferred to the new location within a period of two years.

4. Pacific Colony.

The provision of the State for homes for mentally deficient youths is inadquate. The number of inmates at present accommodated in Sonoma Home is 1596, and there is a waiting list of over 800 applicants, designated as suitable for admission to such a home. The home at Pacific Colony has 22 inmates, but the development of this institution has been retarded by the lack of a satisfactory water supply on the property where the present building is located. There are two parcels of land connected with Pacific Colony, which is located near Pomona in southern California. One of these properties has 800 acres and it is on this property that the one building is located, and on which there is not an adequate supply of water. The other property contains about 200 acres, and is some miles away from the main property, but on one of the boulevards and close to railroad transportation. I am advised that the purchase or condemnation of a piece of approximately 40 acres adjacent to the above 200 acres will provide a good location with adequate water supply, for the development of Pacific Colony. *I recommend that the Legislature make provision for the* purchase, or condemnation, if reasonable purchase can not be made, of the 40 or more acres tract above referred to and that buildings be proceeded with on the 240-acre tract out of the special appropriation made by the Legislature in 1921.

HOMES FOR VETERANS AND THEIR WIDOWS.

The State assists in the maintenance of two homes for aged or infirm veterans and their widows. One of these is the Veterans' Home at Yountville, in which there are about 470 Civil War veterans more than 75 years of age, who are gradually diminishing in numbers, and Spanish-American War veterans whose numbers are increasing. The other is the Woman's Relief Corps Home near San Jose, now accommodating about 30 widows, sisters and daughters of Civil War veterans. This home is urgently in need of additional building accommodation for about 30 more members. Both of these homes are rendering a service of patriotic love to some of those to whom this country is greatly indebted for their heroism and fidelity in a time of national need.

PENAL AND CORRECTIVE INSTITUTIONS.

The growth of population, and the imperfect conditions of social and economic environment, are inevitably attended by a proportionate increase in delinquency and crime. Society must protect itself against the menace involved, and consequently prisons and reformatories are necessary institutions.

1. Penal Institutions.

Attention is called to the alarming growth of population at San Quentin and Folsom prisons. In San Quentin there are 600 more prisoners than there were two years ago. The present population is about 2400, not including 258 paroled for work in road camps. If the population should increase as it has in the past two years, San Quentin would have 2910 prisoners by June 30, 1924, and 3494 by June 30, 1925. This will be far beyond the corrective and healthful accommodations of this prison. Folsom is also crowded with a population of 951 inmates, mostly second termers, not including 179 paroled for road construction. Both prisons are over-

crowded to such an extent that the pernicious practice of confining two male prisoners in a single cell is, in large measure made necessary

At San Quentin, a jute mill for the manufacture of bags, and a factory for the manufacture of all kinds of office and institutional furniture, as well as other industries, engage the occupation of a large number of prisoners, and at Folsom quarrying and farm work are the main occupations The cost of the maintenance of these institutions is necessarily increasing with the growth of their populations.

2. Corrective Institutions

The Whittier State School for Boys, the Preston School of Industry, and the California School for Girls at Ventura, are classified, not as penal but as corrective institutions, because, while their inmates have been committed under the Juvenile Court Law for delinquencies of various kinds, these are boys and girls from 8 to 21 years of age, susceptible of reformation by education, and experience has demonstrated the possibility of redeeming a large percentage of them to be useful members of society.

At Whittier and Preston regular schools are conducted and the boys are trained in farming, printing, blacksmithing, auto repairing, carpenter work and furniture making, shoemaking, bakery, tailoring and laundrying.

At Ventura, in addition to regular school work, the girls are trained in domestic work, sewing, gardening, typewriting and commercial work.

Whittier had an enrollment in November, 1922, of 306 boys from 8 to 16 years of age, and 56 employees. Preston had 430 boys from 15 to 21 years of age, and 123 employees, and Ventura had 155 girls and 54 employees.

These schools have attained a national reputation for efficiency in standards and results. Human redemption comes through knowledge. By the training received at these corrective schools, hundreds of boys and girls of delinquent tendency are saved from becoming a criminal menace to society.

3. Industrial Farm for Women.

The Industrial Farm for Women was established under the authority of an act passed by the Legislature in 1919 as a corrective institution for delinquent women committed by the courts. It was opened during the last year, and has now 43 inmates While it has been questioned whether the institution would in any effective measure solve the problem or relieve the menace involved, it must be remembered that the social delinquencies of these women are not necessarily such as would justify crowding them into our prisons to associate with depraved criminal characters.

It would be unjust to determine the usefulness of this institution upon its first year's trial with constitutional tests pending and under adverse circumstances of equipment, and before its availability and value could be recognized generally by the courts throughout the State

CHARITIES AND CORRECTIONS.

It is the function of the State Board of Charities and Corrections to license and inspect all charitable organizations, including child-placing agencies, institutional homes for children, maternity homes and hospitals, rescue homes and day nurseries. It also exercises advisory oversight of the social welfare of the wards of the State in hospitals, reform schools, reformatories for women, institutions for feeble-minded, homes for the blind, and State prisons, and in county hospitals, almshouses, detention homes and jails

The board reports in the State at the present time 15 State institutions, 62 county hospitals, 58 county jails, 24 detention homes, 74 children's institutions, 60 day nurseries, 7 rescue homes, 287 maternity wards. The inmates of the above institutions number upwards of 57,000 persons

PUBLIC WORKS.

1. State Highways

The agricultural and industrial development of the State is very intimately related to the improvement of its roadways. An influential factor in attracting settlers and tourists to California is the accessibility of interior sections of the State and the comfortable means of transportation by State highways.

Of the 64,000 miles of rural roadways in the State, the completed and contemplated State highway system covers only one-tenth of the total mileage, or 6400 miles Of this amount approximately 2500 miles have been completed, and approximately 1065 miles were under construction June 30, 1922. Including the 1065 miles of highways now under construction, there remains a total of 3900 miles to be completed within the present program of the highway system.

One of the problems before the State is whether this limited extent of highway mileage is to be made available by moderate cost per mile for the rural and mountainous sections of the State, which are the most needy and susceptible of development, or whether the State's funds should be expended on a much smaller and more centralized area of highway improvement. Upon the determination of this problem rests the policy as to the character and expense of the highway pavements to be built. Believing that the proceeds of highway bonds hitherto authorized by the vote of the people of the entire State should be applied as widely as possible, I have favored the construction of our highways at a moderate cost per mile, thereby securing greater mileage at the same total outlay than could be secured by the initial construction of

heavier and wider pavements. Moreover, it has been established that these pavements of moderate cost, when thicker and wider pavements are required, can be salvaged at from 75 to 90 per cent of their original cost. The widening and thickening has been made necessary by reason of the fact that the motor vehicle traffic of the State has increased over 1700 per cent in the last ten years, the period in which the present highway system has been under development.

In this ten-year period the State has expended $68,368,240 on its highway system and within a year or two will have exhausted the funds remaining from the sale of authorized highway bonds Accordingly, if the highway system is to be completed, and if its development is to be proceeded with on any basis, it will be necessary to provide some method for the securing of additional funds to finance this work.

2. State Buildings.

The Division of Architecture of the Department of Public Works, under which the building construction of the State is carried on, reports that the work handled during the period of fifteen months from August 1, 1921, to November 1, 1922, includes the following.

Buildings completed:	
114 construction projects handled under appropriations of 1921, costing approximately	$670,336
15 construction projects handled under previous appropriations, costing approximately	255,630
Buildings under construction	
76 construction projects handled under appropriations of 1921, costing approximately	1,184,215
11 construction projects handled under previous appropriations, costing approximately	3,839,847
Total	$5,950,028

San Francisco State Building

The original bond issue to provide for the cost of the State building in San Francisco amounted to $1,000,000. A subsequent appropriation was made by the Legislature of $350,000. This has not proved sufficient to complete the building and an additional appropriation will be necessary

State Capitol Extension Buildings.

The original bond issue to provide for the cost of the State Capitol extension buildings at Sacramento was for $3,000,000 An additional amount of $300,000 was appropriated by the Legislature in 1921, with which to finance the sale of the bonds which bore only a 4 per cent rate of interest. A further appropriation will be necessary, owing to the increased cost of materials and labor since the original estimates were made.

Printing Plant Building in Sacramento.

The appropriations made by the legislature to cover the cost of site and building for the State Printing Plant amounted to $175,000 Owing to engineering advices as to the dangerous condition of the present printing plant, it was deemed advisable to proceed with the outer construction of the new building as planned, and to await further appropriation to complete and finish the building in detail.

3. Reclamation Work.

During the six years of my administration the actual development of reclamation projects among the swamp and overflowed lands within the Sacramento and San Joaquin valleys has been realized. These lands were deeded to the State of California by the federal government in 1850 on the understanding that they would be so reclaimed and developed. Various acts by Congress and by the State Legislature led up to the establishment of the Reclamation Board in 1911, which, however, exercised police powers only until 1917, when the way for action was cleared by a decision of the Supreme Court, affecting the control of lands involved in the State reclamation projects. Since the beginning of 1918, the Reclamation Board has expended in reclamation work $10,177,000, provided by assessments on lands benefited by the reclamation work.

In addition to the above, the State, under a contract with the federal government for the deepening and straightening of the Sacramento River, toward which each government has agreed to contribute a total of $6,280,000, has already appropriated over the period from 1918 to 1923 inclusive, a total of $2,850,000. The State also appropriated in 1919, with my approval, the sum of $3,000,000 to be paid over a period of ten years, for the construction of the Sutter by-pass.

The State as a whole is greatly benefited by these developments in Sacramento Valley because of greatly increased taxable land values increased volume of production, and improved navigation facilitating the transportation of products to the shipping centers and markets Lands under this reclamation development are selling at as high as ten times their cost before the reclamation work began. The people in the above mentioned valleys, on the other hand, have constructed other reclamation and flood control works at their private expense totaling something over $50,000,000

The Legislature of 1921 with my active support appropriated for flood control in Los Angeles County the sum of $3,000,000 to be paid over a period of ten years. This was in addition to $830,000 appropriated in 1919.

This reclamation work is of vital importance to the State, not only in its relation to the reclamation of lands otherwise of little use, but also as a protection against the menace of floods to life and property, and it should be proceeded with as rapidly as possible, until the program of needed work has been completed.

4. Engineering and Irrigation

Through the Division of Engineering and Irrigation the regulatory powers of the State are applied to organized irrigation developments. The marketable value of the securities of irrigation districts is thereby enhanced

This division during the past biennium acted upon the organization of 33 irrigation districts having a combined area of 1,803,221 acres. Investigations are now in progress as to the feasibility of three water storage districts

Irrigation district projects financed by more than $60,000,000 worth of bonds have been investigated and reported upon and the division is now exercising general supervision of the expenditure of this vast sum. It has passed on plans for the construction of dams having estimated costs amounting to nearly $8,000,000 and these dams are now being constructed under inspection by this division. Work of this kind requiring the most careful inspection is rapidly increasing in volume.

It is expected that the stupendous task of investigating the water resources of the entire State, for which an appropriation of $200,000 was made at the 1921 Legislature, will soon be completed. This report will present a comprehensive statement of the water resources in all parts of the State, the irrigation requirements of all agricultural lands, the maximum storage and use of all waters, and plans for development with costs.

5. Water Rights

The Division of Water Rights now does the work of the former State Water Commission, and its purpose is to provide the legal machinery by which new vested rights to the use of water may be acquired, while at the same time rights which have already vested by use may be protected. All new rights by appropriation must be acquired through procedure set forth in the Water Commission Act under the supervision of this division A complete record is kept of the progress made from time of filing until use of the water is made available.

COLORADO RIVER COMPACT.

I will submit for your ratification at this session, a compact, under the act of Congress, approved August 19 1921 (42 Statutes at Large, page 171), between the States of California, Arizona, Nevada, Colorado, New Mexico, Utah and Wyoming, which was agreed upon by a representative of the United States designated by the President and representatives of the above mentioned states, the respresentative of California being the Chief of the Division of Engineering, Department of Public Works This contract pertains to the equitable division and apportionment of the use of the waters of the Colorado River system to the establishing of the relative importance of different beneficial uses of water, to the assurance of interstate comity; to the removing of present and future controversies, to promoting the expeditious agricultural and industrial development of the Colorado River basin and the storage of its waters and to the protection of life and property from floods.

The compact being approved by the Attorney General of this State as to its legal form, I recommend it for your ratification, believing as I do that it will contribute largely to the conservation and early development of an extensive area within the State of California, and to the other important ends described in the compact

MOTOR VEHICLE DIVISION.

The motor vehicle traffic of California is evidence of the enormous development and progress that have been made in this State during the past six years At the end of 1916 the total motor vehicle registration of all kinds was 282,945. On July 31, 1922, the total registration was 987,436, an increase of 249 per cent in six years

Under the California Motor Vehicle Act all money received by the Motor Vehicle Division is deposited in the State treasury Part of the funds goes to meet the expenses of the Motor Vehicle Division All of the remainder, amounting to at least 90 per cent of the "Motor Vehicle Fund," is divided equally between the State and the counties, one-half being transferred to the State Highway Division of the Department of Public Works for the maintenance and improvement of State roads and highways, and one-half paid into the road fund of the several counties on a pro rata basis, to be expended exclusively in the construction and maintenance of roads, bridges and culverts in said counties respectively.

FORESTRY.

At the Legislature of 1921, an appropriation of $300,000 was made for the purchase of certain tracts of timber land in Humboldt and Mendocino counties with a view to the preservation of the redwoods Of this appropriation the sum of $261,305 has been expended in the purchase of 1674 acres in eight tracts, having an estimated timber value of $340,000. In addition the Board of Forestry has secured from private owners the donation to the State of 605 acres of redwoods in ten tracts having an estimated timber value of $112,500, and this board has under negotiation the securing by donation of a further 300 acres containing 17,000,000 feet of redwood timber, having an estimated value of $102,000 This work can not be praised

too highly for its value to the future of this State in the preservation of these incomparable woods which are among the chief glories of California and which otherwise would be destroyed by commercial development. At the same time the Board of Forestry is giving invaluable aid to fire prevention throughout the State. This also is a most important factor in the conservation of our water supply. A far-sighted policy will take care of these natural resources, and provide for reforestation on a much broader scale

SAN FRANCISCO HARBOR

The harbor at San Francisco is an asset of primary importance to the State. It is the great ocean outlet for northern and central California. The operation of this harbor, with its docks, wharves, terminal buildings, warehouses and other facilities, by the Board of State Harbor Commissioners, has always been self-sustaining. It is necessary, however, for the board to reserve a substantial contingent fund to provide against unfavorable fluctuations of commerce, and the further possibility of emergency expenses in maintenance and operation. The demands of commerce necessitate from time to time entirely new structures and facilities. Owing to the great increase in business of the past year the board is now planning additional improvements.

The harbor business of the seventy-third fiscal year ending June 30, 1922, shows total revenues of $2,408,834, and total expenses of $1,942,673, including general maintenance and operating expenses of $1,317,342, and fixed charges in bond maturities and interest on bonds of $625,331, giving a net revenue surplus for the year of $466,161.

MINING CONDITIONS.

It has been claimed that the cost of the Civil War was financed by the gold mined in California during that and the preceding period of years. Since its discovery in 1848 the total production of gold in California has amounted to approximately $1,750,000,000. The present generation, however, is largely ignorant of the fact that a vast amount of gold remains in the gravels of our ancient river channels. In July, 1920, the State Mining Bureau started a field investigation of the extent and value of these gravels, and as a result of work already completed, the astounding fact has been demonstrated that probably $2,000,000,000 could be extracted from the placer deposits in the drainage channels of the Feather, Yuba, American and neighboring rivers.

It is now believed by authorities that a system of restraining dams could be built that would not only keep the mine tailings from entering the navigable portions of the rivers, but that would also conserve the flood waters for the use of agriculture. The Mining Bureau looks forward to the time when remedial legislation may be had from the federal government which will enable these enormous resources to be released for the benefit of the State of California.

This has sometimes been called a gasoline age. The development of the oil resources of the State has already placed California in a preeminent position among the states of the Union as regards the output of crude oil. Not only are millions of dollars spent annually in adding to the number of producing wells, but equally large amounts go into the drilling of prospect wells Last year the oil industry alone brought approximately $182,000,000 of new wealth into this State.

The mining of clay and the manufacture of its products are among the principal industries in the United States today. California possesses great potential wealth in her clay deposits known to exist in almost every county in the State, and yet, it is surprising to learn that millions of dollars worth of clay products are annually shipped into California from other portions of the United States and from foreign countries

California also contains inexhaustible supplies of building stone and structural materials including granite, marble, sandstone, slate, travertine and serpentine. This State also has large deposits of borax, sodium compounds, nitrates and similar materials.

During 1921 there were employed in the mines, dredgers, quarries, cement and brick plants of the State about 13,000 men, and approximately 25,000 men in the oil fields exclusive of refineries. The production for the year of $268,157,472 worth of minerals represents in round numbers an average output of $7,000 for every man employed.

ARGONAUT MINE DISASTER

During the last year an appalling disaster befell 47 of our fellow citizens through the outbreak of fire in the Argonaut Mine in Amador County in which these men were entombed The State has never witnessed more heroic efforts to rescue than were displayed with unflagging zeal by the comrades of the entombed men. On learning of the disaster, I immediately communicated with several of the State departments requesting them to give such aid as properly lay within their power to give Later I appointed a special commission of three citizens to investigate the disaster, and I will submit to you the report of their findings,

CALIFORNIA FISH AND GAME COMMISSION.

The State Fish and Game Commission report that new hatcheries have been built, including the large Tahoe Hatchery with a capacity of 3,000,000 fry. During the past four years there have been reared in the State's hatcheries and planted in streams over 75,000,000 trout and nearly 45,000,000 salmon. The development of a breeding pond system makes it possible to secure nearly 10,000,000 trout eggs with regularity and with a minimum cost. The equipment used in connection with fish cultural operations now has a value of at least $350,000.

A campaign of education has included the carrying of the conservation message to children of the public schools and to the thousands of people who gather during the summer season in the various mountain resorts.

Several special problems relating to game are being satisfactorily solved. By means of added patrol and winter feeding the remaining large herd of antelope within the confines of California is being properly cared for. Thousands of deer and quail were saved from starvation last year by artificial feeding during severe winter weather. Due to active patrol measures, market hunting has been largely stopped.

California has by its conservation of fish and game, combined with its wonders of forest and mountain, attained an unchallenged fame as one of the greatest playgrounds of the world, a reputation that may be still further improved by due encouragement of the aims and endeavors of its Fish and Game Commission.

STATE PRINTING PLANT.

The State printing plant turns out annually work to the amount of $600,000. Paper stock and material purchased annually amounts to $200,000. The pay roll is approximately $360,000 per annum, there being about 200 employees receiving an annual average salary of $1800. It is safe to say that no other printing plant on the Pacific Coast can compete with the State printing plant in quantity and quality of work and in time and cost of production.

Recently two geographies were printed in the State printing plant on which $40,000 was saved in competitive bids with Eastern book concerns. In competition with the same book concerns, the State plant printed 210,000 atlases at a cost of 10¾ cents per book, where the Eastern book concern bid 13 cents.

In the recent pre-election publication of the proposed constitutional amendments, the State printing plant was able to print them at a cost of $22 per thousand as compared with the next lowest bid of $26 per thousand.

During the two years from July 1, 1920, to July 1, 1922, the State printing plant printed for the State Board of Education 2,286,711 copies of school books at the cost of $540,922, or an average of 23.65 cents per copy.

The Legislature will find the printing plant in excellent condition from a mechanical and personnel standpoint, ready and willing to perform every service required, in a most expeditious manner. In fact, I believe the printing plant is prepared to give the Legislature a service unequaled in the history of the State Legislature. At the same time, owing to the limited capacity of the present plant, and the unsafe condition of the present building, it will be a matter of great satisfaction and relief to all concerned when the plant can be transferred to its new location.

NATIONAL GUARD.

When the National Guard of California was called into federal service in March and August, 1917, this State furnished to that service a total of 11,762 officers and men.

In 1918 six companies of the National Guard were organized with a total strength of 300 men. The present strength of the Guard is 4450 officers and men. In addition to this there are five units that have not yet been extended federal recognition. The California National Guard received all of its equipment from the federal government. For every dollar that we spend, the federal government spends three dollars. The National Guard costs the state about $125 per year for each soldier. The California Guard now possesses about $2,100,000 federal equipment.

While the Guard has not been called out for State service since 1913, it is a source of strength in the face of possible riots and is at all times the first line of defense.

CIVIL SERVICE.

Civil service has been in operation in this State for ten years, and has demonstrated its value in increasing efficiency and in stabilizing the work of State departments. The Legislature of 1921, under my approval, reorganized the Civil Service Commission, placing the responsibility in the hands of a commission of three members, one of whom is designated as president and executive member, and two associate members. Approval and consent of a majority of the three commissioners is necessary in the case of (1) the adoption of rules; (2) exemptions, (3) changes in classification, and (4) conduct of trials. The report of the commission for the past biennium shows a total of 7197 state employees under civil service jurisdiction, an increase during the biennium of 1036, the largest increases having been made in the Department of Public Works, the Department of Institutions, and the Department of Agriculture.

The average salary paid by the State, including officers and employees, is less than $140 per month, showing that in this respect the State is operated more economically than any other large business within the State. In fact, it is becoming more and more difficult to retain efficient and well-trained employees in many of the departments beyond the experimental stage, owing to the remunerative attraction of employment elsewhere. Of the 5000 employees in State service in 1913 when civil service was inaugurated, over 4200 have left the service. The present turnover of State employment is approximately 100 per cent per annum.

The importance not only of selecting competent employees to enter the service, but of encouraging them to stay in the service when once trained to do effective work, can not be overestimated. The Civil Service Commission is devoting its thought and attention to this end.

REPORTS OF SPECIAL COMMISSIONS.

I hand you herewith reports of the following special commissions, committees, and representatives appointed by me under authority of the Legislature of 1921, namely, (1) the report of the State Engineer submitting the proposed Colorado River Compact, agreed to by the members of the Joint Commission, representing the states of California, Arizona, Colorado, Nevada, New Mexico, Utah and Wyoming; (2) the report of the commission appointed to investigate the entire problem of agricultural instruction and investigation; (3) the board appointed to investigate available sites in southern California for the location of an agricultural school or college; (4) the report of a committee to investigate and report a plan for the proper treatment and care of narcotic drug addicts, with their recommendation as to hospital requirements; (5) the report of Mount Diablo Park Commission.

I also hand you herewith the report of the Department of Labor and Industrial Relations, embodying a plan of reorganization and departmentalization of the activities therein, in accordance with the provision of Statutes 1921, chapter 604, section 364*d*.

CONCLUSION.

Finally, permit me to again remind you that this is a progressive State, committed by the enlightenment and conviction of its people to forward-looking, constructive and humane policies, and I confidently look for the maintenance and development of those principles in your deliberations and legislation. California, one of the richest states in the Union, with rapidly developing resources and growing population, is destined to become one of the great commonwealths of the world, and it is your enviable duty to continue the building of a structure worthy of the foundations that have been laid.

In conclusion, I desire to express my appreciation of the unfailing courtesy and the untiring cooperation which I have, on all occasions, received from both houses of the Legislature. At the same time I desire to thank all of the officers and employees of the various departments and institutions of the State, who not only have loyally supported me in my administration, but who have patriotically, unselfishly and effectively given their best thought and labor to the State.

WM. D. STEPHENS, Governor.

Dated, January 4, 1923.

APPENDIX

PARDONS GRANTED BY GOVERNOR WM. D. STEPHENS (1921-1922).

JOSEPH WILSON was pardoned November 8, 1921. He was convicted in the county of San Luis Obispo on May 18, 1907, to serve a term of nine years in San Quentin for manslaughter. Recommended for pardon by Louis F. Sinsheimer, Mayor of San Luis Obispo, who was well acquainted with the case; M. R. Van Wormer, District Attorney of the county of San Luis Obispo; Albert Nelson, the attorney who prosecuted Wilson; the Advisory Pardon Board.

DAN CIUFFO was pardoned November 8, 1921. He was convicted in Madera County of robbery July 10, 1904, and was sentenced to a term of fourteen years in San Quentin. Was recommended for pardon by Hon. W. M. Conley, former presiding judge of the Superior Court of Madera County, who sentenced Ciuffo; R. R. Fowler, District Attorney of Madera County, who prosecuted Ciuffo; J. F. Clyne, present superintendent and D. W. Wallace, past superintendent of the Miller and Lux ranches in Merced County, also Mr. Edward Bickmore, secretary and attorney of the Silver Blossom Mine's Company of Reno, Nevada.

ALBERT HARRIS was pardoned December 5, 1921. He was convicted in San Francisco County of burglary, second degree, May 19, 1915, and was sentenced to a term of five years in San Quentin. Was recommended for pardon by Rev. Martin A. Meyer, prison visitor for the Jewish societies of San Francisco, Presiding Justice Frank M. Angellotti, of the Supreme Court, and Associate Justices Curtis D. Wilbur, W. A. Sloane, Charles A. Shurtleff, Thomas J. Lennon and Wm. P. Lawler. *Harris was released from prison on December 20, 1918, when his sentence expired* by reason of credits earned through good behavior. Good prison record.

IRA V. PLUMP, American Negro, pardoned December 22, 1921. Was convicted in the county of Alameda of murder in the second degree September 25, 1907, and was sentenced to thirty years at San Quentin. Was paroled February 5, 1915. Parole and prison record good. Was recommended for pardon by Hon. Henry A. Melvin,

who sentenced Plump Ezra W Decoto, District Attorney who prosecuted Plump, Sheriff Frank Barnett, of Alameda County, State Federation of Colored Women's Clubs, Alameda County Colored American Civic Center and many individuals also the Advisory Pardon Board

ROSINA SALVINO was pardoned May 12, 1922 She was convicted in San Joaquin County of murder in the second degree on October 30, 1920, and was sentenced to a term of imprisonment in San Quentin of from ten years to life Many citizens including all members of the jury that convicted her, Rev J M Nead, prison investigator of the Church of the Nazarene the attorneys who defended her, the brother and wife of the slain man, and a nephew of the victim, the principal witness against her, joined an appeal that she be pardoned Many citizens of Stockton, San Francisco, and other cities joined in petitions for her pardon

ALVIN M. MCCOY, pardoned November 15, 1922 McCoy was convicted in Stanislaus County on October 27 1921, of rape, and was sentenced to San Quentin under the Indeterminate Sentence law Shortly after his conviction McCoy married the prosecuting witness who subscribed to a further affidavit denying circumstantially each and every one of her accusations at the aforesaid trial of McCoy Pardon was recommended by Hon J C Needham, the judge who presided at the trial of McCoy, Hon. Wm J Brown, District Attorney of Stanislaus County, who conducted the prosecution of McCoy, and Will M West Others recommending pardon were Hon Herbert W Slater member of the California Senate, Santa Rosa, Hon. Clarence F Lea, member of the House of Representatives of the United States, Dr G W Mallory, and Mr W H Hatton, attorney of Modesto

RICHARD R RILEY, pardoned November 27, 1922 Riley was convicted in Los Angeles County of robbery on four counts and was sentenced in August, 1918, to serve a term of six years in San Quentin Was paroled on September 19, 1919, and has lived an honorable and law-abiding life since that time. A pardon has been recommended by Roy E Langworthy, Deputy State Parole Officer; Hon. Asa Keyes, Chief Deputy District Attorney; Hon Frank R Willis who sentenced Riley, Mr. Charles R Burger, president of the Los Angeles County Civil Service Commission, who has kept in close touch with Riley while on parole; Mrs. Nellie D. Gleason, and many other reputable citizens of Los Angeles

C G SHINN, pardoned November 27, 1922 Shinn was convicted in Sacramento County of forgery and was sentenced to a term in San Quentin under the Indeterminate Sentence Law This sentence being illegal he was returned to court and was sentenced to serve two and one-half years. He was recommended for pardon by Hon Hugh B Bradford, District Attorney, who prosecuted Shinn; Hon. A W. Anderson, sentencing judge Hon. E C Hart Judge of the Appellate Court of the Third District, Sacramento, who was acquainted with the conduct of Shinn both prior to and subsequent to his conviction Mr Fred M. Miller, engineer of the California State Corporation Department Mr R L Shinn, City Attorney of Sacramento, uncle of the applicant Mr. Clyde Seavey City Manager of Sacramento; Mr. A. J. Poser, consulting mining engineer of San Francisco; Mr. B. V. Sargeant, attorney at law, San Francisco, and Mr Daniel D. Sullivan, City Councilman of Sacramento

W. W SWAN, pardoned November 27, 1922, was convicted in Los Angeles County of extortion, January 14, 1921, and was sentenced to a term not to exceed five years in San Quentin Judge Frank R Willis who sentenced Swan, has recommended executive clemency, and many other prominent citizens have written in Swan's behalf, and their willingness to provide him with employment.

E. N SANDERS, pardoned November 27, 1922. Sanders was convicted in Los Angeles County of extortion, and was sentenced to a term not to exceed five years in the state prison. Hon. Frank R. Willis, the trial judge, recommended executive clemency Others recommending pardon were the seventeen members of the grand jury that indicted Sanders, all the members of the trial jury that convicted Sanders; Louis D Oaks, Chief Los Angeles Police Department, and many other prominent officials and citizens of Los Angeles

JAMES A RUMMEL, pardoned November 28, 1922 Rummel was convicted in San Joaquin County of burglary in the first degree and was sentenced April 3, 1920, to a term of four years in San Quentin Pardon was recommended by Hon Edward Van Vranken, District Attorney who prosecuted Rummel, Hon. J A Plummer, Judge of the Superior Court of San Joaquin County, Mr. J A Norwood, Chief Probation Officer for the county of San Joaquin D P. Eicke, Mayor of Stockton; Albert C. Parker, Justice of the Peace William H Riecks, Sheriff, San Joaquin County; A. H. Gazin, master mechanic of the Central California Traction Company, and many others

GEORGE W HARRINGTON pardoned November 28, 1922. Harrington was convicted in San Diego County on March 11, 1912 of murder Record in prison and on parole was good Board of Prison Directors voted him meritorious recognition for distinguished service at furniture factory fire Hon W A. Sloane, who sentenced Harrington recommended pardon Hon H S Utley, late District Attorney of San Diego County, who prosecuted the prisoner also his recommended that he be pardoned and many other prominent citizens.

GEORGE M ZENTGRAF, pardoned November 28, 1922 Zentgraf was convicted in El Dorado County of burglary, and was sentenced to state prison, under Indeterminate Sentence Law, November 24, 1920 Pardon has been recommended by Hon George H Thompson, Judge of the Superior Court of El Dorado County, who sentenced the prisoner; Hon. Abe Darlington, District Attorney of El Dorado County, and a large number of citizens and officials of Sacramento and El Dorado counties petitioned me to extend executive clemency to Zentgraf, asserting their belief that he was mentally incompetent at the time of committing the offense.

ROBERT R BELL, pardoned December 20, 1922 Bell was convicted on December 17, 1920, in Tulare County of the crime of issuing a bank check without funds to meet the same, and was sentenced under the Indeterminate Sentence Law. Definite sentence was fixed at three years Pardon has been recommended by Hon. W. B. Wallace, sentencing judge Hon Fred C Scott District Attorney, Court Smith, Sheriff of Tulare County, M W Collins, Probation Officer of Tulare County, under whose supervision Bell has been paroled; J K Macomber, Supervisor Fifth District, Tulare County, Ross Graham, Constable of Tipton township, and many others.

J. M FLOWERS, pardoned December 20, 1922 Flowers was convicted on January 31, 1921, in Los Angeles County, of the crime of obtaining money under false pretenses Definite sentence was fixed at two years On account of previous conviction in the State of Kansas he was sent to Folsom as a recividivist. Was discharged from prison October 30 1922 with all credits earned Entire term of his imprisonment was spent in hospital ward Owing to the advanced age of the prisoner and his poor physical condition, William F Lusk, Probation Officer of Los Angeles County, recommended probation at time of his conviction Recommendation for pardon has been made to me by Chief Justice Lucien Shaw, and the following Supreme Court Justices Curtis D Wilbur W A. Sloane, Charles A. Shurtleff, Wm. H Waste, and Wm P. Lawler. Many citizens of Los Angeles have joined in recommending executive clemency

EMIL SPITZER, pardoned December 20, 1922. Spitzer was convicted in Los Angeles County, October 10, 1921, of the crime of bigamy Spitzer, a native of Austria, was ignorant of the marriage laws of this country It has been recommended to me that Spitzer was ill advised in his defense During eighteen months Spitzer was confined in the county jail in Los Angeles and during that time was of immense service to the jail authorities in frustrating an attempted wholesale jail delivery, and in other ways. Hon. Sidney N. Reeve, sentencing judge, after careful investigation has recommended executive clemency Others joining in recommending a pardon for Spitzer were Chief Deputy District Attorney Asa Keyes, W J Clark, Deputy District Attorney who conducted the prosecution of Spitzer, Carl L. May, Chief Probation Officer, and many citizens of Los Angeles

CHARLES LAWRENCE STOKES, pardoned December 20, 1922 Stokes pleaded guilty in the Superior Court of the county of Los Angeles, June 24, 1920, to a charge of manslaughter, and was placed on probation for ten years by Judge Gavin W. Craig Many reputable citizens of Los Angeles County recommended Stokes for executive clemency, in order that he may be relieved of the burdens of the terms of his probation.

C. VINCENT RICCARDI, pardoned December 24, 1922, was convicted in the Superior Court in the City and County of Los Angeles, of embezzlement, and was sentenced to serve a term of from one to five years in San Quentin Prison. Owing to certain activities which he was able to undertake in correcting corrupt conditions then existing in the City and County of San Francisco, and for other reasons he was strongly recommended for Commutation of Sentence, which was granted May 13, 1921. Owing to his good conduct since then and the fact that he is debarred from the practice of law by the courts, he was recommended for a Pardon, to restore his civil rights.

ARTHUR ELLENBURG, pardoned December 23, 1922, was convicted in the Superior Court of the county of Fresno of the crime of embezzlement, January 26, 1918, and sentence fixed by the Board of Prison Directors at three years. He was recommended for pardon by Judge M F. McCormick, Chester H. Rowell, Hon. H. Z. Austin, and a large number of reputable citizens

THOMAS ENRIGHT, pardoned December 23, 1922, was convicted of the crime of robbery and prior conviction for the same offense, in the Superior Court of the city and county of San Francisco, April 1, 1908. He was recommended for pardon by Thomas F Boyle, Percy V Long, former city attorney of San Francisco, Joseph F. Lahaney, supervisor of the city and county of San Francisco, R. A. Crothers, editor and proprietor of the San Francisco Bulletin, Matthew Brady, district attorney, James M. Hanley, and many others.

STANLEY CRANE, pardoned December 23, 1922, was convicted of the crime of embezzlement in the Superior Court of San Joaquin County, and was sentenced to a term of ten years in San Quentin He was paroled April 1921, and his conduct on parole has been excellent Among those urging executive clemency for Crane were Mrs. Florence Collins Porter, Mrs E M Potts, Jesse L. Greenbaum, Dr. Herbert E Long, George E Covell, H. I James, Dr. John E Paulson, Rev. A C. Shepherd, L. B. Levy, Parke Vawter, William E Billings, Oliver H Reena, J. E. Manning, Chas W Alexander, J. F. Wright, H H Somers, Ben Berry, and many others.

JOHN SMITH, was pardoned January, 1923. He was convicted in the county of Trinity on December 17, 1917, of the crime of burglary in the second degree, and was sentenced to serve one year in San Quentin. Recommended for pardon by Hon. James W. Bartlett, judge of the Superior Court of Trinity County who sentenced him; all members of the jury that convicted him; Hon L. J. Flaherty, United States Surveyor of Customs, San Francisco, and others.

C. M. STITT, pardoned January 1923. He was convicted in the Superior Court of Los Angeles County on February 20, 1919, of violating section 28 of the Motor Vehicle Act, for driving away an automobile without the consent of owner, and was sentenced under the indeterminate sentence at law to serve two years in San Quentin He was paroled March 2, 1920, and was discharged from custody October 20, 1920, after having served his full term of two years, with credits. He was recommended for a pardon by Hon Chas L. Neumiller, president of the State Board of Prison Directors, and others, because of his excellent record in prison and on parole.

DR WM. S. CARD, pardoned on condition that he leave the State of California and never return, January, 1923. He was convicted in the Superior Court of the city and county of San Francisco, July 7, 1918, of the crime of murder in the second degree, and was sentenced to serve a term of from ten years to life imprisonment in San Quentin. Was recommended for a pardon by Hon. George H. Cabaniss, who sentenced him; Hon Frank H. Kerrigan, Associate Justice of the First District Court of Appeal, who reviewed the case on appeal; Hon. Chas. M. Fickert, former district attorney of San Francisco, who conducted the prosecution of Card; Hon Matthew Brady, present district attorney of San Francisco; all surviving members of the jury that convicted Card; Hon Samuel M. Shortridge, United States Senator from California; Hon. J. M. Inman, State Senator, of Sacramento; Hon. John H. Riordan, Deputy Attorney General of California, who was prosecuting deputy for the district attorney's office at the trial of Card, and many others.

PHILLIP C BEUTTER was pardoned January, 1923. He was convicted in the Superior Court of the county of Los Angeles of the crime of burglary and was sentenced under the Indeterminate Sentence Law to serve a term of five years in San Quentin, being received at that prison April 5, 1909. He was paroled November 17, 1911. Pardon was recommended by Dr John R Haynes, member of the State Board of Charities and Corrections; Frank M. Bagley, Manager California District Messenger Co, Los Angeles; Miss Faith Chevallier, and many others.

JAMES WILTON CROWHURST, pardoned January 8, 1923. He was convicted of the crime of robbery in the Superior Court of Alameda County August 18, 1905, and was sentenced to serve a term of seven years in Folsom Prison. He was paroled and served his entire term with all credits earned. Pardon recommended by Honorable John J. Allen, District Attorney of Alameda County, who prosecuted Crowhurst and August Vollmer, Chief of Police of Oakland, Superior Judge William C. Doran of Los Angeles County, Raymond I. Turney, former Deputy District Attorney of Los Angeles, to whom Crowhurst was of great assistance in the successful prosecution of a murder case in Los Angeles County

HUGH MCCANN, pardoned January 8, 1923 He was convicted of the crime of driving away an automobile without the owner's consent, in the Superior Court of San Diego County, September 18, 1922, and was sentenced to serve a term of from one to five years in San Quentin Prison McCann was a sailor in the United States Navy and but nineteen years of age Recommended for pardon by Honorable Lewis F. Byington United States Receiver for Oil Properties in San Francisco, and former District Attorney for San Francisco County, Alexander B McCabe and others.

COMMUTATIONS GRANTED BY GOVERNOR WM D STEPHENS (1921–1922)

C. VINCENT RICCARDI, commuted on May 13, 1921, to a term to end on that date. Riccardi had been convicted in San Francisco County of embezzlement and sentenced to serve a term of one to five years at San Quentin. The grand jury of which Mr William H Harrelson was the foreman, and which devoted almost a year to investigating corrupt conditions in a number of the courts in the city and county of San Francisco the District Attorney, the San Francisco Bar Association and police officials of San Francisco, who assisted in the investigation of these conditions, in recognition of assistance rendered by Riccardi in exposing and correcting corrupt conditions in the courts of the city and county of San Francisco, joined in recommending commutation of sentence

SIMON RUIZ, commuted on July 5, 1921, to life imprisonment. Ruiz had been convicted in San Bernardino County of murder in the first degree and sentenced to be executed at San Quentin, January 14, 1921. Commutation of sentence to be executed at San Quentin, January 14, 1921 Commutation of sentence was recommended by Hon J W Curtis, Judge of the Superior Court who sentenced Ruiz the foreman and members of the jury who convicted Ruiz and by many citizens and civic organizations, because of his extreme youth The legislature adopted Assembly Bill No 1282, which became a law July 29, 1921, making it illegal to execute youths under the age of 18 years, convicted of murder in the first degree. This law might

have had the effect of rendering the sentence in the case of Ruiz nonenforcible. The Advisory Pardon Board joined in the recommendation for commutation of sentence.

ARTHUR OWEN DAVIS, true name William Henry Norris, commuted on July 18, 1921, to life imprisonment. Davis had been convicted in Shasta County of murder in the first degree and sentenced to be hanged at San Quentin, March 25, 1921. The legislature adopted Assembly Bill No. 1282, which became a law July 29, 1921, making it illegal to execute youths under the age of 18 years, convicted of murder in the first degree. This law might have had the effect of rendering the sentence in the case of Davis nonenforcible.

WALTER LEE SMITH, true name Walter D. Smith, commuted on July 18, 1921, to life imprisonment. Smith had been convicted of murder in the first degree in Monterey County and was sentenced to be hanged at San Quentin on May 20, 1921. The legislature adopted Assembly Bill No. 1282, which became a law July 29, 1921, making it illegal to execute youths under the age of 18 years, convicted of murder in the first degree. This law might have had the effect of rendering the sentence in the case of Smith nonenforcible.

MRS. MARY A. GREGSON, commuted on September 21, 1921, to a term to end on that date. Mrs. Gregson had been convicted of murder in the second degree, and was sentenced to serve a minimum sentence of ten years at San Quentin. Commutation of sentence was recommended on account of her age and very poor health; the judge who sentenced the prisoner and the District Attorney who prosecuted her did not object to such action on account of her condition.

AH DAN (a Chinese), commuted on November 8, 1921, to a term of twenty-five and one-half years. Ah Dan was convicted in the county of Butte of murder in the first degree, and was sentenced to life imprisonment at Folsom penitentiary on March 26, 1906. Commutation of sentence was recommended by R. W. Durham, employer of the prisoner, who was familiar with the circumstances of the crime; W. E. Gerber of the California National Bank, Sacramento, to whom Ah Dan was paroled; the Advisory Pardon Board; Judge H. D. Gregory, who sentenced the prisoner, and State Parole Officer Ed H. Whyte.

J. R. HOPKINS, commuted on December 30, 1921, to a term to end on that date. Hopkins was convicted of the crime of burglary in Stanislaus County on November 4, 1920, and was sentenced to serve a term of from one to fifteen years in San Quentin. Commutation of sentence was recommended by T. B. Michael, the prosecuting witness, and all members of the jury that convicted the prisoner; Judge J. C. Needham, who sentenced Hopkins, District Attorney W. J. Brown, who prosecuted him, Sheriff R. L. Dallas, who gathered the evidence against the prisoner, and several hundred citizens of Stanislaus County.

JOHN COFFEE, commuted on December 30, 1921, to a term to end on that date. Coffee was convicted of the crime of burglary in Stanislaus County on November 4, 1920, and was sentenced to serve a term of from one to fifteen years in San Quentin. Commutation of sentence recommended by T. B. Michael, the prosecuting witness; all the members of the jury that convicted Coffee; Judge J. C. Needham, who sentenced Coffee; District Attorney W. J. Brown, who prosecuted him, and Sheriff R. L. Dallas, who gathered the evidence against the prisoner.

STEPHEN DUNCAN, commuted December 22, 1921, to a term to end on that date. Duncan was convicted in Trinity County of the crime of murder in the first degree, on April 12, 1912, and was sentenced to life imprisonment in San Quentin. Commutation of sentence was recommended by Judge James W. Bartlett, who sentenced Duncan, by District Attorney H. R. Given, who prosecuted Duncan, and a number of citizens of Trinity County, in view of the extreme youth of the prisoner.

LEUNG OCK (a Chinese), commuted December 16, 1921, to a term to end on that date. Ock was convicted in Siskiyou County of murder in the first degree, and was sentenced to be executed at San Quentin November 8, 1902. Commutation of sentence was recommended by Dr. F. W. Hatch, at that time General Superintendent of State Hospitals, and Dr. Robert L. Richards, Medical Superintendent of the Mendocino State Hospital, in order that he might be deported to China as incurably insane.

SING TIE, true name Chang Sing Tie (a Chinese), commuted December 16, 1921, to a term to end on that date. Tie was convicted in Santa Clara County of arson in the first degree and was sentenced to serve from two years to life imprisonment in the state prison. Commutation of sentence was recommended by Ralph T. Fisher, Director of Institutions, in order that he might be deported to China as incurably insane.

CHRISTOS PARASKEVOPOLIS, commuted May 3, 1922, to time served, upon condition that he be surrendered to the United States Immigration authorities for deportation to Greece, and to remain in force and effect only while and during the time the said Christos Paraskevopolis remain absent from and without the United States. Paraskevopolis was convicted of murder in the first degree in the county of Napa, and was sentenced to life imprisonment in San Quentin on October 31, 1917. Commutation of sentence was recommended by Judge Henry C. Gesford, who sentenced Paraskevopolis; Nathan F. Coombs, District Attorney who prosecuted the prisoner; E. A. Kelton, Sheriff of Napa County; Thomas F. Finn, Sheriff of San Francisco County, and the Advisory Pardon Board.

THOMAS STEPHENS, commuted June 15, 1922, to a term to end on that date. Stephens was convicted of burglary, first degree, in San Francisco County, and was sentenced on March 20, 1920, to ten years in San Quentin. Commutation of sentence recommended by Dr. L. L. Stanley, hospital physician, and a number of others, in order that he might die outside of prison walls.

ALFRED ELLIS, commuted September 8, 1922, to life imprisonment. Ellis was convicted in Ventura County of murder in the first degree, and was sentenced to be hanged September 22, 1922. Commutation of sentence was recommended by Judge Merle J. Rogers, the sentencing judge, Mrs. Mable Dorn-Hirst, of San Francisco; Rev. G. C. Coleman, D.D., pastor of the North Oakland Baptist Church; J. D. Drake, president National Association for the Advancement of Colored People; Rev. James B. Holmes of Oakland; Rev. J. W. Brown, pastor First A. M. E. Church, Oakland; Rev. Louis G. Robinson, Los Angeles; Rev. J. C. Anderson, Los Angeles; Rev. A. P. Shaw, West M. E. Church; Rev. A. M. Ward, First A. M. E. Church, Los Angeles; Chas. F. Blackstock, attorney, Oxnard; Rev. J. R. Skinner, Los Angeles; Rev. W. M. Shipley, Los Angeles; Rev. L. B. Brown, Los Angeles; Rev. James A. Warren, Los Angeles, and many others.

ARNOLD V. THOMPSON, commuted November 28, 1922, to a term to expire on that date. Thompson was convicted of burglary, second degree, in San Mateo County, May 15, 1922, and was sentenced to an indeterminate sentence of from one to five years in San Quentin. Commutation of sentence was recommended by Judge George H. Buck, who presided at the trial of Thompson; Mr. Julian Hart, whose residence was entered by Thompson; Miss Mary J. Conway, a member of the Hart household. Disabled American Veterans of the World War agreed to rehabilitate Thompson when released from prison—he being a veteran of the World War.

BERNARD LEVINE, commuted November 28, 1922, to a total of twenty years imprisonment, to include time already served. Levine was convicted of robbery in San Francisco County, August 4, 1911, and prior conviction for assault with intent to commit murder, and was committed to the state prison at Folsom on two commitments, one for life imprisonment and the other for fourteen years imprisonment, not to run concurrently. Commutation of sentence was recommended by Hon. William P. Lawlor, the trial judge; the Supreme Court of California; Rev. Martin A. Meyer, of San Francisco; Herman Davis, of Sacramento; William A. Stryker, Prosecuting Attorney of Warren County, New Jersey; Harry K. Wolff of San Francisco, and many other reputable citizens.

AMMON O. FOWLER, commuted on December 20, 1922, to twenty-five years. Fowler was convicted of the crime of murder in the first degree in the county of San Joaquin, November 30, 1916, sentenced to life imprisonment in Folsom prison. Fowler's conduct during the entire period of his incarceration in Folsom prison was exemplary. Warden Smith recommended that Fowler be rewarded for fine services rendered the prison while in charge of the power plant, and in other ways, by commutation of sentence. Hon. D. P. Eicke, Mayor of Stockton; William H. Riecks, Sheriff of San Joaquin County, and the Advisory Pardon Board recommended commutation of sentence.

PAUL CASE, commuted on December 20, 1922, to twenty years. Case was convicted of the crime of murder in the first degree in Riverside County, January 14, 1914, and sentenced to life imprisonment. Among those who recommended executive clemency for him are: Charles R. Burger, president Los Angeles County Civil Service Commission; Edward F. Fitzpatrick, attorney of Redwood City; Miss Eleanor Herbert of New York; Mr. and Mrs. Chester Kreiss of Redwood City; F. W. Brown of San Francisco; C. O. Tabor of San Francisco; Hon. Lyman Evans of Riverside, J. R. Gabbert of Riverside, Raymond G. Thompson, attorney of Pasadena, and more than one hundred others.

SAMUEL J. LEWIS, (nationality American Negro), commuted on December 20, 1922, to twenty years, was convicted of the crime of murder in the first degree in Los Angeles County and was sentenced August 1, 1916, to life imprisonment in San Quentin prison. Hon. Frank R. Willis, Presiding Judge of the Superior Court of Los Angeles; Hon. Wheaton A. Gray, former judge of the Superior Court of California; J. R. Coats, and Sons of Visalia; W. W. Glenn, Sergeant of Police; Mrs. Mabel Dorn-Hirst of San Francisco; L. McDuff, Sergeant of Police, Los Angeles, Frank Dominguez, and others recommended executive clemency.

EMERSON B. HARTMAN, commuted December 20, 1922, to fifteen years. Hartman was convicted of the crime of murder in the first degree in San Joaquin County, November 3, 1916, and was sentenced to life imprisonment in San Quentin prison. Among those recommending executive clemency are: Wm. H. Riecks, sheriff of San Joaquin County; Hon. D. P. Eicke, mayor of Stockton; State Senator Frank S. Boggs, who was a member of the jury that convicted Hartman, and many other prominent citizens.

JOHN CHIMES, commuted December 20, 1922, to a term ending on that date, was convicted in Los Angeles County of the crime of assault with a deadly weapon, and was sentenced under the Indeterminate Sentence Law, August 21, 1921. Definite sentence was fixed at two years. Many letters and petitions were filed in support of this application for executive clemency, among them one from Hon. Sidney N. Reeve, Hon. Gavin W. Craig, and many other prominent citizens of Los Angeles.

JOHN BOGDEN commuted December 20, 1922, to a single term of ten years, was convicted in Yolo County, on a charge of burglary, and was sentenced to serve a term of fourteen years in San Quentin prison July 6, 1914, and was sentenced in the Superior Court of Marin County to a term of four years on a charge of escaping from State's prison May 26 1915 The Supreme Court after careful review of the record, and upon recommendations by Superior Judge N. A. Hawkins, who sentenced Bogden; District Attorney A J Bailey, who prosecuted him, and with the approval of J. W Monroe, sheriff of Yolo County, recommended commutation of sentence to five years. Edward I Butler district attorney of Yolo County; Judge Edgar T. Zook of the Superior Court of Marin County; Senator Inman, and other citizens and officials joined in this recommendation for executive clemency.

GEE NING, commuted December 20, 1922, to a term to end on that date, was convicted of the crime of murder in the second degree in the city and county of San Francisco, January 29, 1919, and was sentenced to serve a term of from ten years to life in San Quentin prison A number of citizens have interested themselves in this case and urged executive clemency, among them being Joseph Brachman, who was personally acquainted with Gee Ning for a number of years and had employed him in his own business, Hon Charles M Fickert, who was district attorney of San Francisco and had charge of the prosecution of Gee Ning, Hon. Mathew Brady, district attorney of San Francisco, and a number of reputable Chinese.

LEE YICK, commuted to life imprisonment December 20, 1922 He was convicted in Fresno County of the crime of murder in the first degree, and on November 20, 1922, was sentenced by Hon S L. Strother, Judge of the Superior Court of Fresno County, to be executed at San Quentin, February 16, 1923. Justice Curtis D. Wilbur of the Supreme Court recommended commutation of sentence. Hon. S. L. Strother, sentencing judge, Hon B W. Gearhardt, district attorney; W. F. Jones, sheriff of Fresno County; T. F. Coyle, jailor under Sheriff Jones, and many other prominent officials and citizens joined in recommending executive clemency.

WONG TOY, commuted December 20, 1922, was convicted in the Superior Court of Fresno County of the crime of murder in the first degree, and on November 20, 1922, was sentenced by Hon. S L. Strother, judge of the Superior Court of Fresno County, to be executed at San Quentin prison on February 16, 1923. Hon. B W. Gearhardt, who prosecuted Wong Toy recommended commutation of sentence; also Frank Truax, Chief of Police of Fresno, Guy Shawn, Lieutenant of Police, and Sidney J. Shannon, Deputy U S Marshal of Fresno, Assemblyman Herbert W. McDowell, Samuel A. Mortland and many others

THOMAS MASTON, commuted on December 23, 1922, to a term of twenty years Maston, an American Negro, pleaded guilty to the crime of murder in the first degree in the Superior Court of Los Angeles County, on April 24, 1909, and was sentenced to life imprisonment in San Quentin prison After serving eight years, eight months and 22 days in prison Maston was released on parole December 22, 1917. His employers have vouched for his good conduct while on parole Judge Frank R Willis sentencing judge also the Advisory Pardon Board have recommended commutation of sentence, in which they have been joined by many others

CHARLES H HADLEY was commuted to a term of twenty years January 1923. He pleaded guilty in the Superior Court of the County of Los Angeles, January 7, 1918, for crimes of robbery and murder and was sentenced to life imprisonment on the charge of murder and fourteen years apiece on six counts of robbery, to run concurrently. Commutation of sentence to permit the parole of Hadley was recommended by the Supreme Court of California, Hon Frank L. Willis the sentencing judge, John C. Cline former Sheriff of Los Angeles County and Capt Geo. J. Home, former Chief of Police of Los Angeles who were instrumental in the prosecution of Hadley; Hon Irving Martin, member of the State Railroad Commission of California State Senator Chas W. Lyon of Los Angeles Edward D Zehner, former Under-Sheriff of Los Angeles Hon W R Williams Examiner State Railroad Commission and many others, on account of the extreme youth of Hadley who was but eighteen years old at the time of his conviction

STEVE (STILANOS) KOURIS was commuted to time served on condition that he be deported to Greece and never return to the United States, January, 1923 He was convicted in the Superior Court of the County of Sacramento of the crime of murder in the first degree, on a plea of guilty, and was sentenced to serve a term of life imprisonment in San Quentin by Hon Malcolm C Glenn Strong representations were made that Kouris would never have been convicted had he not pleaded guilty, the sentencing judge advising me that there was some doubt on that score owing to the unwillingness of the witnesses who were all foreigners to give a clear account of the homicide A strong showing was also made that the deceased threatened Kouris who had been a benefactor to the deceased in many ways, and that the crime was committed in self-defense More than one hundred leading citizens of Sacramento County joined in recommending that Kouris be commuted on condition that he be deported to Greece

TONY FRANKINO was commuted to a term of ten years, January 8 1923. He was convicted of the crime of burglary with explosives in the Superior Court of Lake County, September 21, 1918 and was sentenced to serve a term of from twenty-five to forty years in San Quentin prison, under the provisions of section 464 of the

Penal Code of California which provides a minimum sentence of twenty-five years. Commutation of sentence was recommended by Honorable Frank H. Benson, former State Senator of San Jose, Honorable M. S. Savre, Judge of the Superior Court of Lake County, who sentenced Frankino, Honorable H. B. Churchill, District Attorney of Lake County, who prosecuted him, and others.

SPEROS KASOLAS, commuted to a term of fifteen years, January 8, 1923, was convicted in the Superior Court of Solano County, April 20, 1918, and was sentenced to life imprisonment for the crime of murder. Commutation recommended by Advisory Pardon Board, Arthur Lindauer, who prosecuted Kasolas, the members of the jury that convicted him, State Senator J. M. Inman, and State Senator Frank M. Carr and others.

REPRIEVES GRANTED BY GOVERNOR WM. D. STEPHENS (1921-1922).

SIMON RUIZ, convicted of murder in the first degree in San Bernardino County and sentenced to be hanged January 14, 1921, was reprieved to and until Friday, January 28. He was again reprieved on January 25 to Friday, March 11. Reprieved again on March 9, to Friday, June 16. Reprieved on June 9 to Friday, August 26, in order that further investigations could be made into his application for executive clemency.

JAMES C. CLARK, convicted of murder in the first degree, in Yolo County, and sentenced to be hanged Wednesday, January 26, 1921. Reprieved on January 19 to Friday, February 4, 1921, at the request of Warden J. A. Johnston.

WALTER LEE SMITH, convicted of murder in the first degree in Monterey County, and sentenced to be hanged Friday, May 20, 1921, was reprieved on May 13 to Friday, August 19, 1921, in order that further investigations could be made into his plea for executive clemency.

GAUDET SINGH, convicted of murder in the first degree, in Imperial County, and sentenced to be hanged September 2, 1921, was reprieved August 25 to October 7, 1921. Reprieved again on October 5 to Friday, November 4, reprieved again October 31 to Friday, January 13, 1922, in order that further investigations might be made into his mental condition.

DAVID CLIFTON, convicted of murder in the first degree, in Sacramento County, and sentenced to be hanged September 2, 1921, reprieved August 30 to Friday, October 7; reprieved again October 6 to Friday, October 21, 1921, in order that further investigations might be made of representations made in his behalf.

MIGUEL MANRIQUEZ, convicted of murder in the first degree, in Imperial County sentenced to be executed Friday, September 30, 1922; reprieved September 26 to Friday, November 18, 1922, upon recommendation of Warden J. A. Johnston.

ULLAH MOHAMMED, convicted of murder in the first degree, in Sonoma County, sentenced to be executed November 24 1922, reprieved November 17 to Friday, January 26, 1923, to permit further investigation.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California:

I transmit herewith the report of the Board to investigate sites for the location of an agricultural school or college in southern California—signed by the entire Committee appointed pursuant to Assembly Bill 300, Chapter 672, page 1148, Statutes 1921.

Yours truly,

WM. D. STEPHENS,
Governor of the State of California.

SITE BOARD OF FIVE.

1028 Pacific Finance Building, Los Angeles, California.

His Excellency, The Governor of California,
Sacramento, California.

MY DEAR SIR: In accordance with an act of the Legislature of 1921 (chapter 672, approved June 3, 1921), the board appointed by you for the purpose of investigating sites for the location of the agricultural school or college in Southern California respectfully submits the following report of its activities and conclusions:

Complying with the terms of the above mentioned Act you appointed as members of the board a member of the College of Agriculture of the State of California, Thomas F. Hunt; the Director of Agriculture of the State of California, G. H. Hecke; and three agriculturists, H. A. Jastro, Bakersfield, S. C. Evans, Riverside, and Mark Grimes, Van Nuys.

The board met in Berkeley on December 14, 1921, and elected H. A. Jastro, Chairman. Later the Board appointed R. N. Wilson, Sacramento, Secretary, who consented to serve without pay. It was agreed that it would be desirable to meet with the Commission on Agricultural Education which had been appointed by you to study the entire problem of agricultural instruction and investigation for California. Such a joint session of the commission and this board was held in Riverside on March 9, 1922, at which time a free discussion of the general problem was held. It was agreed that the Board should delay active consideration of sites until

the Commission on Agricultural Education had had an opportunity to study the whole problem of agricultural education for California, both by investigating conditions in California and by visiting Eastern institutions.

Another joint meeting of the commission and this board was held in Berkeley, October 20, 1922, all members of both committees being present with the exception of S. C. Evans, who failed to receive notice of the meeting. Through complete discussion the board obtained the views of the members of the commission as crystallized following an intensive study of the problem.

A public hearing was held by the board on the evening of October 26, 1922, at the Mission Inn, Riverside, at which about thirty-five persons were present. Their opinions concerning the adequacy of the site at Riverside and the desirability of retaining this site as a location for a school or college of agriculture were presented.

On the following morning, October 27th, the board held a hearing at the Los Angeles Chamber of Commerce with about twenty-five persons present. Four or five sites were tentatively mentioned to the board as possibly available under certain circumstances. During the afternoon the board examined two of the proposed sites, one at Burbank and one in the vicinity of Van Nuys.

Offers of sites were again considered at a meeting of the board held in Los Angeles on December 15 and 16, 1922, at which time the following sites were offered for consideration:

By W. H. Hay, eight hundred and thirty-six (836) acres, near Owensmouth, on the Ventura Boulevard, San Fernando Valley, nineteen and a half (19½) miles from the Southern Branch of the University of California, at $650.00 per acre. The soil is black loam and irrigation water is supplied by the Los Angeles aqueduct.

By Charles A. Nash, six hundred (600) acres, four (4) miles east of Alhambra, in the San Gabriel Valley, eighteen (18) miles from Los Angeles, at $1,400 per acre. The soil is sandy loam and irrigation water has been developed for three hundred acres.

By the Brant Estate, eight hundred and fifty-two (852) acres, near Owensmouth on the Ventura Boulevard at Cahuenga Avenue, San Fernando Valley, twenty-two (22) miles from Los Angeles at $1,000 per acre. The soil is black loam and irrigation water is supplied by the Los Angeles aqueduct.

By Carnahan and Clark, one thousand (1000) acres near Burbank, sixteen (16) miles from Los Angeles. One hundred and fifty-five (155) acres of this amount would be donated and the remainder would be sold at the rate of more than $1,000 per acre. The soil is a sandy loam and irrigation water is supplied by a pumping plant.

By Hugo Carlson, eight hundred and sixty-five (865) acres, near Owensmouth, on the Ventura Boulevard, at Fallbrook Avenue, San Fernando Valley, twenty-six (26) miles from Los Angeles, for $650.00 per acre. The soil is black loam and irrigation water is supplied by the Los Angeles aqueduct.

By the Los Angeles Extension Company, one thousand (1000) acres, or a portion thereof, near Inglewood, eleven (11) miles from Los Angeles, at $1,000 per acre. Irrigation water is developed for a portion of the property.

By the Ventura Chamber of Commerce, a site near Ventura, in Ventura County, sixty (60) miles from Los Angeles. No exact acreage or price was submitted.

By Volney H. Craig, near San Fernando. Acreage and price not submitted.

Another offer was submitted to the board in confidence, but did not meet with the requirements as interpreted by the board.

It was moved by Mr. Evans, seconded and unanimously carried that all offers be filed as matter of record, and that these be placed in the minutes, copies of which should be furnished to all members of the board.

Following a full consideration of the proposed sites it was moved by Mr. Evans, seconded by Mr. Grimes, and unanimously carried that we recommend to the Governor that the sum of forty thousand dollars ($40,000) be appropriated for such summer session courses as shall be deemed practical, to be held during twelve weeks, at Riverside, for the next two years, using the existing facilities of the Citrus Experiment Station and the staff of the College of Agriculture as far as practical and as determined by the College of Agriculture.

Respectfully submitted.

H. A. JASTRO, Chairman.
G. H. HECKE,
MARK GRIMES,
S. C. EVANS,
THOMAS F. HUNT,
Members of Board.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith a certified copy of the Colorado River Compact, signed November 24, 1922, by representatives of the states of Arizona, California, Colorado,

Nevada, New Mexico, Utah and Wyoming, and approved by the Honorable Herbert Hoover, who represented the interests of the United States in the negotiations of the Compact. Mr. W. F. McClure, Chief of Division of Engineering, Department of Public Works, assisted by R. T. McKisick, Deputy Attorney General, acted at my request for the State of California. I recommend the approval of the compact at this session of the Legislature.

Yours truly,

WM. D. STEPHENS, Governor.

DIVISION OF ENGINEERING AND IRRIGATION,
STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS,
SACRAMENTO, Wednesday, December 13, 1922.

Honorable William D. Stephens,
Capitol Building, Sacramento, California.

Subject:

COLORADO RIVER.

DEAR GOVERNOR:

Agreeable to the provisions of chapter 88 of the Statutes of 1921, you appointed the writer of this note as a member of the Colorado River Commission.

The commission met and organized at Washington, D. C., in January of this year, and during the months of March and April hearings were held in all of the states represented, except New Mexico. Our final meeting convened at Bishops Lodge, four miles southeast of the city of Santa Fe, the capital of the State of New Mexico, on the ninth day of November, 1922, and on the twenty-fourth day of November, 1922, an agreement was reached and Compact signed, copy of which is herewith enclosed.

The result reached in the compact is one deemed fair to all of the states, and one which adequately protects existing rights and forms a clear working basis for the future.

The value of the work of the commission as expressed in the compact depends upon its ratification by the legislatures of all the states in the Colorado River Basin. I deem it important that early ratification shall be made by the State of California, and suggest that you use you good offices to that end.

Very truly yours,

W. F. McCLURE, State Engineer.

COLORADO RIVER COMPACT.

The states of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming having resolved to enter into a compact under the act of the Congress of the United States of America approved August 19, 1921 (42 Statutes at Large, page 171) and the acts of the legislatures of the said states, have through their governors appointed as their commissioners:

W. S. Norviel, for the State of Arizona;
W. F. McClure, for the State of California;
Delph E. Carpenter, for the State of Colorado;
J. G. Scrugham, for the State of Nevada;
Stephen B. Davis, Jr., for the State of New Mexico;
R. E. Caldwell, for the State of Utah;
Frank C. Emerson, for the State of Wyoming;

who, after negotiations participated in by Herbert Hoover, appointed by the President as the representative of the United States of America, have agreed upon the following articles:

Article I.

The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River System, to establish the relative importance of different beneficial uses of water, to promote interstate comity; to remove causes of present and future controversies; and to secure the expeditious agricultural and industrial development of the Colorado River Basin, the storage of its waters and the protection of life and property from floods. To these ends the Colorado River Basin is divided into two basins, and an apportionment of the use of part of the water of the Colorado River System is made to each of them with the provision that further equitable apportionments may be made.

Article II.

As used in this compact:

(a) The term "Colorado River System" means that portion of the Colorado River and its tributaries within the United States of America.

(b) The term "Colorado River Basin" means all of the drainage area of the Colorado River System and all other territory within the United States of America to which the waters of the Colorado River System shall be beneficially applied.

(c) The term "states of the Upper Division" means the states of Colorado, New Mexico, Utah and Wyoming.

(d) The term "states of the Lower Division" means the states of Arizona, California and Nevada.

(e) The term "Lee Ferry" means a point in the main stream of the Colorado River one mile below the mouth of the Paria River.

(f) The term "Upper Basin" means those parts of the States of Arizona, Colorado, New Mexico, Utah and Wyoming within and from which waters naturally drain into the Colorado River System above Lee Ferry, and also all parts of said States located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the System above Lee Ferry.

(g) The term "Lower Basin" means those parts of the States of Arizona, California, Nevada, New Mexico and Utah within and from which waters naturally drain into the Colorado River System below Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the System below Lee Ferry.

(h) The term "domestic use" shall include the use of water for household, stock, municipal, mining, milling, industrial and other like purposes, but shall exclude the generation of electrical power.

Article III.

(a) There is hereby apportioned from the Colorado River System in perpetuity to the Upper Basin and to the Lower Basin respectively the exclusive beneficial consumptive use of 7,500,000 acre feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist

(b) In addition to the apportionment in paragraph (a), the Lower Basin is hereby given the right to increase its beneficial consumptive use of such waters by one million acre feet per annum

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River System, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b), and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the Upper Basin and the Lower Basin, and whenever necessary the States of the Upper Division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

(d) The states of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact

(e) The states of the Upper Division shall not withhold water, and the states of the Lower Division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses.

(f) Further equitable apportionment of the beneficial uses of the waters of the Colorado River System unapportioned by paragraphs (a), (b) and (c) may be made in the manner provided in paragraph (g) at any time after October first, 1963, if and when either basin shall have reached its total beneficial consumptive use as set out in paragraphs (a) and (b).

(g) In the event of a desire for a further apportionment as provided in paragraph (f) any two signatory states, acting through their Governors, may give joint notice of such desire to the Governors of the other signatory states and to the President of the United States of America, and it shall be the duty of the Governors of the signatory states and of the President of the United States of America forthwith to appoint representatives, whose duty it shall be to divide and apportion equitably between the Upper Basin and Lower Basin the beneficial use of the unapportioned water of the Colorado River System as mentioned in paragraph (f) subject to the legislative ratification of the signatory states and the Congress of the United States of America.

Article IV.

(a) Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural and power purposes If the Congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding.

(b) Subject to the provisions of this compact water of the Colorado River System may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

(c) The provisions of this article shall not apply to or interfere with the regulation and control by any state within its boundaries of the appropriation, use and distribution of water.

Article V.

The chief official of each signatory state charged with the administration of water rights, together with the Director of the United States Reclamation Service and the Director of the United States Geological Survey shall cooperate, ex officio

(a) To promote the systematic determination and coordination of the facts as to flow, appropriation, consumption and use of water in the Colorado River Basin, and the interchange of available information in such matters.

(b) To secure the ascertainment and publication of the annual flow of the Colorado River at Lee Ferry.

(c) To perform such other duties as may be assigned by mutual consent of the signatories from time to time.

Article VI.

Should any claim or controversy arise between any two or more of the signatory states (a) with respect to the waters of the Colorado River System not covered by the terms of this compact, (b) over the meaning or performance of any of the terms of this compact; (c) as to the allocation of the burdens incident to the performance of any article of this compact or the delivery of waters as herein provided; (d) as to the construction or operation of works within the Colorado River Basin to be situated in two or more states, or to be constructed in one state for the benefit of another state; or (e) as to the diversion of water in one state for the benefit of another state, The governors of the states affected, upon the request of one of them, shall forthwith appoint commissioners with power to consider and adjust such claim or controversy, subject to ratification by the legislatures of the states so affected.

Nothing herein contained shall prevent the adjustment of any such claim or controversy by any present method or by direct future legislative action of the interested states.

Article VII.

Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes.

Article VIII.

Present perfected rights to the beneficial use of waters of the Colorado River System are unimpaired by this compact Whenever storage capacity of 5,000,000 acre feet shall have been provided on the main Colorado River within or for the benefit of the Lower Basin, then claims of such rights, if any, by appropriators or users of water in the Lower Basin against appropriators or users of water in the Upper Basin shall attach to and be satisfied from water that may be stored not in conflict with Article III.

All other rights to beneficial use of waters of the Colorado River System shall be satisfied solely from the water apportioned to that basin in which they are situate.

Article IX.

Nothing in this compact shall be construed to limit or prevent any state from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under this compact or the enforcement of any of its provisions.

Article X.

This compact may be terminated at any time by the unanimous agreement of the signatory states In the event of such termination all rights established under it shall continue unimpaired.

Article XI

This compact shall become binding and obligatory when it shall have been approved by the legislatures of each of the signatory states and by the Congress of the United States. Notice of approval by the legislatures shall be given by the governor of each signatory state to the governors of the other signatory states and to the President of the United States, and the President of the United States is requested to give notice to the governors of the signatory states of the approval by the Congress of the United States

In Witness Whereof, the commissioners have signed this compact in a single original, which shall be deposited in the archives of the Department of State of the United States of America, and of which a duly certified copy shall be forwarded to the governor of each of the signatory states.

Done at the city of Santa Fe New Mexico, this twenty-fourth day of November, A. D. one thousand nine hundred and twenty-two.

W. S. NORVIEL.
W. F. MCCLURE.
DELPH E. CARPENTER.
J. G. SCRUGHAM.
STEPHEN B. DAVIS, JR.
R. E. CALDWELL.
FRANK C. EMERSON.

Approved:

HERBERT HOOVER.

The above-named commission makes the following recommendation:

The members of the Colorado River Commission have had constantly before them the great menace by annual floods to the lives and property of the people of the

Imperial and Palo Verde valleys in California, and the Yuma Valley in Arizona, and the anxiety of their thousands of citizens;

Therefore, they earnestly recommend and urge the early construction of works in the Colorado River, of sufficient size to control the floods and permanently avoid the menace, subject to the Colorado River Compact.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA
SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith a report of the committee appointed to investigate and report to the next legislature a plan for the proper treatment and care of narcotic drug addicts, and that "such committee be instructed to embody in their report their recommendations upon the establishment of a hospital for narcotic drug addicts, its cost and location and the approximate number of addicts to be handled therein." Signed by the entire committee appointed pursuant to a resolution adopted by the Senate of 1921.

Yours truly, WM. D. STEPHENS, Governor.

January 4, 1923.

To His Excellency, Governor William D. Stephens,
Sacramento, California.

DEAR SIR:

In pursuance of a resolution adopted by the State Senate on April 21, 1921, (page 1735, Senate Journal, forty-fourth session), wherein it was deemed desirable by the Senate of the State of California to obtain intelligent information upon the subject of drug addiction and the handling of narcotic drug addicts in order that proper legislation might be proposed and in pursuance of your action of October 31, 1921, in appointing the undersigned as members of the committee contemplated in the above mentioned Senate resolution, we beg the honor to report to you as follows

Your committee has held a number of meetings, has investigated the extent of narcotic drug addiction in California, has interviewed various police and medical authorities and those in charge of institutions and State hospitals in California and other states of the Union. It has corresponded with the departments of health of Great Britain, France, Spain, Norway, Belgium, Denmark, and Sweden in order to make a comparison of the problem which presents itself in the State of California with that elsewhere in the civilized world. Your committee has particularly given attention to the matter of a State hospital for the treatment and cure of those addicted to the use of narcotic drugs and has come to the following conclusions:

From the information procurable it is evident that there are between ten and twenty thousand drug addicts in California occupying all stations of life; many of these addicts are engaged in the illicit traffic in drugs, all of them have a personal interest in having narcotic drugs available for their use. The traffickers in drugs are interested in maintaining the necessary quota of drug users to consume their products Very few, if any, narcotic drugs are manufactured in California, most of them being manufactured in the east whence they are shipped to old Mexico and other points outside of the United States, whence again they are smuggled into this country and ultimately reach the peddler and through him the consumer. The drug is sold by the manufacturer to the purchaser in Mexico at approximately two cents per grain of morphine, yet when it reaches its ultimate distribution in the hands of the consumer he is obliged to pay approximately fifty cents a grain. This naturally provides an opportunity for an enormous profit to the various dealers in this commodity and such profits serve as a temptation to indulge in the traffic of narcotic drugs.

With ten thousand or more addicts it would obviously be folly to attempt at the present time to provide facilities for the segregation of such a large number. Besides there are thousands of addicts who have the necessary means and influence to avoid falling into the hands of the law Suppose, therefore, the State should build an institution which would house two thousand addicts, certainly this would serve a very small purpose in reducing the number of addicts Your committee therefore, does not consider the establishment of such an institution or hospital to be the proper step at the present time in the solution of the narcotic drug problem, nor does the committee consider that the illicit traffic in narcotic drugs lends itself to solution by any state or local community but that it is a matter which could be handled successfully by proper effort on the part of the federal authorities. If the federal government could maintain a strict supervision over the manufacture and distribution of narcotic drugs, including its importation and exportation, enter into treaties with other nations looking toward the control of the importation of opium and its derivatives the solution of the problem of drug addiction would thereby be approached in a practical manner and with the promise of ultimate success. It is also evident to the committee in the matter of punishment of drug peddlers and smugglers, that fines and short jail sentences fall far short of their purposes and that punitive measures to be effective should consist of long jail sentences

Your committee, therefore, takes the liberty of making the following recommendations

First, that the Legislature of California memorialize the United States Congress to take such steps looking toward the supervision of the manufacture and importation of narcotic drugs and that treaties be entered into with foreign countries to prevent the smuggling of such drugs into this country.

It is the unanimous opinion of the committee that opium and its derivatives properly used by patients in the hands of the medical profession have been a boon to the human race in the alleviation of suffering and pain and that such proper use of narcotics should in no wise be hampered or interfered with and that the medical profession may be trusted as a whole to properly safeguard those in their charge from abuse of these important and necessary remedies.

The committee further respectfully recommends that the legislature consider the inefficacy of the infliction of fines and short jail sentences upon those convicted of smuggling and peddling narcotic drugs and consider the question of sufficiently long jail sentences as a deterring influence upon smuggling and peddling of narcotics.

Respectfully submitted

(Signed)

GEORGE E. EBRIGHT, M. D.
President, California State Board of Health.

GEO. B. MCDOUGALL,
State Architect, Chief Division of Architecture.

H. B. MEADER,
President, California State Board of Pharmacy.

EGERTON SHORE,
Member, State Board of Control.

JOHN A. REILY, M. D.
Member, Lunacy Commission.

Committee.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1923.

To the Senate and Assembly of the State of California.

I transmit herewith the report of the commission to investigate the plan of operation and organization of agricultural colleges in the United States and to recommend a plan for the reorganization of agricultural instruction in the State of California, signed by the entire commission appointed pursuant to Assembly Bill 1335, chapter 698, page 1188, Statutes 1921.

Yours truly,

WM. D. STEPHENS, Governor.

REPORT OF THE SPECIAL LEGISLATIVE COMMISSION ON AGRICULTURAL EDUCATION

As Authorized by Assembly Bill No. 1335 by the Forty-fourth Session of the Legislature of California.

There is evidently no great horde of eager young people clamoring for an opportunity to work out their destinies on the soil. Everywhere enrollment is lower than one would expect it to be in consideration of the character of the states in which the colleges are located. The truth is that the Morrill Act came as a result of the ideas of one man, not in response to a great social need, and the supply of agricultural colleges has been greater than the educational demand ever since. Fortunately, they have abundantly justified themselves in the influences they have exerted, but the disappointment of California at the comparatively small enrollment in its agricultural college is shared by every state which we visited, no matter what the type of institution in it. The more the commission studied this problem the more it was convinced that the problem of increasing enrollment in agricultural colleges and keeping boys on the farm is not to be solved by changes in curricula, equipment, or method, but by the betterment of the social and economic conditions of rural life. No plan which leaves this out of major consideration is going to succeed in keeping farmers' sons in great numbers on the farm or in attracting the sons of city dwellers to it. This is the great work of the college of agriculture today, and in it the University of California has no superior, so far as we could find. (See page——.)

ILLUSTRATIONS

The illustrations in this report are typical buildings of the colleges and universities visited, and indicate activities for which better provision is needed at the University of California.

1. Agricultural group, Cornell University.
2. Agricultural Hall, Oregon Agricultural College.
3. Horticulture, Agronomy, Agricultural Engineering, University of Wisconsin.
4. Beef Cattle Barn, Purdue University.
5. Women's Building, Agricultural College, University of Illinois.
6. Meat and Meat Products Laboratory, Iowa State College.
7. Agricultural Engineering Laboratory, Iowa State College.
8. Greenhouses and Plant Laboratory, Cornell University.
9. Agricultural Auditorium, Cornell University.
10. Horticultural Building, Massachusetts Agricultural College.

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INTRODUCTION TO THE REPORT

To the Honorable William D. Stephens,
Governor of the State of California.

The report which follows is the report of the Special Commission provided for by Assembly Bill No. 1335, approved by both houses of the forty-fourth session (1921) of the legislature of California, and signed by you, which reads as follows:

CHAPTER 698.

An act to provide for the appointment of a commission to investigate the plan of operation and organization of agricultural colleges in the United States, and to recommend a plan for the reorganization of agricultural instruction in the State of California, and making an appropriation therefor.

(Approved June 3, 1921. In effect August 2, 1921.)

The people of the State of California do enact as follows

SECTION 1. The Governor of this State is hereby authorized and empowered to appoint a commission of seven persons, which commission is hereby charged with the investigation of the entire problem of agricultural instruction and investigation. Said commission shall investigate the plan of operation and organization of the leading agricultural colleges of the United States, and report to the Governor before the convening of the forty-fifth session of the Legislature their recommendations upon the reorganization of the agricultural instruction as given in the University of California.

SEC. 2. The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated for the purpose of carrying on the work of said commission as provided for in this act: said money shall be expended and used for the purpose of paying the necessary expenses of the members of said commission while engaged in the performance of their duties, and for all necessary clerical, printing and other expenses connected with the work of carrying out the provisions of this act. The claims of each shall be audited and approved by the board of control in the manner provided by law, and when so approved the State Controller is authorized to draw his warrant therefor, and the Treasurer is directed to pay the same.

In pursuance of the above act, Governor William D. Stephens appointed G. Harold Powell, Los Angeles; W. S. Guilford, Butte City; Doctor Elwood Mead, Berkeley; J. James Hollister, Gaviota; Sheridan W. Baker, Santa Rosa; Sam G. Mortland, Fresno; Robert G. Sproul, Berkeley.

The commission met and organized at San Francisco, electing Mr. G. Harold Powell as chairman. Because of the untimely death of Mr. Powell, on February 18, 1922, it was necessary for the Governor to appoint a new member of the commission, which he did, on March 8, 1922, in the person of Mr. A. C. Hardison of Santa Paula, whom the commission elected chairman. Mr. Powell attended but one meeting of the commission and had no part in the formulation of the final report.

The commission afterwards held four meetings in Berkeley, and one each at Davis, Fresno, Ontario, El Centro, Riverside, Los Angeles and San Francisco.

Public hearings were held in San Francisco, Red Bluff, Sacramento, Fresno and Los Angeles, at which an effort was made to secure the attendance of farmers, graduates of the College of Agriculture, school men, and other persons interested in public education, and particularly agricultural education

In accordance with the legislation, the commission also made a trip across the continent, studying the more important recent developments in agricultural education elsewhere with a view to adapting the best educational experience and practice of other states to the needs of California.

Throughout its period of service the commission has been aided very greatly by Mr R N. Wilson, secretary of the Agricultural Legislative Committee, whose services were loaned to the commission without cost by the organization which employs him Mr. Wilson not only performed the routine duties of secretary in a highly acceptable manner, but by his wide acquaintance with the agricultural interests of California and his intelligent knowledge of the problems of the commission contributed greatly to anything of merit which it may have accomplished The commission was also materially assisted by the helpful cooperation of Dean Thomas F Hunt, and other members of the staff of the College of Agriculture of the University of California, by Mr. Will C. Wood, Superintendent of Public Instruction, and the members of his organization interested in agricultural education, by Mr. Morton W. Hill, principal of the Chaffey Union Junior College, by Mr. Nicholas Ricciardi, president of the California Polytechnic School and by Mr. Ben R. Walker, associate editor of the Fresno Republican, who accompanied the commission on its trip across the continent, at his own expense, gave helpful publicity to its efforts, and brought to its assistance the trained ability of a newspaperman to ascertain, select and classify the essential facts presented by the various colleges and universities visited. Many others too numerous to mention here have given assistance to the commission both in California and outside of the state The commission gratefully acknowledges the contribution of all these persons, both named and unnamed

From its first meeting the commission has gone on the theory that it was not expected to make an exhaustive survey of the needs and resources of the State in the matter of agricultural education, but that its findings should deal with the general features of the present situation and with principles of action which might improve that situation. It was the opinion of the commission also that the Legislature did not intend that it should deal in detail with such highly professional questions as curricula, but rather that it was intended that the commission should study the more general features of administration and teaching with a view to making recommendations for the strengthening and more effective functioning of the state's agricultural educational system To have adopted any other point of view would have required time, money, expert help and professional ability which the commission did not have and for which the legislature had made no financial provision The commission has also felt that in dealing with the system of agricultural education in this State, account should be taken of the nature and direction of the historical development which has taken place since the agricultural college was first contemplated, in 1860, and should also be in harmony with the best American experience in the organization and administration of agricultural teaching

On the basis of these principles, the commission has divided its study into three sections: Elementary and Secondary Schools, Farm Schools, and Universities and Colleges, and as was the plain intent of the bill which created the commission, has concentrated the major part of its time and effort on the latter subdivision. The basis upon which the hearings with reference to universities and colleges were developed is set forth in full in the chapter devoted to those institutions. The study of the commission, of course, went far beyond the formal limits of the questionnaire which is set forth, but it was the basis of study and shows the general character of the problems on which the commission sought light.

The attempt of the commission in the chapters which follow has been to set forth the historical background of each type of institution, the present character and future program of the institution and the conclusions and recommendations of the commission based upon the former two factors The commission has not, in most cases, made any suggestions as to legislative or administrative details, but has tried to offer a constructive program for improvement which might be worked out over a period of years

Respectfully submitted.

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ELEMENTARY AND SECONDARY SCHOOLS.

Recent legislative acts of the National government have provided the basis for a sound countrywide system of agricultural education in public schools of less than University grade. The program outlined in the Smith-Hughes, or Vocational Education Act, of 1917, has been adapted to the needs of practically every state in the Union and whatever differences now exist are not fundamental. The commission, therefore, confined its study of this phase of the problem of agricultural education to a survey of conditions in California alone, thinking it more important to review the local situation than to multiply evidences of the successful application of the broad general theory in the several states visited on its tour of investigation.

Before entering upon a discussion of the system of agricultural education in the schools of California it will be well to briefly review the character and purpose of the National Vocational Education Act. It is by compliance with the requirements of this act that federal funds are made available for the furtherance of agricultural education within the state, and much of our present system of instruction in the elementary schools and the high schools is dependent upon the continuance of this federal aid. As stated in its preamble, the Vocational Education Act is an act to provide for the promotion of vocational education, to provide for cooperation with the several states in the promotion of such education; to provide for cooperation with the states in the preparation of teachers of vocational subjects, and to appropriate money for these several purposes and to regulate its expenditure. A Federal Board of Vocational Education was created by the act and authorized to carry out its provisions.

"The Legislature of the State of California accepted the provisions of the Federal Vocational Education Act in an act passed and approved in May, 1917. This act provided, among other things, for the acceptance of funds for the payment of salaries of teachers, directors, and supervisors of agricultural subjects, and the maintenance of courses, classes, or schools for the training of such teachers, directors and supervisors. Some of the more important articles of the agreement entered into by the California State Board of Education and the Federal Board of Vocational Education for the administration of the federal and state acts may be enumerated as follows:

1. All courses and classes must be under the supervision and control of the public school authorities. The supervision of agricultural education is to be under the direction of a Commissioner of Vocational Education, assisted by a Supervisor of Agricultural Education, both officials to act under the plan of supervision established by the State Board of Education and approved by the Federal Vocational Board.

2. Courses are to be established and maintained only by high school boards. These boards have control of both high schools and intermediate elementary schools.

3. The controlling purpose of all such education is to be the fitting of pupils for the occupation of farming.

4. The instruction in all courses must be of less than collegiate grade.

5. The courses are to be designed for and open to all persons over fourteen years of age.

6. The teachers placed in charge of such courses must hold special certificates in agriculture of the vocational or technical arts type and must be experienced in farming.

7. On the average not less than three hours per day of each pupil's time must be devoted to farm project work and the instruction pertaining thereto, and not less than three hours per day to academic work in class or in school. Each pupil must conduct at least one farm project during the year, such project to be selected separately for each student on the basis of his interest, opportunity, and ability. Project work consists of the production and marketing of farm, orchard, vineyard, or garden crops or of bees, poultry, stock, or other animals and their products. All projects must be conducted on a commercially productive basis. Each pupil must buy, lease, or rent the necessary land and animals, purchase the necessary seed, fertilizers and feed, rent teams and farm implements, employ labor, market the product, and keep a complete record of all transactions, together with the time spent on the project. Final balancing of the books proves the success or failure of the project as a commercial venture. Project work must be supervised by the agricultural teacher.

8. In accepting the terms of the Federal Vocational Education Act the State of California agrees to appropriate one dollar for every dollar received from federal sources for the aid of agricultural education.

Elementary Schools

Having thus briefly outlined the acts and agreements governing agricultural education in this State we may now turn to consideration of the particular methods employed in the various classes of schools. For more than fifteen years section 1665 of the Political Code of California has required all elementary schools to give instruction "* * * in nature study, with special reference to agriculture * * *." Practically all of our teachers' colleges offer some instruction in agriculture in order that the teachers graduated may be prepared technically to com-

ply with this regulation of the statutes. But girls reared in the city generally have little understanding of such conditions and can not be successfully prepared to teach agriculture in a brief auxiliary course of instruction. This fact combined with a lack of interest or initiative on the part of many country school authorities, has led in the past to a more or less general disregard of the law requiring agricultural instruction in the grade schools. There have been a few notable exceptions to this general statement, but they do not greatly affect its application to the State as a whole.

In the city schools the problem has been and is admittedly a difficult one, but the need is not so pressing as in the rural districts. In Los Angeles, Long Beach, Pasadena, San Diego, and in Oakland work in elementary agriculture and in school and home gardening is now being carried on under the direction of full-time supervisors of agriculture, assisted in some cases by full or part-time agricultural teachers. Pupils receive instruction in the fundamental facts and theories of plant and animal production and certain semivocational training in the landscaping of school and home grounds and in backyard and vacant lot garden projects.

In rural elementary schools it is now possible to provide instruction in agriculture in one of two ways:

1. High school teachers of agriculture generally devote part of their time to work with pupils of the grade schools.

2. County supervisors of agriculture have been appointed in several counties to organize and oversee agricultural instruction.

High school teachers of agriculture, especially those working under the provisions of the Vocational Education Act, are required to devote part of their time to extension work in their particular high school district. Most often this extension work takes the form of giving lessons in agriculture in the rural grade schools and in organizing and supervising boys' and girls' agricultural clubs. Practically every rural school in the state is now included in or affiliated with some high school district and there has been a steady increase in the number of high schools employing agricultural teachers. Here appears to be the nucleus for a sound and practical system of worth-while instruction in agriculture in the rural grade schools. If every high school in the state employed an agricultural teacher and if the teacher's schedules were so arranged that sufficient time would be available for periodical visits to the elementary schools of the district, much would have been accomplished. On each visit instruction would be given which could be applied to local or community problems and such instruction should be of interest to all pupils in the school. Such a system might well be the means of arousing and sustaining the interest of farm children in farm life and, if it should be, this fact alone would justify the expense involved.

County supervisors of agriculture have been appointed in Fresno, Santa Clara and Kern counties. In Fresno and Santa Clara counties the supervisors devote their full time to organizing and supervising instruction in agriculture in the elementary schools. In Kern County the supervisor's activities are limited to the Kern County Union High School District. This office was made possible by an act of the 1921 Legislature which placed $1,400 at the disposal of each county superintendent of schools for every 500 rural pupils enrolled in the county, such money to be used for rural school supervision, although not necessarily for a supervisor of agriculture. County supervisors of agriculture will be chiefly valuable in counties where there are no teachers of agriculture in the high schools capable of or with sufficient time to carry on similar work. It would seem, however, that if it is possible to have a teacher of agriculture in every high school, with time for work in the elementary schools of his district, the necessary instruction would be better given than where one man is serving the entire county and the actual instruction is in the hands of the regular grade school teachers.

In connection with the work now being carried on in the rural elementary schools, some mention should be made of the boys' and girls' agricultural clubs organized under the direction of the Agricultural Extension Service of the University. A large part of this work has been done in cooperation with the rural school teachers. During the year 1922 there were three hundred and ten clubs in the State with a total enrollment of nearly twenty-four hundred boys and girls. This work is being carried on under the provisions of the Smith-Lever Act passed by the Congress of the United States in 1914. The declared purpose of this act is "to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics and to encourage the application of the same by means of cooperative extension work of the Land Grant Colleges and the United States Department of Agriculture." The agents delegated to supervise this work in California are the county farm advisers, the home demonstration agents, and the boys' and girls' club leaders.

Some question has arisen concerning the possibility of a conflict in the work of extension agents and vocational agricultural teachers and also concerning the propriety of the University carrying on work with children of the State through the elementary schools. This controversy, if it merits such a name, is largely a technical one. The first question has been cleared up to a large extent by a recognition of the diverse nature of the work of the two groups and by supplementary

agreements entered into between the directors of each type of educational service. Extension workers, in contradistinction to vocational teachers, do not offer a systematic course of instruction, but deal almost entirely with specific problems of farm practice and business management in particular rural communities. Furthermore, the relationship which should exist between the extension workers (Smith-Lever Act) and vocational teachers (Smith-Hughes Act) has been definitely outlined by an agreement entered into by the United States Department of Agriculture and the Federal Vocational Education Board, an agreement which has been amplified informally and ratified by the proper authorities in this state. The general form of the agreement may be stated as follows:

1. It is to be understood that all agricultural extension work should be administered by those in charge of extension activities in the state and that all vocational education in agriculture should be administered by those in charge of the vocational schools of the State.

2. That all extension work with adults done by teachers in vocational schools be in accordance with the plans of the extension system for the state, and in cooperation with the agent who is in charge of the administration of the extension work in the county.

3. That in counties having vocational schools of agriculture the extension service will conduct its extension work in agriculture with children, chiefly through the organization of clubs for the carrying on of definite pieces of work for the improvement of agricultural practice. The practical agricultural work of the schools will chiefly consist of home project work by the students as a part of the systematic practical instruction provided for in the Smith-Hughes Act. It is advised that in such counties a cooperative agreement be made between the extension authorities and the school authorities whereby it will be arranged for the teachers of agriculture to take part in the extension activities with the children within the territory of the school and that such territory be set forth in the agreement.

4. That in every case care be taken to see that work which is supported by federal funds under any of the aforementioned acts will not in any way duplicate or overlap work being carried on in that same community when that work is supported in any part from another federal fund.

The second question which relates to the activities of the Agricultural Extension Service of the University and the State Board of Education is not strictly a debatable one. It must be admitted that all activities organized in public schools and supervised by teachers in these schools should be under the control of the regularly constituted school authorities. Whenever the State Board of Education is ready and equipped to take over the agricultural club work in the schools, the Agricultural Extension Service of the University will undoubtedly be willing to transfer the burden.

High Schools

The year 1909 marks the beginning of serious attempts to introduce instruction in agriculture into the curricula of the high schools of the State. During the following eight years approximately one hundred high schools offered, and in some cases maintained, instruction in various agricultural subjects. None of these schools gave a complete course in agriculture, however, and with few exceptions the courses given depended wholly upon classroom work and textbook study. Notable exceptions were the high schools at Bakersfield in Kern County and Gardena in Los Angeles County, both of these schools having acquired school farms upon which the practical aspects of agriculture might be taught and studied. It would be well to note here, however, that both schools have abandoned the idea of training farmers on high school farms. They do not provide normal conditions and have proved expensive to maintain.

The movement to introduce agricultural courses into the secondary school curricula met with indifferent success during this period from 1909 to 1917. This is not surprising inasmuch as it was a period of experimentation and time was needed to adjust educational theories to the needs of the pupil and the community. Perhaps the chief weaknesses displayed in these early attempts were the highly theoretical nature of the courses offered and the general confusion of the purpose of agricultural instruction in secondary schools with the purpose of collegiate instruction in the same subject.

It was not until the Vocational Education Act became effective in 1917 that a policy for the development of agricultural courses in the high schools was adopted which combined the project idea of training in the art and business of farming, with instruction in the science of farming. Since that time steady progress has been made in correlating the work done in class and laboratory with the practical problems encountered in the field. Even students not residing on farms are urged to secure experience by working on farms and, before they have completed their course, they must submit evidence of having worked a definite length of time on an accredited farm, such work to be performed under the supervision of a teacher of agriculture.

When the State accepted the provisions of the Federal Vocational Education Act, the State Board of Education decided that the first step in a sound program for the promotion of vocational education in secondary schools was the development of courses of study and methods of instruction which would be suited to the general and particular needs of various communities. This was and is pioneer work. The State Board of Education has cooperated with local high school boards in the establishment of a limited number of federal and State aided four-year courses in agriculture. The schools giving these courses are well distributed geographically throughout the agricultural regions of the State, only three being located in large cities, namely, Los Angeles, Pasadena, and Oakland.

The locations were all selected with due regard for the agricultural possibilities of the community, the size and the population of the high school district, and the attitude of the school authorities and the people of the community toward the work. No attempt has been made to favor the poorer high school districts with apportionment of federal and State funds. In fact, it has been deemed wiser to secure the cooperation of the wealthier districts in solving the many problems presented so that later, when satisfactory methods and courses of study have been evolved, the poorer districts can be included in the work with a minimum of waste and inefficiency in the expenditure of funds.

Progress has been gratifying although slow. High school boards, principals, and teachers, change so often that it is extremely hard to maintain a constant policy with regard to agricultural instruction in a given community. When difficulties confront the school authorities exploring new educational fields, and the cry is raised for lower taxes, the tendency is to revert to the old classroom, textbook methods of instruction. The terms of the Vocational Education Act and the regulations of the State Board of Education are designed to prevent such retrogression, but the withdrawal of federal and state funds is a negative remedy and does not aid pupils desiring an education in agricultural subjects.

The following table shows the development of courses in agriculture under the provisions of the federal and State vocational education acts from 1917 to date. For purposes of organization and supervision the State has been separated into five regional divisions, the constituent parts of each division having broadly similar problems in the field of agricultural education and practice. The figures are presented for each of these regional divisions.

Number of Schools Offering Courses in Agriculture Under the Provisions of the Federal and State Vocational Education Acts, 1917–1922.

Regional division	1917-1918	1918-1919	1919-1920	1920-1921	1921-1922
Southern California	6	7	9	11	13
South Coast (Contra Costa to Ventura)	0	4	6	7	8
North Coast (Marin to Del Norte)	0	4	6	6	8
San Joaquin Valley	3	4	6	5	8
Sacramento Valley	1	3	5	10	13
Total schools aided	10	22	32	39	50
Total enrollment in classes	172	337	640	1097	1281

In the year 1922 vocational courses in agriculture were established in sixty high schools in twenty-six counties, the total enrollment being approximately 1500 pupils. Of these schools twenty-five offered a full four-year course and the majority of the remainder a two-year course. For the smaller schools in the poorer districts the two-year course is perhaps all that can be developed at least for some time to come.

If sufficient funds had been available, forty or fifty more high schools would now be conducting vocational courses in agriculture under the federal and State vocational education acts. It is the policy of the State Board of Education to authorize the establishment of only a limited number of courses for which the funds available will be adequate.

It was not the purpose of the federal and state vocational education acts to provide funds for vocational courses already well financed by local communities and there are approximately sixty high schools and junior high schools in the State which are offering agricultural instruction independent of federal and State aid. There is a great variation in both the method and the scope of the work offered in these schools. Some teach entirely from books and others have well organized vocational courses. Some offer only one class in agriculture and others offer a full four-year course. Of the better type, one of the best examples is the Kern County Union High School at Bakersfield. A brief outline of their methods should be of value as they are pioneers in the work and have achieved a marked degree of success in recent years.

Instruction is divided between class, laboratory, and field, approximately one-third of the available time being given to each method of instruction. The practice work, including project work, and boys' club work, is all carried on outside school hours. One type of work is taken up each school year.

First year Plant growth and habits soils, vegetable gardening; poultry raising; bee keeping; project allied to class work.

Second year Animal husbandry, dairying, project allied to class work

Federal and State Aided Classes in Agriculture for the Year 1921-1922

Location and school	Full-time part-time or special class	No of classes	Sixty-minute hours of instruction per week	Enrollment	Amount of federal and state aid
Adin-Big Valley Joint Union High	full-time	1	30	9	$794 38
Azusa-Citrus Union High	full-time	1	30	21	1,074 76
Brawley Union High	full-time	1	30	20	1,074 76
Campbell Union High	full-time	2	30	24	1,411 22
Caruthers Union High	full-time	1	30	16	941 30
Chico High	full-time	1	30	11	673 84
Chino High	full-time	1	30	76	1,635 44
Chowchilla Union High	full-time	1	30	15	794 38
Colusa	full-time	2	30	27	1,108 96
Concord-Mount Diablo Union High	full-time	1	30	22	1,074 76
El Centro-Central Union High	full-time	1	30	20	962 62
Esparto Union High	full-time	2	30	28	1,443 92
Easton-Washington Union High	full-time	1	30	20	1,074 76
Fair Oaks-San Juan Union High	full-time	2	30	33	1,318 70
Fortuna Union High	full-time	1	30	17	1,074 76
Fresno City High	full-time	1	30	18	1,074 76
Fullerton Union High	full-time	2	30	28	1,074 76
Geyserville Union High	full-time	2	30	15	998 08
Gilroy High	full-time	2	30	13	1,439 26
Gonzales Union High	full-time	2	30	14	1,046 00
Grass Valley High	full-time	1	30	15	934 58
Hemet Union High	full-time	1	30	23	1,018 70
Holtville Union High	full-time	3	30	35	1,532 70
Kingsburg Joint Union High	full-time	2	30	24	1,261 66
Lakeport-Clear Lake Union High	full-time	2	30	18	1,261 68
Lancaster-Antelope Valley Union High	full-time	2	30	16	1,443 92
Lodi Union High	full-time	3	30	44	1,803 18
Los Angeles					
Owensmouth	full-time	1	30	24	906 54
Jefferson High	full-time	1	30	17	906 54
Los Molinos High	full-time	1	30	22	1,015 83
Marysville High	full-time	1	30	20	794 40
McArthur-Fall River Jt Union High	full-time	1	30	14	1,018 70
Modesto High	full-time	3	30	43	1,626 16
Morgan Hill-Live Oak Union High	full-time	2	30	17	1,448 60
Napa Union High	full-time	1	30	17	794 38
Oakland-Fremont High	full-time	2	30	40	1,803 00
Ontario-Chaffey Union High	full-time	4	30	99	1,869 00
Oroville Union High	full-time	1	30	9	841 12
Pasadena High	full-time	3	30	50	1,692 00
Petaluma High	full-time	2	30	36	1,822 00
Princeton Joint Union High	full-time	1	30	6	1,074 76
Riverdale Joint Union High	full-time	1	30	15	991 30
Riverside-Polytechnic High	full-time	1	30	22	1,074 76
Roseville Union High	full-time	2	30	39	1,074 76
Salinas Union High	full-time	2	30	28	1,523 00
Santa Cruz High	full-time	2	30	43	1,175 70
Santa Rosa High	full-time	1	30	34	1,045 70
Sebastopol-Analy Union High	full-time	2	30	30	1,542 00
Upper Lake Union High	full-time	2	30	17	1,261 00
Woodland High	full-time	2	30	20	1,074 76
Totals				1,281	$59,713 86

In addition there are forty high schools and eleven junior high schools offering courses in agriculture which are not reimbursed from State funds.

Third year Horticulture viticulture project allied to class work

Fourth year Farm management, soil conditions, project in farm management

In addition to the agricultural courses given in the Kern County High School the agricultural teaching staff, now numbering five people, visits certain of the grammar schools in the county each week and gives agricultural instruction to pupils in the grades. These men do not teach nature study and call it agriculture. They select important agricultural problems of the community and discuss them with the pupils. One hundred and seventy-nine grammar school students were given instruction of this kind last year.

Junior Colleges.

With the enactment of recent legislation looking toward the development of junior colleges, considerable interest has been manifested in the inclusion of agricultural courses in the curricula of these institutions. The Chaffey Junior College at Ontario is the only institution of its kind in the State which is at present offering instruction comparable to that offered in the first two years of the College of Agriculture, University of California Schools at Fullerton, Modesto, and Santa Rosa are offering one or more junior college courses in agriculture this year in

addition to some basic science courses. Schools at Lodi, Petaluma, Sacramento, Salinas, and Sebastopol are contemplating the establishing of junior college courses in agriculture, as are the Chico and Fresno State teachers colleges. It is probable that when the cost of installing and maintaining a course similar to that given at Chaffey Junior College is realized, many contemplated plans will be modified or abandoned. This opinion is further strengthened by the fact that with the development of the freshman and sophomore courses at the branch of the College of Agriculture at Davis and the possible further duplication of this work under the auspices of the university in southern and central California, there may not be enough demand for further junior colleges of agriculture to justify their existence.

Two types of work may be given profitably in junior colleges of agriculture, the one vocational, the other academic. The first will meet the needs of those who will complete their institutional training when they are graduated from the junior college. It should be organized along vocational lines with due respect for the major agricultural interests of the region in which the school is located, and should not attempt to prepare the student for further work of university grade. The academic courses, on the other hand, should be designed to give students who complete them junior standing in the university. The courses in the basic sciences and in applied agriculture would of necessity be similar to, if not identical with, the courses given in the first two years of the College of Agriculture at the university. As has been privously stated, the cost of installing and maintaining courses of the latter type would in most cases be prohibitive.

Brief mention should be made here of the remarkable work accomplished by the Chaffey Junior College of Agriculture. It has now been in operation for three years and has become an important part of the educational system in southern California. Primarily its function is to serve the needs of high school graduates and adults who find it difficult or impossible to leave home for further schooling. Certain courses have been planned so that students may receive two years credit toward college graduation. Other courses have been planned for those who wish to broaden their general education, but who do not contemplate attendance at the university. A third group of short courses has been designed for those who can spend only a limited amount of time in school during each year.

The Chaffey school is on a 30-acre campus in the Ontario-Upland section. Its equipment includes four main buildings devoted to class, laboratory, and library purposes, a greenhouse, a lath house, a gymnasium, and a large athletic field. The library is endowed and contains 15,000 carefully selected volumes which are being added to each year. In the reading room 100 daily, weekly, and monthly publications are kept on file.

The agricultural instructors at Chaffey Junior College not only give classroom and field instruction, but they also carry on extension work among the farmers of the district and conduct experimental and demonstration plots on the school grounds and on private farms in the vicinity. Courses are offered in citriculture, deciduous fruit culture, animal husbandry, dairying, bee husbandry, poultry husbandry, and in the sciences underlying all branches of agriculture. During the present year enrollment at Chaffey Junior College of Agriculture totaled two hundred and eighty pupils and the average daily attendance has been close to 250 pupils.

Conclusions of the Commission

1. The basis for a sound and practical system of agricultural education in the elementary and secondary schools of California has been provided by the Federal and State Vocational Education Acts of 1917.

2. The principal need of the elementary schools of the State is for a competent corps of instructors. If the regular grade teachers are to instruct pupils upon agricultural subjects they must receive a more thorough preparation for the work, and they should be under the close supervision of a specially trained district director of agricultural education. An alternative plan which holds promise of even better results, is to place the actual teaching of agriculture in the grade schools in the hands of the local high school teachers in agriculture. When every high school has an agricultural department this will be a possible and practical solution of the problem of teaching agriculture in the elementary schools.

3. In the high schools the Smith-Hughes work has made a successful beginning and its extension is recommended. The project feature of this type of agriculture instruction has proved particularly valuable. Constant improvement of the high school teaching personnel is distinctly desirable and is rapidly taking place.

4. Agricultural instruction given in the high schools either now or in the future, should be better correlated with the work given in the College of Agriculture of the university than has been the case in the past. This is a practical possibility under present university requirements and is usually neglected because of unfamiliarity with these requirements.

5. In the opinion of the commission, junior colleges of agriculture, equivalent to the first two years of the College of Agriculture in a university, can not be efficiently conducted or adequately financed except by the State. The brilliant record of Chaffey Union Junior College might seem to indicate that this opinion is erroneous, but we believe that the community in which Chaffey is located is unusually rich and we doubt if even it will always bear easily the constantly mounting cost of

scientific agricultural education research and extension Whether it will or not, there are certainly few other districts which could carry it and it is therefore not practical to look in this direction for state development

6 As a practical substitute for the Chaffey type of school and as a supplement to the College of Agriculture of the University of California and its branches, this commission strongly recommends that consideration be given by the State Board of Education to the extension of agricultural instruction by the project system into the junior colleges Under this system a reasonable number of junior colleges, strategically located, could, without the very heavy expense of land, buildings, livestock, and farm equipment, conduct worth-while vocational agricultural courses that would be a very serviceable factor in keeping the boy on the farm and fitting him to make of the farm a profitable business venture

7 Finally, the Commission recommends strongly that support and encouragement be given the branch of the College of Agriculture at Davis where the facilities and staff are such as to guarantee the most successful results in the first two years beyond the high school, both from the point of view of vocational and professional training This type of school can not be duplicated by any smaller political subdivision than the state, and it should not be duplicated even by the state, which after all has not limitless finances, until the need develops Neither enrollment nor any other factor indicates that need at the present time, but when such need does appear, it would seem logical that similar institutions should be established in central and southern California.

FARM SCHOOLS

The State of California has a well-established high school system, including a number of schools offering instruction in agriculture and rural home-making. These schools provide the most efficient and least expensive means both for a general cultural education and for instruction of secondary grade in agriculture and home economics, with the added advantage that they are in the communities where the pupils reside These schools meet the requirements of the State as college preparatory schools and as vocational schools of secondary grade

On the other hand the College of Agriculture of the University of California provides adequate higher instruction This instruction, by its very nature, requires a large staff of specialists and relatively expensive equipment The College of Agriculture can for the present meet every need of California with respect to collegiate instruction in agriculture, it requires only additional funds and facilities to make fully available its very efficient staff No state in the Union has more than one state college of agriculture (except the negro colleges in the south), and it seems highly doubtful if even California can at this time afford to maintain more than one

Between these two groups of institutions there is a limited educational service to be rendered by what are generally known as farm schools These should be vocational training schools of secondary grade reaching the practical handicrafts and well-established principles of agriculture and home-making to relatively immature persons, or to those whose time or educational limitations will not permit more extended training They are, in part, maintained by Smith-Hughes funds and are subject to the provisions of the Smith-Hughes Act "that such education shall be of less than college grade and be designed to meet the needs of persons over fourteen years of age who have entered upon, or who are preparing to enter upon, the work of the farm or of the farm home" This act recognizes distinctly the secondary school pupil and no other

It is of great importance that California definitely determine its policy with reference to these special schools basing it on a clear knowledge of the educational service to be rendered by such schools and of their relation to other units in the educational system. The highest efficiency and the greatest economy of educational organization and administration can be obtained only through a clear differentiation of purpose and functions among the various classes and grades of institutions and through a strict observance of these functions and limitations

The commission was informed that several of the states in this country had made serious errors in the organization of their educational systems by allowing unwarranted duplication to arise when local or political considerations have over-ridden logical planning They therefore made a careful study of the farm schools (where such schools existed) in all of the states visited Following is a description of the farm schools of Montana, Minnesota, Wisconsin, New York, and California

Montana.

As originally organized under the state constitution in 1893, there were four separate institutions of higher learning in Montana widely separated from each other in location. These were the State University at Missoula, the State College (Land Grant College) at Bozeman, the State School of Mines at Butte, and the State Normal School at Dillon In 1913 the four colleges were combined by legislative action and declared to be one institution, the University of Montana

The School of Agriculture at Bozeman, the only institution in the state offering a complete course of agricultural instruction of secondary grade, is connected with the State College of Agriculture and Mechanic Arts at the same place. The course

extends through three years of six months each (eighteen months of actual instruction) and classes are held only in the winter months when farm workers are more easily spared from their usual labors. For admission to the school students must have passed the eighth grade of grammar school or must give satisfactory evidence to the principal of their ability to carry the prescribed courses. Persons 21 years of age or over may be admitted to the school without having completed the eighth grade provided they have had some practical experience in farm work and possess some common school education. There were 103 students registered for instruction in the school at the opening of the 1922-1923 school year. In 1921-1922 there were 173 students, and in 1920-1921 there were 126 students. (One woman student was included in the enrollment figures for 1921-1922.) Students who complete the course with satisfactory grades are given certificates of graduation. The courses offered are intended to prepare students for practical farm operation rather than for entrance to college.

The plant and apparatus at the disposal of the school are the same as that used by the College of Agriculture. The college grounds and farm contain 455 acres. Ninety-five acres of this land constitutes the college campus and 360 acres are used for farming and experiment station purposes. The equipment includes a modern dairy, a complete poultry plant, model farm buildings and barns, herds of pureblred live stock, orchards, greenhouses, grain, soil, biological, chemical, and physical laboratories, wood and iron-working shops, and a selected group of farm implements, tractors and gas engines.

Courses are offered in the usual agricultural and allied subjects and in addition instruction is given in English and in military science. The main subdivisions of the school curriculum are agricultural engineering, agronomy, animal husbandry, dairy husbandry, entomology and zoology, horticulture, poultry husbandry, and veterinary science.

Bozeman, the seat of the College of Agriculture, where the courses in the school of agriculture are given, is in the center of a very rich farming area.

Agricultural educators and state officials in the State of Montana are not in favor of expanding the present School of Agriculture nor of creating new schools of this type. Their present policy is to broaden the courses of study in the regular high schools of the state to include instruction in agriculture and home economics, and they claim that very effective work is now being done in this way. One or more trained agricultural teachers are added to the teaching staff of the high school and work is continued throughout the year, both in the classroom and on experimental plots on the home farms of the pupils. In some cases the State College of Agriculture is cooperating in this work by supplying teaching aid.

According to the authorities in this state the teaching of agriculture in the regular high schools will accomplish all that might be accomplished by separate agricultural schools. They believe that by this method more people will be reached, standards of instruction will be maintained, and state expenses will be reduced. Their experience thus far has partially supported this belief.

Minnesota.

Secondary schools of agriculture in this state are an integral part of the Department of Agriculture of the University of Minnesota and are administered by the university authorities. There are three such schools, the Central School located at the seat of the university, St. Paul, the Northwest School at Crookston, and the West Central School at Morris. Each school has its own separate faculty and is not dependent upon the State College of Agriculture for teaching aid. The schools are co-educational. The total enrollment in all schools by decades since 1901 has been as follows: 1901, 450; 1911, 879; 1921, 955.

The Central School of Agriculture located at the University Farm, St. Paul, is the oldest of the three schools. It was established in 1888. The school does not possess any land but is allowed restricted use of the land of the University Experiment Station including more than 400 acres. All of the mechanical equipment and the live stock of the College of Agriculture is used in the work of the Central School of Agriculture.

The Northwest School of Agriculture at Crookston in the Red River Valley opened in 1906. A second school of agriculture was deemed necessary at this time for two reasons:

1. The distance of the Central School from the northern part of the state. Many possible students were barred from attendance by reason of their inability to expend the time or money necessary to take the course offered at St. Paul.

2. Agricultural conditions in the Red River Valley, in many respects, differ radically from conditions in the southern part of Minnesota, and a school devoting its attention to and operating under local conditions was thought desirable.

There is an experiment station directed by the Department of Agriculture of the University of Minnesota in connection with this school. The farm, consisting of 476 acres, is fully equipped with stock and machinery.

The West Central School of Agriculture was established in 1910 as a part of the Department of Agriculture of the University of Minnesota. It is located at Morris in the western part of the state, and its students are all drawn from that section,

a predominantly agricultural area. The school farm comprises approximately 400 acres. The physical plant is adequate and ample opportunity to work with live stock and mechanical farm equipment is afforded students. This school and the Northwest School, functioning as branches of the Minnesota Agricultural Experiment Station, carry on experimental research and farm extension work.

The requirements for entrance, the curricula, and the graduation requirements of all three schools are similar and in this respect they may be treated as one. The only scholastic qualification for entrance is a grammar school education or its equivalent in practical experience. The curriculum for boys includes training in all branches of agriculture and in associated subjects. The courses include general farming, live stock production, crop production and farm mechanics. For girls the schools offer courses in home economics.

The schools of agriculture are in session six months of the year but the curricula offer a program for the full twelve months, including six months of theory and six months of farm practice. The theoretical work in class and laboratory is given during the six winter months. The farm practice consists of supervised work on a farm (usually the home farm since the large majority of the students at these schools are farm boys) during the six summer months. Graduation requirements include attendance at three winter sessions of six months each, the completion of two summers of supervised farm work, and the attainment of satisfactory grades in the required and the elective work offered, in the course selected.

Under certain conditions work taken in these schools may be used in meeting college entrance requirements, but in all cases of this kind additional preparation is necessary. As a general rule the schools are not designed to prepare students for college. Their field of service lies with farm boys who can only attend school during the winter months, with city boys who desire to become farmers, and who need practical preparation, and with older boys who, because of their age, do not wish to attend the regular high schools.

The educational authorities of the State of Minnesota believe in these schools as institutions which are likely to return boys to the land with greater certainty and less expense than junior colleges or universities. The farm school at the University of Minnesota is probably the least successful in this regard and it is certainly the least popular. Its association with the university has caused confusion, dissatisfaction, and considerable discredit to the Department of Agriculture of the University, from which it cannot be dissociated in the popular mind.

Wisconsin

Secondary school instruction in agriculture in the State of Wisconsin is provided by six county agricultural schools and by the Short Course in Agriculture offered by the College of Agriculture of the University of Wisconsin. County schools are located at Marinette, Marinette County; Rochester, Racine County; Wisconsin Rapids, Wood County; Menomonie, Dunn County; Onalaska, La Crosse County; and Waumatosa, Milwaukee County. The Short Course in Agriculture is given at Madison, the seat of the state university.

When first organized the county school of agriculture offered only two years of instruction designed for graduates of the grade or grammar schools. Three of the schools, the Dunn, La Crosse, and Milwaukee County schools now have both two and four-year courses. When the latter three schools are inspected by representatives of the University of Wisconsin, they may be declared, under certain circumstances, accredited high schools of the state. Students graduating from the four-year course in agriculture are then allowed to enter the university on the same basis as graduates of the regular high schools, that is upon presenting evidence of having satisfactorily completed eleven units of academic work and four or more units of vocational work and of having complied with other entrance requirements of the university. Students who complete only the two-year course in the county schools, and who later decide that they wish to attend the university, must go to some high school and complete their four years of work.

The University of Wisconsin has no direct control over the administration of the county schools of agriculture. They are under the direction of the State Superintendent of Public Instruction. It is true that the law authorizing these schools states that the Dean of the College of Agriculture of the University of Wisconsin shall aid in their location and in arranging their courses of study. This latter part of the law has never been observed.

The short course in agriculture at the College of Agriculture of the University of Wisconsin was established in 1885. Instruction is given by the regular members of the teaching staff of the college. The equipment of the college, including four experimental farms embracing 746 acres, is used in the work. The full course consists of two terms of fifteen weeks each and each term is divided into three sections of five weeks each. Students may enter the school at the beginning of any five-week period as the course is so planned that a definite unit of work is completed every five weeks. The school opens in November, closes for the Christmas holidays, begins the second five-week period in January, the third in February, and closes in

the middle of March Students already employed on farms may thus finish the harvest work, attend the school, and return to the farm in time for the spring planting operations

No entrance examinations are required for admission to the short course Students are generally at least 16 years old and possessed of a common school education. Persons who have not finished the grade schools, but who are fitted for the work by reason of their age and experience, may be admitted to the course by special permission. There were 251 students enrolled for the 1921-1922 school year. Certificates of graduation are granted to those who successfully complete the prescribed course of study.

The courses of instruction cover the general field of agricultural science and practice. Work is given in agronomy animal husbandry, dairying, horticulture, poultry husbandry, agricultural economics, agricultural engineering, and in the fundamental sciences underlying agricultural practice. The purpose of the short course in agriculture given by the College of Agriculture of the University of Wisconsin is briefly,

1. To give a thorough training in practical agriculture and such instruction in the sciences upon which agriculture is based as may be necessary for intelligent cultivation of the land and breeding of stock

2. To create an interest in rural life and to awaken in the student a realization of the place of the farmer in the community and in society in general.

It is not a preparatory school leading to work of collegiate grade and only a few of its students have later pursued advanced studies in agriculture. The school is not connected with the University of Wisconsin, administratively or otherwise, but only with the College of Agriculture of that institution

New York.

Considerable thought has been given to the problem of the farm school in the State of New York. Schools similar in aim and in methods of instruction to those in the states of Montana, Minnesota, and Wisconsin (described above) have long been in operation. Their effectiveness is still a subject of controversy and there is no need to discuss them further at this point

More recently a somewhat different type of agricultural school has been placed on trial in this state and although it is still too early to judge the success of the experiment, it has achieved certain things which indicate that its methods may be studied with profit. Two distinctive features differentiate this school from the ordinary farm school previously considered.

1 The school year takes in the full twelve months in place of the six or eight months sessions of the older agricultural schools

2 All of the work of the farm is done by students, supervised by instructors, instead of by hired farm laborers Students are not paid for their work.

Combined with all study of the theory of agriculture and its underlying sciences, there is a maximum of actual field work The student follows the complete cycle of husbandry in every branch by contemporary work in the field and classroom The theory that the school farm can be made to pay for itself is abandoned and profit is subordinated to the more complete use of the farm plant by the students. This type of school is in effect a trade school in agriculture, the main purpose of which is to make students familiar with and skillful in all kinds of farm work. It tries to do for the student what the apprentice system and the city trade schools aim to do for the training of mechanics and artisans.

In order to gain first hand knowledge of this type of school the commission visited the New York State Institute of Applied Agriculture at Farmingdale, Long Island. Farmingdale is a small town approximately 32 miles distant from New York City, from which the school draws 95 per cent of its enrollment. The establishment of the Institute of Applied Agriculture was authorized by an act of the New York state legislature in 1912, and the school was formally opened in March, 1916 The farm area owned is 333 acres in extent and of this land 100 acres are under cultivation The remainder is rapidly being cleared of brush and wild growth by the students of the school Eventually it is planned to acquire an additional 300 acres and to increase the physical plant so that 1000 students may be given instruction. Approximately 25 per cent of the buildings, which are ultimately expected to be available, are now completed and in use. The demands for instruction have steadily exceeded the capacity of the school. At present only the course in agriculture is given. When the school is completed, a course in home economics for girls will be offered, combining theoretical instruction with actual work in the school dormitories and dining hall

The courses of instruction are open to men and women on equal terms. The regular course includes three full years of work. Students intending to take this course must complete one full year of regular high school work prior to their entrance into the farm school Persons, who by reason of their age and experience may be classed as special students, may be admitted to the institute without previous high school training and they are then allowed to take special courses made up of

subjects selected from the regular work of the school. Instruction is given in agronomy, animal husbandry, farm mechanics, horticulture, poultry husbandry, the agricultural sciences, and to a limited extent in English, farm arithmetic, civics, and economics. Before receiving a diploma or certificate of graduation the student is required to complete, with passing grades, three years of work in class, laboratory, and field. In addition to its regular instruction work the institute publishes bulletins on agricultural subjects, conducts short courses for farmers, and to a limited extent carries on agricultural extension work.

Here then is a different theory of agricultural education which may very possibly apply to conditions in other states than New York. The work of the institute is planned to provide instruction not only for the farmer boy or girl who may reasonably be supposed to have already acquired practical experience in following the plow, but also for those boys and girls who desire to become farmers but who have had little or no agricultural experience. There is a maximum of actual field work and laboratory practice and a minimum of classroom study of the science of agriculture. Following the theory further, the graduate of the institute is supposed to be fully equipped for a successful career as a farmer, and not merely a graduate compelled to seek opportunity for practical experience before advancing to a position of independence as a farm owner or manager. The success or failure of this theory of education is yet to be determined.

California.

In California two types of the same general class of farm schools have been tried and the success and failure of their methods has been generally discussed. The University Farm School at Davis (now the non-degree school at the branch of the College of Agriculture at Davis) has offered general agricultural instruction to high school graduates and to anyone over 18 years of age having the equivalent of a grammar school education. The California Polytechnic School at San Luis Obispo is a State school for vocational training, particularly in agriculture, for any boy or girl 15 years of age or over who has the mental capacity required to do the work offered. A brief outline of the equipment, entrance requirements, course of study, and graduation requirements of these two schools follows.

UNIVERSITY FARM SCHOOL

(Non-Degree Course of the College of Agriculture.)

The University Farm at Davis, Yolo County, was purchased under authority granted by an act of the State Legislature in 1908, the significant portion of which is: "The said university farm when purchased as aforesaid shall be immediately given into the possession of, and shall be under the management, direction and control of the Board of Regents of the University of California. Immediately upon obtaining possession of said university farm said regents shall proceed to have constructed thereon buildings and such other structures as shall be necessary for an agricultural school, and for the use thereof for purposes of education in agriculture. They shall provide for the purchase of implements, machines and apparatus, the planting of trees and vines, and forage and agricultural crops, for the purchase of domestic live stock, and for the employment of laborers. They shall appoint the necessary instructors and inaugurate and provide for the conduct of instruction in agriculture, and in such other branches of learning as are allied thereto, and as are calculated to better qualify and inform the students attending in the theory and practice of agriculture. This instruction shall be conducted in connection with, and as a part of the College of Agriculture of the University of California, provisions being made by the regents for such attendance on the farm of the college students as may be deemed best and necessary to the completion of their college courses. The University Farm and the instruction given thereon, shall be so conducted as to meet the needs of persons who desire instruction in agriculture, horticulture, viticulture, animal husbandry, dairying, irrigation and poultry raising, and to prepare them for the pursuit thereof, and shall also be used for experimental and investigational work in connection with the agricultural experiment station at the University of California. Short courses of instruction shall also be arranged for in each of the leading branches of agricultural industry, so regulated as to provide for popular attendance and general instruction in agricultural practice." The original purchase consisted of 780 acres of valley farm land. This acreage has recently been increased by the leasing of 300 acres of adjoining property. Davis is in the lower Sacramento Valley and climatic and soil conditions there are broadly typical of conditions in the great interior valleys of California.

The following table shows the present estimated value of land, buildings, improvements, equipment and live stock at the University Farm as of June 30, 1921; also total expenditures during the past four years. These data are presented as having a possible bearing on the cost of organizing and maintaining a southern farm school.

Total Expenditures.

Exclusive of commercial activities	$284,806 40	$259,188 66	$386,392 00	$420,000 00
Commercial activities	110,496 67	161,464 73	204,781 22	200,377 91
Totals	$395,303 07	$420,653 39	$591,173 22	$620,377 91

*Estimated.

Land, buildings and improvements present value	$792,446 30
Scientific and laboratory equipment	9,730 80
General equipment	86,616 62
Furnishings	23,880 48
Live stock	79,704 50
Total	$792,378 70

The teaching staff of the branch of the College of Agriculture at Davis is common to both degree and non-degree students. Likewise the equipment of the college, including buildings, machinery and live stock is used by non-degree students. Buildings are provided for classroom and laboratory work in the various subjects in which instruction is offered and in addition there are modern barns for live stock, shops for agricultural engineering work, and sheds for flocks of poultry. Herds or specimens of the more important breeds of the various classes of live stock are maintained on the farm and used in non-degree course work. A large acreage devoted to field crop investigations, a commercial orchard and vineyard, and a small vegetable acreage are also available for field instruction.

The non-degree courses now offered by the branch of the College of Agriculture at Davis include a three-year course for anyone 18 years of age or older who has the equivalent of a grammar school education, a two-year course for high school graduates, and a one-year course for those who can not spend more time in educational preparation for their life work. The non-degree courses are not preparatory to work in the University of California nor do they yield credit toward a bachelor's degree.

The course is primarily practical and a large part of the work is done in the laboratory, shop, and field. Major work is offered in animal husbandry, dairy industry, horticulture, and poultry husbandry. All of the major work offered in any one of these courses may be completed in one year but if a student wishes to obtain a certificate of graduation he must complete at least two years of work. Within these major subjects instruction is also offered in agricultural engineering, agronomy, farm management and practice, olericulture and rural economics, as well as in English, mathematics, hygiene, and physical education. Satisfactory completion of the prescribed work during the school terms and at least three months of supervised work on a commercially operated farm are required for graduation.

It is not possible to determine accurately the number of different individuals who have received instruction at the University Farm since the fall of 1908. The following table indicates that over 5000 persons have been enrolled aside from University students, of which about 2000 were Farm School students and 3000 short course students.

Year	New Students	Short Course	Visitors	Teachers training	Total
1908-9	18	109	--	--	127
1909-10	30	63	--	--	93
1910-11	50	123	--	--	173
1911-12	55	163	--	--	218
1912-13	75	187	--	--	262
1913-14	117	134	1	--	252
1914-15	189	165	--	--	374
1915-16	169	181	17	--	367
1916-17	162	233	23	--	418
1917-18	126	314	21	28	489
1918-19	129	289	35	104	557
1919-20	359	492	14	100	965
1920-21	284	339	12	--	635
1921-22	226	294	15	--	535
	1989	3106	138	232	5465

Of this number 399 graduated. A questionnaire was sent to each of these graduates in December, 1921, to which 184 replies were received. These showed the following occupations.

Farming	113
Managers of farms	12
Working on farms	4
Connected with agricultural industries	13
College teachers scientific workers, etc	12
Not connected with agriculture	14
Taking further work mainly in agricultural colleges	5
No occupations stated	11
Deceased	1

CALIFORNIA POLYTECHNIC SCHOOL.

The California Polytechnic School is a State school for vocational training in agriculture, mechanical arts, and domestic science It is administered by the State Board of Education and is in no way connected with the University of California. The school site is about one mile from the town of San Luis Obispo. The farm lands owned by the school cover 936 acres, 450 of which are tillable, the remainder being rolling hill land and mountain pasture. The principal cereals and field crops, and certain orchard fruits are grown on the farm. It is well equipped with modern machinery and herds of the better known breeds of live stock are now being built up.

The school is a special school intended to meet the educational needs of boys and girls who will probably have to complete their school education when or before they are 17 years old It is not intended to compete with any high school in the State. The work given does not correspond to that given in the regular high schools and is not usually accepted for entrance to the University. Any boy or girl fifteen years of age or over who is proved capable by test, of doing the prescribed work is admitted No elementary or high school graduation certificate is required to secure admission The agricultural courses offered are generally more practical than theoretical and vocational guidance in actual field work is stressed rather than the science and theory of agriculture The major courses for boys are two in number. The one dealing with agriculture is entitled General Farm Practice It covers the field of agronomy, animal husbandry, horticulture, dairying, poultry husbandry, and certain subjects known as related work including English, mathematics, history, physical education, and general sciences upon which modern agriculture is based. The second major course for boys is a course in engineering and mechanics and for girls there is a course in household arts. The regular course in all major subjects is four years in length and the successful completion of all of the prescribed work is required for graduation. Intensive training for shorter periods is given those who can not take the four-year course

While not strictly in accord with the purpose of the school, it has been deemed wise to include in its curriculum a course which definitely prepares students for work in the University and in teachers' colleges No detailed program of study is framed for students taking this course, a special program being arranged for each individual. The California Polytechnic School is accredited by the University of California.

Conclusions of the Commission

As a result of its study of the farm school problem, the scope of which has been outlined above, the commission has arrived at certain definite conclusions which may be briefly summarized as follows

1 The educational service of the farm school occupies a narrow field of usefulness between the Smith-Hughes work in the high schools and the collegiate instruction in the University, but within this field is of considerable importance.

2. The farm school should be a vocational training school of secondary grade, teaching relatively immature persons the practical handicrafts and the well established principles of agriculture and homemaking, with a minimum of general cultural courses It should prepare young people for farming and homemaking by the shortest route It should emphasize the practical and, only in a very limited degree, teach the scientific and theoretical aspects of agriculture.

3 The farm schools should be primarily finishing schools, not college preparatory schools To become the latter denies the premise upon which they were established. To care for the student who, in the farm school discovers his "career" and wishes further education, some correlation with the University should be effected, so that certain work would be accepted for matriculation and the balance of the requirements met through examinations

4 The farm school should not conduct research work of any kind. This can be done only by highly trained specialists a class of men not needed to impart established knowledge to young people of high school age It is also very expensive and requires special facilities

5. The farm school should do no extension work Extension work deals with mature farmers and brings to them methods based on knowledge of recent and often

incomplete research. This type of service cannot be given advantageously by those who have been chosen primarily for their ability to teach the immature. Reliable extension teaching, which will keep ahead of the demands of the farmers for exact information, can only be done by extension workers who are in close touch with specialized teaching and investigation departments such as exist in the college of agriculture.

6. The farm school should not admit the student over 21 years of age who has discovered too late the need of an education. This student should improve his preparation and enter the University as a special student or should take short course work in the line of his special interest. Experience has shown that the mixing of mature and immature students of varying degrees of preparation and ability is disastrous to the effectiveness of a teaching institution. The type of short course offered at the University of Wisconsin seems to this commission to meet admirably the need of the student who fits neither in the high school, the farm school, or the college of agriculture.

7. The farm school, being a part of the secondary school system, should be under the State Board of Education. This body should insure its rendering its particular service and keep it in proper adjustment with the other units of the school system.

8. The need for farm schools is limited. It is the opinion of the commission that this need in California would be fully met at the present time by the careful, efficient and attractive development of the California Polytechnic School at San Luis Obispo, to which should be transferred all the non-degree work now given at Davis except the short courses for persons beyond high school age.

UNIVERSITIES AND COLLEGES.

During the Civil War President Abraham Lincoln signed the act of Congress of July 2, 1862, known as the first Morrill Act, under which there was granted to each state 30,000 acres of the public domain for each senator and representative, this land to be sold and the proceeds invested so as to bear interest at not less than 5 per cent, except for one-tenth of the total, which might be used for the purchase of sites for the college and experimental farms. The interest was to be used for the endowment, support and maintenance of at least one college where the leading object should be to teach such branches of learning as are related to agriculture and the mechanic arts in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life. Under this act have been established most of the colleges of agriculture, and out of some of these have grown the great state universities which are such a notable feature of our American educational system.

The first institution to receive a grant under the Morrill Act was Iowa State College of Agriculture and Mechanic Arts, which accepted the federal gift on September 11, 1862. This was rapidly followed by Kansas State Agricultural College on February 16, 1863, and Michigan Agricultural College on February 25, 1863. There are now fifty-three land grant colleges, of which the oldest is Rutgers College, New Jersey, founded in 1766, which is a private corporation. The oldest state institution to benefit by the act is the University of Tennessee, established in 1794. The oldest independent state college of agriculture and the mechanic arts is Michigan Agricultural College, established in 1855.

Of the states receiving income under the act, Kentucky, Mississippi, South Carolina, Virginia, and Massachusetts divide the fund between two institutions. The others maintain one college or university to which it goes as a whole. Nineteen states have elected and maintain independent colleges of agriculture and the mechanic arts, while also maintaining state universities; twenty-eight states have but one institution. Massachusetts has no state university and divides the fund between Massachusetts Agricultural College, a state institution, and Massachusetts Institute of Technology, a private foundation. In Montana the agricultural college has a separate name and management, but is by law one of the component parts of the state university, which includes all the state supported institutions of higher learning.

In California the first attempt to take advantage of the Morrill Act was made in 1866 when the legislature created the "Agricultural, Mining, and Mechanical Arts College," and provided for the purchase of a farm of not less than 160 acres of land. This institution never got beyond the stage of preliminary organization, during which it was affiliated with the College of California, which had opened in 1860, to form the University of California. This institution was created by an "organic act" passed by the legislature March 23, 1868, on which date it also received a land grant fund under the Morrill Act.

Organization of agricultural instruction and research in the University began with the election of a "professor of agriculture, chemistry, agricultural and applied chemistry and horticulture" in 1869. In 1874 the first agricultural buildings were erected—a barn 36x44 feet, a tool house 64x12 feet, two propagation houses, and a number of sheds, outbuildings, hot-beds and cold frames, and shortly thereafter one of the main buildings of the University, afterwards known as South Hall, was erected to house the college of agriculture, which it did in a portion of the basement. Permanent buildings for the college of agriculture were provided on the Hearst architectural plan, and the first of these, Agriculture Hall, was completed in 1912

at a cost of $200,000. The second, Hilgard Hall, was built in 1917 at a cost of about $375,000. Between the bains of 1874 and the great buildings of recent date the college of agriculture has gathered unto itself most of the old structures on the campus as their former occupants left for better accomodations or other parts.

The University of California College of Agriculture began as did all its fellows with encyclopedic instruction, but it soon passed from this to the scientific method and in so doing exerting a marked influence on similar institutions elsewhere. Continually since that time California has led the field in the promotion of the scientific point of view and the application of scientific research, but it has followed, sometimes, at a considerable distance, in equipment for instruction and investigation in practical lines. The college has always stood against the inclusion of enforced manual labor in the curriculum, a principle the commission has now found to be accepted all over the country. Another fundamental idea of the college has been that the requirements for admission and graduation in agriculture should be as high as in any other technical college.

Agricultural instruction for some decades was conducted by lecture and classroom methods almost exclusively, and the farmers of the state began to complain that they had a college but no farm and no opportunity for instruction by actual demonstration. This was remedied in some measure through practice courses in the field and various other devices, but agitation was continuous for a real farm. This agitation was often underlaid by separist schemes and selfish desires to move the college to one location and another, and under such circumstances made little headway with the majority of the farmers, who always contended for building up agricultural research and instruction in the university and not apart from it. Finally, however, a broad and rational proposition was presented to the legislature of 1905 and resulted in the establishment of the University Farm at Davis. This farm was welcomed into the University, and academic ideas broadened to include its functions. The influence of the University Farm has been powerful in developing the college of agriculture and advancing it in public esteem, and has until very recently quieted the separatist movement which is the curse the Morrill Act has laid on so many state universities.

The fact that the Morrill Act was so drawn as to make its benefits available either to a university or to a college carrying on work only in the specific fields mentioned by the act has created a situation which is one of the most fruitful sources of contention in American agricultural circles. Twenty-eight states have chosen to have a single institution, nineteen two separate and independent institutions, and in all forty-seven the battle has raged intermittently to change the status quo. This complication and the strong partisanship manifested by those who know one or the other type of institution was probably responsible, more than any other single factor, for the appointment of this commission. While the act of the legislature gives it a broad field of duties covering all of agricultural education, the specific problem which it was expected to study and report on was the advantages and disadvantages of the separate college of agriculture as against the college of agriculture which is an integral part of a great state university.

To better fit the commission to reach a judgment on this important matter the act directed that the commissioners should visit agricultural colleges and study their organization and accomplishments. In accordance with this direction a visit of from one to two days and a careful survey was made of each of the following: Oregon Agricultural College, Corvallis; Montana Agricultural College, Bozeman; University of Minnesota, Minneapolis; University of Wisconsin, Madison; University of Illinois, Urbana; Purdue University, Lafayette, Indiana; Iowa State College, Ames; Ontario Agricultural College, Guelph, Canada; Cornell University, Ithaca, New York; Massachusetts Agricultural College, Amherst. These particular institutions were chosen for a variety of reasons, but chiefly to give a wide range of types from which fairly general conclusions might be drawn. Oregon Agricultural College is separate from the State University of Oregon, but is more a "vocational university" than a purely agricultural college, including as it does commerce, engineering, mining, home economics, pharmacy, and music. Montana Agricultural College is an example of a college separated geographically but united administratively with a university, the University of Montana being a paper university with colleges situated at Missoula, Butte, Bozeman and Dillon all under a sort of super-president who is known as a chancellor. The University of Minnesota exhibits a Siamese twin relationship between the agricultural college and the other parts of the institution. The campus of the college is thirteen minutes by street car from the campus of the university proper, and there is a rather definite administrative demarcation between the two institutions, although they are under the same president and regents. Another factor which interested us in Minnesota was that the agricultural college is there the head of the system of special agricultural education for the state, directing the vocational farm schools in various localities as well as a farm school on the college campus. The University of Wisconsin is probably the finest example of a state institution including a college of agriculture administratively, geographically, and spiritually welded into the whole is an integral part. Moreover the agricultural work of the University of Wisconsin has been so conspicuously successful that no survey could be considered in any way complete which did not include it. Purdue University is properly the college of applied science of the State of Indiana, including schools of agriculture, engineering, science, and home economics. The other types

of university work are at the University of Indiana at Bloomington, from which Purdue is entirely separate. The University of Illinois, which includes a college of agriculture on its campus and directly under its control, is one of the very large state universities whose problem of numbers is similar to that of California. Iowa State College at Ames is a separate institution of agriculture and the mechanic arts whose praises have been sung in farmer circles all over the country and particularly in our own State. Ontario Agricultural College, at Gueiph, Canada, is a vocational school whose graduates receive their degrees through the University of Toronto, with which, however, it does not seem to have any other connection. It was thought to be of interest as a well known and reasonably successful school developed under different traditions and environment from the colleges of the United States. Cornell University is a private endowed institution to which the State of New York has entrusted in major part its educational function in agriculture and veterinary science. The college of agriculture is an integral part of the university in every way except that its property, buildings and equipment are kept legally apart although on one campus. The control of both college and university is in one board of trustees and its direction in the president of the university. This is the only example in the United States of a combination of agricultural education with an endowed institution for the advancement of general culture. Massachusetts Agricultural College is probably the only collegiate institution in America confining its instruction practically to agriculture alone, excluding the so-called mechanic arts. It is neither part of a university nor is it conducting a university under another name. In addition to the colleges and universities listed above, the commission held conferences while in the east with President Butterick, of the General Education Board, President Pritchett, of the Carnegie Foundation, and Dr. A. C. True, Director of the States Relations Service of the United States Department of Agriculture.

At each institution the commission followed the outline set forth below in its quest for information. It was not possible at every institution to develop all the points covered by this outline, but the following interesting data was discovered by conference with the faculty, administrative officers, students, and successful farmers of the state.

1. Composition of Governing Board.
   - (a) Number
   - (b) How appointed
   - (c) Relations to college of agriculture
     - 1. Are they or any part of them actively interested in the problems and management of the college?
   - (d) Do they receive compensation and if so, how much?
   - (e) Occupations, if retired, former occupations
2. Facilities and physical equipment
   - (a) Amount of farming land and location of college with reference to it
   - (b) Have you any lands at a distance from the campus, used for regular class instruction?
   - (c) How many dairy cattle?
     - stock cattle?
     - sheep?
     - swine?
     - horses?
     - poultry?
     - other stock?
   - (d) Number of buildings and character of same
   - (e) What is the total annual appropriation for maintenance of the college of agriculture?
   - (f) In your opinion, can a first class agricultural college be maintained without plenty of stock for practical demonstration without plenty of land?
3. Student body
   - (a) Number of university students
   - (b) Number of agricultural degree students.
   - (c) What percentage of the high school graduates of the state enter your college?
   - (d) What percentage of your students come from the farm?
   - (e) What percentage go to other agricultural institutions in the state? Outside the state?
   - (f) What was the number of your agricultural graduates in 1921?
   - (g) Graduate students in 1921?
   - (h) What percentage of your graduates take up farming?
   - (i) What percentage become agricultural experts and leaders?
   - (j) What percentage of your students work to pay part or all of their expenses?
   - (k) What percentage of your graduates have financial backing to start farming after graduation?
   - (l) Can you suggest the names of some of your graduates in the vicinity who may be interviewed?

4. Faculty and Administration.
   (a) Organization of faculty.
      (1) Is this established by law?
   (b) Administrative organization of college of agriculture
      (1) Powers and duties of deans and other administrative officers.
   (c) Relation of college of agriculture to other colleges.
      (1) Is it under a separate faculty?
      (2) What degree of autonomy has it?
      (3) What power has general faculty body over the affairs of the college?
   (d) What relations govern the activities of professors or instructors with regard to teaching, research and outside activities?
   (e) What are the minimum maximum and average salaries paid in different faculty grades?
      (1) Are they the same as in other departments of the university?
   (f) Is there any distinction made between members of the college of agriculture, the agricultural extension service, and the experiment station?
5. Curriculum and Standards.
   (a) What are your standards of admission?
      (1) Do you admit freely and select later, or do you attempt to make selection before entrance?
      (2) Do you admit special students who are deficient in matriculation requirements and permit them to remedy deficiencies during their college course?
   (b) What are your major divisions?
      (1) What is included under each of those heads?
   (c) To what extent is your instruction practical in each division?
   (d) What courses not given in the agricultural college are required of agricultural students and what courses are elected by large numbers of such students?
   (e) Are any farm schools (schools for vocational or non-degree students) maintained in connection with the college?
      (1) Where are they located?
      (2) Are they under the direction of the college faculty?
      (3) Are the faculties of the college and the farm school separate?
      (4) Number of students
      (5) Length of course
      (6) What is the type of training given farm school students?
      (7) Are the courses in these schools intended for students between the ages of fourteen and eighteen, or are they intended for students who have reached the college age but do not have the requirements for admission to college?
      (8) Are the courses preparatory to college courses or entirely vocational?
         a. If college preparatory, are they accepted at par in transferring from farm school to the college?
   (f) Are there any junior colleges in your state giving instruction in agriculture?
      (1) What farm land is available to each of these colleges?
      (2) How much live stock?
      (3) What building and laboratory facilities?
   (g) Extension service.
      (1) Organization.
      (2) Staff.
      (3) Cost
      (4) What proportion of this money is spent in field—in office?
      (5) How much public service, such as organizing farmers, et cetera?
      (6) Do members of the staff engaged in the extension work have academic titles and status?
      (7) Do they have the same privileges as to vacations, sabbatical leaves and old age pensions as other members of the faculty?
   (h) What short courses in agriculture are given in your institution?
      (1) What is the length of each?
      (2) What was the attendance in 1921?
   (i) To what extent does the college of agriculture include in its curriculum mechanic arts, home economics and allied courses?
   (j) What is your policy with reference to research work and experimental stations?
      (1) Do you undertake fundamental or specific problems?
      (2) Is your work scattered in various localities throughout the state or centralized?
      (3) Is the work of the experiment station organized on a project basis and if so, is money allotted to the project or to divisions and are reports required at regular intervals?

(k) What is the character of your instruction and research in business and social problems of agriculture?
(1) Courses in cooperation and marketing?
(2) Courses in farm credits
(3) Courses in problems of land tenure and land settlement
(l) What are your fundamental requirements for graduation?

Governing Boards

The number of trustees varies from one at Guelph, where the Minister of Agriculture for the Province of Ontario stands alone between the college and the legislature to forty-one at Cornell. Very generally appointments are made by the governor, the most notable exception being Illinois, where of the eleven trustees two are ex officio and the remaining nine elected by the people. At Cornell, which combines a state college with an endowed university, the Governor of New York appoints five of the trustees, seven are ex officio, two are elected by the trustees, two are chosen by the alumni, one is the oldest living descendant of Ezra Cornell, and many other groups are represented. At Purdue three of the nine trustees are named by the alumni and six are appointed by the governor in accordance with a law which provides that two must represent agriculture, two industry, and two the general public.

Almost universally the trustees are keenly interested in the progress and success of the college, but leave to the faculty and administration the direction and conduct of its affairs. Even where the board is elaborately organized with councils or committees to deal with special matters, the business of these divisions is limited to aiding the dean of the college on matters of policy which he brings before them and does not extend to interference in the development and activities of the institution. At Purdue University and Iowa State College the trustees receive a small per diem, but in all other cases they are allowed only traveling expenses, and seldom collect these.

The occupations of the board members of the various institutions visited were most interesting, the unexpected fact being developed that in no case does a majority of the board consist of farmers or representatives of agriculture. For instance, such strongly agricultural institutions as Iowa State College at Ames and the University of Wisconsin have but one farmer on their boards. Moreover, at Ames the active management of the institution so far as the trustees are concerned rests with the finance committee of the board which consists of two newspapermen and a school man. Nor was the absence of strong numerical agricultural representation found objectionable in this or any other case. The general opinion was expressed by President Kerr of Oregon Agricultural College, who said, "The efficiency of a board of regents depends on the character of the men, not on their occupations. We have had farmers on our board who have been entirely unsatisfactory to the college, and men in other occupations who have earnestly promoted its best interests." Every institution visited and every person with whom the commission consulted stressed the importance of long terms and consequent freedom from political interference if a board of trustees was to be even measurably successful.

The following table exhibits in brief certain of the facts with reference to the membership of the managing boards of the institutions visited:

	No. of trustees or regents	No. of farmers on board	No. of ex-officio members	No. appointed by governor	Remarks
Oregon Agricultural College	13	3	4	9	Appointed with approval of State Senate
Montana Agricultural College	11	--	--	--	
University of Minnesota	12	1	3	9	
University of Wisconsin	13	1	2	11	1 from each congressional district, 2 from State at large
University of Illinois	11	1	2	0	Regents elected
Purdue University	9	2	0	6	3 appointed by alumni
Iowa State College	9	1	0	9	
Ontario Agricultural College	1	1	1	0	
Cornell University	41	0	0	5	
Massachusetts Agricultural College	18	0	4	14	
University of California	24	3	8	10	2 appointed every other year, term, 16 years

Facilities and Physical Equipment.

The land holdings, physical equipment, stock, and buildings naturally varied greatly in the institutions visited, both on account of the differences in State wealth and the emphasis placed by the administration on one phase or another of agricultural education. But these variations were as nothing to the widely differing opinions expressed by educators of standing as to the amount of these things, particularly land, necessary

for a successful college—one of the points in which the commission was most vitally interested. One extreme was represented by former Dean L. H. Bailey of Cornell, who has made a study of the College of Agriculture of the University of California and who advised the commission that with 100 acres for demonstration and instructional purposes at Berkeley, the University of California could equal any institution in the country and surpass any separate agricultural college. The other extreme is probably best represented by Iowa State College, which with 1500 acres of tillable land believes that its work could be put on a much higher plane if it had twice that amount, some of which would undoubtedly be used for raising crops and feed that could well be purchased. Most persons consulted seemed to be of the opinion that with about 200 acres, satisfactory work could be done.

Oregon Agricultural College now has about 300 acres of farm land of fair quality, adjacent to Corvallis, and opinion is strongly in favor of the acquisition of 1500 acres additional, not necessarily immediately connected with the campus. Certain areas are even now used for instructional purposes which are two miles from the college. On these lands the college maintains 150 head of dairy cattle, 51 head of stock, 195 head of sheep, 154 swine, 37 horses, 750 laying hens, 820 breeding hens, 3000 young poultry, and 15 head of angora goats.

The University of Minnesota has 422½ acres of farming land as part of its agricultural campus, which, with the buildings and equipment located thereon, is valued at $2,500,000. Purdue University has about 700 acres of land within an hour's ride of the campus used for instructional purposes and also has 400 acres for experimental work. Of this 385 acres are allotted to animal husbandry, 280 acres to agronomy, 10 acres to horticulture, and 17 acres to poultry husbandry. The University of Wisconsin has 746 acres of tillable land on the campus and within a half hour's ride. The University of Illinois is located in the heart of the corn belt, and has almost a thousand acres available for instruction and research.

Iowa State College has a very complete physical equipment. In all, it owns over 1400 acres of land of which 125 acres are in the campus proper, and the remainder in experiment station farms, orchards, gardens, and a forestry tract. Some forty buildings stand on the campus, including a remarkably fine animal husbandry laboratory which provides complete facilities for the killing, cutting, and curing of meats as conducted on the farm. There is a dairy herd of 100 pure-bred animals, and similar high quality representation of horses, sheep, beef cattle, swine, and poultry. The investment of the state in the college is approximately $4,000,000.

Cornell University has 1300 acres of land in a poor farming section, a good deal of which is not tillable, and only 200 acres of which are used for instructional purposes. Massachusetts Agricultural College is situated on about 600 acres of poor farm land and has a demonstration forest of 1765 acres, six miles away. Of the educational experts who were interviewed in New York, Dr. Butterick of the General Education Board was of the opinion that 200 acres should be ample for instructional purposes at any agricultural college.

The University of California has its headquarters at Berkeley, where three acres of tillable land and 100 acres of pasturage are now available. Here are located the laboratories of agronomy, citriculture, entomology, forestry, fruit products, genetics, landscape gardening, plant nutrition, pomology, nutrition, plant pathology, and soil technology. The headquarters of agricultural education, agronomy, citriculture, entomology, forestry, farm management, genetics, landscape gardening, nutrition, plant nutrition, plant pathology, pomology, rural institutions, soil technology, veterinary science, and viticulture, are also at Berkeley.

At Davis, 65 miles from Berkeley, is the university farm of almost 1100 acres: 780 acres owned by the University and 300 acres under lease. Here are numerous buildings for the various phases of agriculture and horticulture, two stock judging pavilions, agricultural engineering shops, a gymnasium, dormitories, and a dining hall, as well as barns and sheds for horses, dairy and beef cattle, sheep, milk goats, swine, and poultry. The more important breeds of the various classes of farm animals are present for use in class work. A large well-equipped poultry farm is stocked with several thousand fowl of a number of leading varieties. There are over 150 acres of orchards and vineyards on the farm and ample areas for growing vegetables and field crops. The farm has a modern system of irrigation, being under both a pump and gravity system. The headquarters of the following divisions are at Davis: agricultural engineering, animal husbandry, dairy industry, irrigation practice, odiculture, and poultry husbandry. In addition, the divisions of agricultural education, agronomy, entomology, genetics, pomology, rural institutions, soil technology, viticulture, and fruit products offer courses.

The Graduate School of Tropical Agriculture and Citrus Experiment Station is located on 477 acres near Riverside, in the center of the citrus region. Ample laboratory facilities are available, and the station is convenient to all the tropical and subtropical fruit industries.

Faculty and Administration

During the past few years certain unfortunate differences have developed at the University of California between the College of Agriculture and the Academic Senate

of the University, which is a legislative body consisting of all persons of the rank of instructor or above engaged in resident instruction. This body since 1920 has tended to take on administrative as well as legislative functions, has excluded from its membership a portion of the faculty of the College of Agriculture on the ground that they were not engaged in resident instruction, and has set up as the basis for selection and advancement of persons in academic life the Doctor of Philosophy degree, or its equivalent. Because of these and similar happenings and the friction caused by them, the College of Agriculture has come to look upon the Academic Senate as an unfriendly body whose continued power in its present form will be prejudicial, not only to the aims and purposes but to the very existence of the college. One part of the commission's investigation was to determine the freedom of the College of Agriculture at the University of California as compared with similar colleges elsewhere both in and out of universities.

At Oregon Agricultural College the president has great power and is the center of faculty organization. There is an academic council consisting of all deans and heads of departments which exercises certain functions in connection with the curriculum of agriculture as well as the other branches of the institution, but since the members of this council are all appointed by the president, have the powers which he gives them, and serve at his pleasure it is obvious that the body is purely advisory. No distinction is made between the members of the college of agriculture, the experiment station, and the extension service except that farm advisers or county agents in the latter service are not given academic status, titles, or privileges. Faculty members at Corvallis generally carry on both instruction and research. They are not allowed to accept compensation for outside work.

The College of Agriculture at the University of Minnesota consists of:

1. The college proper.
2. Farm schools throughout the state.
3. Short courses.
4. Extension service.
5. Experiment station.

This group is administered by the dean of the College of Agriculture who reports directly to the president of the university, who has an absolute veto on his recommendations. The faculties of other colleges of the university have not authority in connection with the College of Agriculture except where courses in those colleges constitute part of the agricultural curriculum. This statement does not apply to the graduate school which is divided into seven groups, not colleges, one of which is agriculture. The faculty of the graduate school is elected by the whole faculty of the university and this applies to the agricultural group as well as all others. The members of the agricultural faculty expressed themselves as heartily in favor of this arrangement, believing that a degree given under such conditions represents more than if the requirements were determined by the agricultural faculty alone. No distinction is made at Minnesota between men engaged in research, extension, and resident instruction, except that county agents are not given any academic privileges.

The Montana State College is a small institution and has had no problems of faculty coordination. The representatives of the departments of agriculture, engineering, chemistry, and home economics all play a part with the president and chancellor in shaping the curriculum and activities of the institution. All members of the faculty are free to accept compensation for outside activities, but men in agriculture have never done so. All members of the staff above the rank of instructor get sabbatical leave and other academic privileges. County agents have the rank of instructor and can not go higher in the academic scale.

At the University of Wisconsin the faculty of the College of Agriculture is an integral part of the university faculty, "not only physically but spiritually and intellectually." There is team work in every phase of the activities of the university and college and particularly in research, where Dean Russell spoke of the tremendous advantage of the cooperation of other academic departments. The general faculty body in which all members of the staff of the College of Agriculture of appropriate rank may sit, must ratify all courses and requirements in agriculture. All members of the faculty are employed on a basis of nine months' service, may accept outside work for pay and receive a sabbatical year under certain conditions. No distinction is made between men in instruction, research, or extension in any of these regards except that county agents are not included. The university believes that it is advantageous for men to engage in all three of these activities and that no one of them may be set above or below the others.

At the University of Illinois there is an academic senate consisting of all persons of full professorial rank and all heads of departments. This body has power over the College of Agriculture as to educational policy and must approve all new courses, curricula, and departments. It has no part in the appointment or advancement of professors or in the determination of budgets, all of which are taken up directly by the deans with the president. Employment is on a twelve months' basis in all col-

leges, but agricultural men actually work eleven months as against ten months in in other departments, getting proportionately larger salaries. Faculty members may accept outside work for pay and do so to a limited extent. No distinction is made between instruction, research or extension, all being regarded as mere phases of the broad work of the college. County agents have no academic rank and are not considered as part of the agricultural college organization.

The College of Agriculture at Purdue University consists of seven departments—agronomy, animal husbandry, dairying, farm management and rural economics, horticulture, poultry and farm mechanics. There are four deans, of science, agriculture, engineering and women. An executive committee consisting of these deans and the heads of the various departments meets frequently to consider matters of policy and routine. The faculty, consisting of all teachers above the rank of instructor, meets monthly to discuss and determine policy on matters connected with curriculum and degrees. Promotion and salary is determined by the president on recommendation of the heads of departments meeting together. Men in all departments, except agriculture, are permitted to accept outside work, the theory being that members of the agriculture faculty are paid for full time. This is only a theory. Instruction, extension and research are separate at Purdue, responsibility in each case being to the appropriate subject-matter department. Members of the experiment station staff and extension service are not given professional titles and have no part in faculty meetings or legislation. Members of the faculty engaged in teaching are expected to make rural contacts during the summer.

Iowa State College includes agriculture, engineering, home economics, veterinary medicine, industrial science. There is also a graduate school under a separate dean. Each division has its own faculty. There is also a general college faculty to which matters come up through the division faculties. This general faculty takes final action in all matters of course, curricula, and degrees. The deans form an administrative board which meets once a week. Division faculties and general faculty meet once a month. All members of the staff except county agents, whether engaged in teaching, research, or extension, are eligible for membership in their appropriate faculties. Some faculty members are on a nine months' and some on a twelve months' basis, all high positions in agriculture being on the latter. Salaries are adjusted to meet the conditions of employment and outside work for pay is permitted.

The three departments at Ontario Agricultural College are technical agriculture, the science of agriculture, and home economics. Each of these has a head who has no particular title. The faculty is organized into committees which decide on the courses to be given. The recommendations of the faculty are then submitted to the Minister of Agriculture of the province and to the University of Toronto. The university takes considerable interest in the work of the third and fourth years. It is illegal for faculty men to accept outside work. All members of the faculty are on an equal basis, no matter what activity they may be engaged in. County agents are not connected with the college but are directly under the Minister of Agriculture.

The faculty organization at Cornell is established by university statute. Each college has a separate faculty to which all members of the staff are eligible. These separate faculties join to make the general faculty in which, however, instructors do not sit. The general university faculty has no power over the agricultural college faculty except by recommendations to the board of trustees. It is recognized, however, that the general faculty should have final jurisdiction in all matters affecting *the university as a whole*. In the opinion of Dean Mann, the right of the general faculty to consider and even veto agricultural college recommendations is of great value, since it insures serious and careful consideration of all important matters. Extension men have no part either in the college or university faculty, except for those who had seats four years ago when the present rule was made. All persons engaged in teaching or research (including men in the extension division) are members of the faculty. All members of the staff are on a nine months' basis and the rules provide that all time necessary for full performance of university duties must be given, but beyond this the faculty man is free to accept employment. The administrative organization of the college consists of a dean and director, a vice director of research, a vice dean of instruction and a vice director of extension.

The Massachusetts Agricultural College being exclusively devoted to agriculture, has no problem of faculty relations, the five divisions of horticulture, agriculture, science, rural social science, and the humanities all coming directly under the president. Teaching, research, extension, and short course work are not watertight compartments, the five divisions cutting across all of them. Members of the faculty are divided into three classes with reference to outside work for pay: (1) extension men who must give full time to the university. (2) men occasionally doing extension work, who may accept a minimum of outside employment. (3) men who infrequently give extension lectures, who are encouraged to do casual work for pay.

At the University of California by the standing orders of the regents, the Academic Senate consists of the president, deans, directors, recorder, librarian and all professors and instructors giving instruction in any curriculum under the control of

the Academic Senate, but instructors of less than two years' service are not entitled to vote. The senate determines its own membership under this rule and, subject to the approval of the regents, determines the conditions for admission, for certificates, and for degrees. It authorizes and supervises all courses of instruction in the academic and professional colleges and schools. It recommends to the regents all candidates for degrees in course. It is authorized to select a committee to advise with the president concerning the budget and a committee to confer with the regents on any matter affecting the welfare of the University.

The faculties of the various colleges and professional schools have such powers as may be delegated to them by the Academic Senate, but no change in the curriculum of a college or professional school can be made by the Academic Senate until such change has been submitted to the formal consideration of the faculty concerned. The Council of Agriculture which conducts the government of the College of Agriculture consists of:

1. The president of the University.
2. All members of the Department of Agriculture who are voting members of the Academic Senate.
3. One representative of each of the departments of the university giving required courses of instruction in the College of Agriculture, such representatives to be nominated by the departments concerned.

The last list of members of the Academic Senate, published in October, 1920, includes 793 persons of whom 159 gave instruction in the various fields of agriculture.

The general situation would seem to be that a large measure of autonomy is granted the college of agriculture, or the agriculture department, in practically every institution, only such regulation and supervision being maintained as will insure unity in matters of general policy. On the other hand, the stronger colleges welcome a consideration of their faculty qualifications, courses of study, and requirements for graduation, by some general faculty body. The situation at California for the past two years would seem to indicate that the institution is going through a similar experience to that which, from time to time, has marred the relations of the College of Agriculture with other colleges or universities throughout the country, and which may be expected soon to subside, if it has not already done so.

Student Enrollment.

The following table shows more clearly than any discussion could the situation with reference to enrollment in the agricultural colleges of the United States. There is very evidently no great horde of eager young people clamoring for an opportunity to work out their destinies on the soil. Everywhere enrollment is lower than one would expect it to be in consideration of the character of the states in which the colleges are located. The truth is that the Morrill Act came as a result of the ideas of one man, not in response to a great social need, and the supply of agricultural colleges has been greater than the educational demand ever since. Fortunately they have abundantly justified themselves in the influence they have exerted, but the disappointment of California at the comparatively small enrollment in its agricultural college is shared by every state which we visited, no matter what the type of institution in it. The more the commission studied this problem the more it was convinced that the problem of increasing enrollment in agricultural colleges and keeping boys on the farm is not to be solved by changes in curricula, equipment, or method, but by the betterment of the social and economic conditions of rural life. No plan which leaves this out of major consideration is going to succeed in keeping farmers' sons in great numbers on the farm or in attracting the sons of city dwellers to it. This is the great work of the college of agriculture today, and in it the University of California has no superior so far as we could find.

Enrollment Figures 1920–1921.

	Undergraduate students	Students in four-year agricultural course	Agricultural graduates	Graduate students in agriculture	Per cent agricultural graduates, farming	Per cent agricultural graduates in other agricultural fields
California	10,692	653	111	45	30	45
Oregon Agricultural College	5,170	541	96	15	40	39
Montana State College	607	131	16	0	30	33
University of Minnesota	7,437	947	55	90	--	--
University of Wisconsin	7,344	631	99	135	24	44
Purdue University	3,255	497	97	5	45	30
University of Illinois	8,250	1,135	176	54	30	65
Iowa State College	4,479	1,046	125	194	--	--
Cornell University	5,175	1,204	237	175	50	27
Massachusetts Agricultural College	546	485	95	48	30	50

Four-year agricultural course	1912-13	1913-14	1914-15	1915-16	1916-17	1917-18	1918-19
Arizona	53	38	48	62	58	31	37
California	----	576	619	637	608	385	390
Delaware	23	25	46	56	66	49	45
Florida	67	73	109	137	137	132	256
Idaho	54	70	78	78	83	63	116
Illinois	905	1,014	1,184	1,257	1,201	768	745
Iowa	1,081	941	958	1,005	973	135	761
Indiana	568	729	759	798	626	644	472
Kansas	407	331	585	615	598	380	390
Kentucky	123	170	202	198	183	98	111
Maryland	----	----	----	----	100	75	120
Minnesota	416	528	676	732	746	553	416
Missouri	820	906	968	819	618	556	325
Montana	45	52	65	82	88	59	41
Nevada	23	35	45	58	41	18	8
New Jersey	59	67	77	72	72	89	97
New York	1,264	1,464	1,672	1,725	1,574	1,097	926
Ohio	1,046	1,056	987	1,043	944	686	553
Oregon	----	----	----	----	----	----	----
Pennsylvania	628	707	767	757	769	529	388
Tennessee	145	191	214	196	148	100	117
Vermont	79	95	85	80	89	60	44
Virginia	----	----	----	----	----	----	----
Wisconsin	516	597	616	504	528	244	201

Four-year agricultural course	1919-20	1920-21	1921-22	Number farms 1920	Number of farms per four-year student	
Arizona	126	118	91	10,816	119	
California	611	651	629	117,690	187	
Delaware	44	34	31	10,128	327	
Florida	351	419	243	54,006	222	
Idaho	113	119	99	42,109	425	
Illinois	1,271	1,184	947	237,153	250	
Iowa	1,101	1,286	----	213,312	165	(1920)
Indiana	508	579	497	205,124	411	
Kansas	520	548	421	165,287	394	
Kentucky	144	132	----	270,676	2,048	(1920)
Maryland	150	225	174	47,908	275	
Minnesota	724	720	870	178,588	206	
Missouri	904	1,109	400	203,124	658	
Montana	98	131	----	57,441	438	
Nevada	40	40	30	3,164	105	
New Jersey	124	149	110	29,672	269	
New York	1,305	1,142	1,142	193,060	168	
Ohio	909	1,021	961	256,699	995	
Oregon	----	----	1,001	50,186	50	
Pennsylvania	633	620	634	202,256	319	
Tennessee	162	157	201	252,691	1,257	
Vermont	64	64	66	29,072	440	
Virginia	----	250	237	186,011	785	
Wisconsin	463	424	369	189,196	512	

Extension Service

The agricultural extension service of the University of California exists to improve the farms and farm homes of California by demonstrating improved practices in agriculture and home economics. It carries to the farmers of the State the results of the research of the University. The service began in 1913, when the first farm adviser was installed in Humboldt County. The funds expended during 1921 were $141,481 from federal sources through the Smith-Lever Act, $224,548 from State appropriations, and $147,800 from county appropriations. The organization of extension work in California is as follows:

(*a*) Farm advisers.
- 41 Farm advisers.
- 33 Assistant farm advisers.
- 3 Assistant State leaders.

(*b*) Home demonstration.
- 21 Home demonstration agents.
- 2 Assistant State leaders.
- 1 State leader.

(c) Boys' and girls' agricultural clubs.
10 District club leaders.
3 County club leaders.
3 Assistant State leaders.

(d) Specialists.
3 Home economics specialists.
2 Poultry specialists.
11 Specialists in dairying, citriculture, agricultural engineering, cooperative marketing, farm management, irrigation, walnut growing, pomology and illustrative materials respectively.

(e) Public service.
1 Director.
4 Representatives

The extension service works largely through farmers' organizations such as the farm bureau, but has been very careful to limit its activities in this connection to educational matters and to avoid anything verging on the political. This feature and its intensively developed activities are the chief differences between the University of California and Oregon Agricultural College. At the latter institution the extension service actively engages in the promotion and assists in the conduct of all the activities of the farmers, even when, as in the case of marketing organizations, these tend to be commercial. Both at California and Oregon the county agents do not have academic status or privileges and receive only two weeks' vacation.

In Minnesota the extension service is strong and active, 72 out of 79 counties having farm advisers. Despite this fact the director of the service complained that the ideas of the university were not being adequately disseminated among the farmers of the State. He advocated better training for agricultural specialists and better publicity. The publicity of the Minnesota division at the present time consists of monthly publications for county agents, a fortnightly for high schools, and a weekly newspaper for all who are interested. Each of these is put out in a form easy to read, not in six point type.

There are two distinctive features to the extension service at the University of Wisconsin. First, the director has no staff except for administration, the specialists being called from the various departments of the college. This is in accordance with the Wisconsin theory that there should be no separate staffs for instruction, research, and extension, but that economy and efficiency are both promoted by having men work in each of the three divisions as the need arises. Under this system the alfalfa specialist directs and himself carries on alfalfa research, teaches with reference to the product, directs the work of the county agents, and personally engages in extension work. Second, much of the results of agricultural experimentation at the University of Wiconsin is disseminated through the so-called Agricultural Experimental Association, with over six thousand members, an organization of the graduates of both the college and the farm school. Agronomy has been particularly aided by this arrangement, but sections of the association foster various lines of agricultural effort. The extension division at Wisconsin functions through all the farm organizations, not through the farm bureaus alone or primarily. There are 56 county agents in Wisconsin, none of whom has any academic connection.

At Purdue there is almost the reverse of the Wisconsin situation, instruction, research, and extension being separated and differentiated to the fullest degree possible, although the responsibility of each division is to its subject matter department. Also, only persons engaged in instruction get academic titles, and research and extension men generally do no teaching. Purdue is notable for the fact that it has 50 extension specialists, a larger number than any other institution. There are 86 county agents and 3 home demonstration agents, whose salaries and expenses are met jointly by the university, the state, county, and federal governments, and the farm bureaus. There is entire agreement among all these agencies that the extension service should undertake only educational effort; and should not work with farmers' organizations along commercial lines.

The county agents of Iowa are not selected by the agricultural college, and are not under its direction, but are the appointees of the county farm bureaus. They are paid by the farm bureau and the county, the college subsidizing the work from state and federal funds to the extent of not more than $1600 per year. As in most other states there is but one of these agents to a county. There are no home demonstration agents, Iowa being convinced that one county organizer is sufficient and that the field of the home demonstration agents can be adequately filled by home economic specialists. Extension specialists are responsible to their subject matter divisions for what they teach, and to the extension division for the disposition of their time and efforts. Frequent conferences are held between the specialists and their subject matter divisions, and an attempt is made to get the results of discovery into the field as promptly as possible. There are 100 county agents in Iowa, one for each county.

At Cornell the extension division in addition to the usual lines of work, undertakes the development of rural dramatics, music, athletics, etc., and has been very successful in this field. Otherwise the Cornell system is very similar to that in California, which

was organized under a Cornell man. Extension specialists report to the subject matter departments, of whose staff they are members. County agents have no academic status and take only an educational part in farmers' organizations, being barred from holding office. Despite this careful attitude, Cornell has suffered heavily in the legislature for its aid to farmer movements.

Extension work in Massachusetts has not been highly developed, the funds received under the Smith-Lever Act being very small because of the high ratio of urban population. What county agents there are, are employed by the counties, although they look to the college for direction in practically all their activities.

As a result of our observations it would seem that the agricultural extension service of the University of California is not surpassed by any other, but that colleges of agriculture are less successful in getting their results into the hands of the farmers than in their other activities. This was due formerly to the fact that practically the only agency of dissemination was bulletins, which are still very largely relied upon. These accomplish in very limited degree the end sought, farmers having shown a decided preferance for personal instruction. The results of lectures at farmers' gatherings, short courses, and farm adviser activities are greater, yet there is still much to be done, for the fact remains that after over forty years of well-supported activity the colleges have not been able in large measure to check the waste of the resources of the soil. More and better farm advisers are needed, and more, and more, and more publicity to all the manifold activities and accomplishments of the college and the university.

Curricula and Standards

The first indication of high standard in any institution is the qualifications which it demands of those who wish to matriculate. The next evidence is the content of the courses which it gives, the quality of the men who teach, and the quantity of work required for graduation. In this section of the report an attempt is made to compare the institutions visited by the commission on this basis.

The University of California admits any graduate of a California high school who is recommended by his principal. The only other method of entry is by examination. No specific subjects are required but each college suggests certain groupings which will facilitate the student's work. For instance, the College of Agriculture recommends the completion in high school of four years each of English and mathematics, and one year each of physics, chemistry, history, and geometrical drawing. There is no difference between the admission standards of the College of Agriculture and other parts of the university.

Students may matriculate in Oregon Agricultural College on presentation of a certificate of graduation from high school with fifteen units of work, which must include three units of English, one unit of algebra, one unit of geometry, and five units chosen from English, mathematics, foreign language, laboratory science, and history. These requirements are not enforced with absolute rigidity, students being admitted with less than the minimum number and kind of units, or even in some cases without high school graduation. Purdue University has practically the same entrance requirements as Oregon but is strongly opposed to the admission of students who are not fully prepared, experience having demonstrated that most of these do not get through the first year.

Students are admitted to the College of Agriculture of the University of Illinois upon examination, or on graduation from an accredited high school with fifteen units of work, including three units of English, two units of science, and one unit each of algebra and geometry. In case these requirements are not satisfied, ten units may be offered from an accredited high school and five units secured through examination.

At the University of Minnesota admission is by certificate or examination. Certificated candidates must have completed the equivalent of a four-year high school course and must present

1. Four units of English or three units of English and one unit of a foreign language.
2. One unit of elementary algebra and one unit of plane geometry.
3. Enough additional work to total fifteen units.

Every prospective student is examined on his familiarity with farm practice, and farm experience is required during the college course in accordance with the results of this examination.

Matriculants at Cornell must be graduates of a high school and must present fifteen units of credit including three each in English and a foreign language, two in mathematics and one in history. The university prides itself on its high standards and has not for years admitted a student with less than the minimum, except in the case of a very few mature special students with unusual experience qualifications. Statistics as to student records indicate the wisdom of this policy, for inadequately prepared students are shown in a large majority of cases to have failed to profit by their courses.

The College of Agriculture at the University of Wisconsin admits students on the presentation of a certificate from the principal of an accredited high school showing graduation, and satisfactory completion of fifteen required units, including three units of English, two units of foreign language, science or history, and one unit each of algebra and geometry. Graduates of non-accredited high schools are admitted under the same conditions on probation.

At Massachusetts Agricultural College admission is obtained on examination or graduation from a high school approved by the New England College Entrance Board. Every candidate must present or pass examinations in fourteen units of work, three of which are in English, two in a foreign language, one and one-half in algebra, and one in geometry, but some are admitted on probation with two units of deficiency.

From this summary and the table on page__, it will be seen that the admission requirements of the University of California are more strict than those of any other institution, except possibly Wisconsin, and even in this case the possibility of probation offers an opportunity for flexibility which does not exist in the California system. This situation can not be ignored in considering why certain California boys and girls seek their education in neighboring states. The commission found practical unanimity of opinion throughout the country in favor of high standards of admission, and the history of the past few years shows that the undignified scramble for students which characterized so many land grant colleges in the past has largely ceased and all are working toward a minimum standard of high school graduation and certain specific preparation. On the other hand, the recommendation of the principal is not considered elsewhere as a necessary or valuable factor in the selection of matriculants.

The requirements for the bachelor's degrees in the University of California are:

1. Four years of residence.
2. A summer course of six weeks in special work connected with the major subject, or three months of practical work under certain conditions.
3. One hundred and thirty units of study including

High school or university work

English	twelve units
Mathematics	twelve units
Physics	three units
History or economics	nine units
Mechanical drawing	two units

University work:

Botany	four units
Chemistry	ten units
Geology	three units
Hygiene	one unit
Military science	six units
Physical education	two units
Zoology	five units
Agricultural chemistry, bacteriology, genetics, or soil technology	eight or nine units

4. Thirty-six units in the upper division (third and fourth years) of which 26 must be in agriculture.

In addition to these general requirements there are specific requirements in the various majors amounting to from 26 to 30 units during the four years.

The graduation requirements of the other institutions visited are not discussed in detail, since they are in general similar to those of the University of California, but an attempt is made to touch upon what notable or interesting differences are characteristic of particular colleges. For instance the typical difference between California and Oregon Agricultural College is the greater number of optional courses in the former institution (or to put it another way the great amount of required agricultural work at Oregon) and the wider range of majors—a point which will be discussed further.

Iowa State College permits no elective courses in the first year and very few thereafter. Each student before graduation must complete six months of practical work on a farm or at the university, preferably the former. This is without credit value, but by doing additional work on a farm, which need not be under the direction of a professor, he may secure a limited amount of credit toward graduation.

The University of Illinois is notable for the large number of electives in its agricultural course, particularly in the upper two years. The theory of the college is that the graduate in agriculture should have a broad foundation on which to build his technical success. At Purdue all students take the same course for the first two years. This course is designed to give the student a general view of the whole field of agriculture and to enable him to choose his specialty for the last two years wisely. In the junior and senior years two subjects (history and economics) and a group of electives are required of all students.

At the University of Minnesota there is a rather free system of electives both in and out of the college of agriculture, and in addition 50 per cent of the prescribed work of the freshman year and 25 per cent of the prescribed work of the sophomore year is in courses not given in the agricultural college. This is somewhat characteristic of the University of Wisconsin also, where of the 133 units required for graduation in agriculture, 35 are in the college of letters and science. Moreover, the average agriculture student in this institution takes in addition to these 35 required units 16½ elective units in colleges other than his own. In 1921, 167 agricultural seniors elected 20 units in English, 92 in economics, 16 in education, 73 in history, 96 in public speaking, 74 in psychology, etc. President Birge stressed the economy of this arrangement and the fact that under it all the money appropriated for agriculture can be used exclusively for that purpose.

Cornell University has 19 or 20 departmental units in its college of agriculture in any one of which a student may specialize, but outside of this rather wide field there are very few electives and not more than 20 of these can be taken in other colleges of the university. Every student, on the other hand, must have the following courses which are not given in the agricultural college: English, physics, chemistry, economics, animal or human physiology. Geology is also required of certain students and taken by many. In order to graduate from the New York State College of Agriculture at Cornell University every student except those in botany and landscape art must pass an examination in actual farm practice, based on at least one year's work done on a farm outside of the college year and reported on by the student and the farmer who employs him.

The following summary of the more important requirements of the various institutions visited and a comparison of the average with the University of California may be interesting:

	University of California	Average of other universities
Chemistry	10	11.2
Botany	6	5.5
Mathematics	10.5	8.5
English	15	12
Economics and history	9	5.7
Zoology	5	4
Agronomy	0	3.2
Animal husbandry	0	4.3
Agricultural engineering	0	2
Horticulture	0	2.5
Dairying	0	2.5

This would indicate that the University of California follows very closely the average of the other institutions except in the case of the standard underlying agricultural subjects. Of course, most students do take some or all of these, but the fact *remains that a man may graduate from the college of agriculture of the University* of California without having taken any course which was definitely agricultural. Considering the fact that every agricultural graduate is expected to have some vision of the scope of agriculture, and country life, and some possibility of eventually becoming a farmer, this would seem to be an undesirable situation—a conclusion which is *confirmed by the program and curriculum of every institution which we visited.*

The best way to obtain an idea of the curricula of the various agricultural colleges is probably to investigate the opportunities which they offer for specialization, or in other words, the scope and strength of their majors. From the point of view of variety the University of California covers a wider range of subjects than any institution in the United States. For instance it is the only institution offering majors in citriculture and viticulture, and only Oregon and California give courses in fruit products. The pomology major, while given generally, does not seem to be nearly as highly developed elsewhere as at the University of California. Forestry and agricultural science have also been developed admirably here.

Conversely, there are several weak spots in our system of majors particularly in animal husbandry, agricultural economics, and perhaps agronomy. In animal husbandry, the number and type of courses is restricted. For instance, no courses in meat and meat products are given, production courses are limited, and live stock marketing is lacking. In agricultural economics very few courses are given considering that California is probably the foremost State in cooperative marketing organizations. The absence of courses in the marketing of the various agricultural products, fruit, live stock, etc., which are given generally elsewhere, is very noticeable. In agronomy a similar situation exists. California is a great state agronomically and yet comparatively few courses are given in this basic subject. Their weaknesses are of course largely due to the physical difficulties of the present situation and can be corrected in a large measure at least by the new division of work between Berkeley and Davis, and by the acquisition of land at Berkeley, a matter which the

commission regards as imperative and which will be touched on later in this report.

Summing up the matter of curricula the University of California offers a greater variety of work than any of the other institutions visited and on the average offers as good or better courses except in the animal husbandry and agronomy groups. In the make-up of its curriculum also, this college of agriculture is probably in advance of most institutions. Certainly it compares almost exactly with Cornell and Wisconsin, the high standing of which is universally recognized.

The unique feature of the curriculum of the University of California is that the entering student may register either at Berkeley or Davis, and may take part of his work in both places. The course has been so arranged that students entering Davis will take either their junior or senior years at Berkeley, or both, and those entering Berkeley may take part of their work at Davis some time during the four years' attendance.

Short Courses

At every institution visited one or more short courses are given. These vary in length from two weeks to one year and are generally successful. Oregon Agricultural College reported the following courses at which the attendance thus far has not been large:

Fruit growing and vegetable gardening	2 weeks
Grain grading	2 weeks
Beekeeping	4 weeks
Dairy manufacturing	8 weeks
Tractor mechanics	11 weeks
Dairy herdsmen	6 months
General agriculture	1 year
Horticulture	1 year

At Minnesota various short courses are offered at which the attendance has grown from 147 in 1901 to 2015 in 1921. Dean Coffey stressed the fact that such courses must furnish not only instruction, but entertainment if they are to be successful and that farmers attending them must be made to feel at home in the university atmosphere. At Montana State College there is a "School of Agriculture" which continues for six months during the college year for a period of three years, and a farmers' week. The former has an attendance of 126, the latter of 204. The University of Wisconsin has well-attended courses in dairying and tractor mechanics twelve weeks in length, and a notable winter course in general agriculture for fifteen weeks each year for two years. This latter course meets a very real need in the educational system of the state and last year had 252 students. At Purdue University short courses ten days in length were given in tractor work, poultry, dairy field work. A four-day short course is given for farmers. Courses in general agriculture, animal husbandry, dairy products, dairy manufacturing, and home economics, are also given, which are eight weeks in length. Cornell offers twelve-week courses in agriculture, dairy industry, poultry husbandry, fruit growing, flower growing, and vegetable gardening. The attendance at these courses in 1921 totalled 329. At Massachusetts Agricultural College a winter school of ten weeks has an attendance of 83, and a summer school of four weeks an attendance of 223. There is also a two weeks' school for country clergymen, which had an attendance of nineteen.

The University of California offers short courses both at Davis and Berkeley. The Berkeley courses of a few days each include fruit products, nutrition, land colonization and settlement, rural sanitation, economics, entomology, deciduous fruits, commercial manufacture of fruit products, and beekeeping. At Davis five courses of about one week each are offered in beef cattle, hogs, horses, dairy cattle, and sheep. Longer courses are given in poultry husbandry, deciduous fruits, and dairy manufactures. An eight weeks' course in forestry is given during the winter for men employed as guards or rangers in the United States Forest Service and the United States National Park Service. A demonstration school on tractors is another feature of the California program.

The short course is an effective ally of the Smith-Hughes high school and the special farm school in spreading broadcast some of the elements of farming. It helps to teach men and older boys the new farming which is at once a science, an art, and a business. It makes them factors in the conservation of resources. It is an agency for the betterment of the social and economic conditions of rural life. It should be fostered by the agricultural college, for it meets a need the regular course of the college can never fill and stabilizes conditions in the industry which the college serves.

Research Work and Experiment Stations

The agricultural research and experimental work of the University of California has always been conducted on the theory that the varied conditions in California can not be understood or served by confining the experimental work entirely to Berkeley or to any other one locality. The field of experimentation has been as broad as the

State and research has been carried on wherever conditions seemed most favorable. Centers of experiment station activity are now located at Berkeley, Davis, Mountain View, Meloland in the Imperial Valley, Kearney Park in Fresno County, Delhi, Shingle Springs, Petaluma, Portersville, and Riverside. The station library and equipment for chemical, physical and biological work have been more highly developed at Berkeley than elsewhere, but these facilities for research are also being provided gradually at Davis, and at the Citrus Experiment Station, Riverside. Those three places are the sites of permanent institutions and serve as the headquarters for research in adjacent areas.

Another idea of the University of California has been that the existence and encouragement of research is fundamental to a successful system of instruction, as well as basic in the development of the agriculture of the state. All members of the staff are consequently encouraged to devote as much of their time as possible to that intensive study which leads to discovery and the extension of the bounds of knowledge. Individually and in groups representing diverse sciences the members of the college staff and the university staff are working for the advancement of agricultural science. That they are succeeding in a measure is indicated by the United States Experiment Station Record for June, 1921, which published a summary of eighty-nine distinct lines of work by seventy-three members of the staff The annual report of the college for 1921–1922 contains a summary of 349 pieces of investigation and a list of 149 projects in progress In the variety of problems under investigation and in the publication of reports, bulletins, and papers in scientific journals the California station ranks as high as any station in America.

The research work of Oregon Agricultural College is scattered in the different agricultural areas of the state, and is organized on a project basis Reports are required from investigators annually. One difference from the California system is that it is the policy of the state to require the county in which experimental work is located to finance the cost of the land and original buildings.

The main center of research work in the University of Wisconsin is at Madison, where all departments cooperate in attempting to solve the problems confronting agriculture. There are also five stations at other points in the state selected for differing local conditions which could not be adequately met from the University. Research work is organized into projects and progress reports are required annually. The results of many of these experiments are disseminated very widely and satisfactorily through an organization of graduates of the farm school and the college, known as the Agricultural Experimental Association.

In New York state agricultural research and experimentation is carried on both at Cornell University and at the Geneva Experiment Station, which is another state-supported institution There is no legal association between the two, but a working affiliation has been effected by mutual agreement. Work is also done from time to time on special problems in other areas. Cornell, contrary to the other institutions we visited, does not allot its research funds on a project basis, but makes departmental appropriations which are distributed by the department heads. The Director of Research keeps constantly in touch with all research men and progress reports are required annually

The general program of all the institutions visited would seem to indicate that in the main research work should be carried on at the university or college center, and that stations in other localities should be established more or less temporarily to solve definite problems impossible of solution elsewhere. The pressure of geographic and political considerations which results in so much unwise expenditure of funds might be curbed by the Oregon system which places on the community a financial burden in connection with the establishment it proposes. Wherever the work is located it would seem advisable to have it organized on a project basis, carefully supervised and frequently reported on

Relations with State Department of Agriculture

At the request of Director George H. Hecke of the State Department of Agriculture and Dean Thomas F Hunt of the University the commission made some study of the relations in various states between the State Department (or departments) of Agriculture and the college of agriculture. There was found to be general agreement that these two bodies should be entirely separate, the college directing and conducting all work of instruction, research, and extension and the department representing the police power of the state and exercising all functions of regulation. The one exception was Indiana, where the opinion was expressed that the logical place for the regulatory functions is with the college of agriculture, and that if a separate department is built up the inevitable result is differences of viewpoint and conflicts of jurisdiction.

The commission found no better working arrangement in any state than the agreement between Director Hecke and Dean Hunt which is set forth below

The State Department of Agriculture should exercise executive and regulatory powers The college of agriculture should devote its energies to research and educa-

tion, both resident and nonresident. It is quite certain that it is not in the interest of the public welfare that it should be charged with police duties It is the function of the executive branch of the State, whose head is the Governor, to enforce the laws relating to agriculture through the Director of Agriculture and his subordinates, and those relating to forestry through the Commission of Forestry The functions of the University, and hence of the College of Agriculture, are investigation and teaching. The college should not seek to control the action of any person. Its primary function is to determine the truth and state it accurately. The college should not have placed upon it any commercial, executive or police duties, nor should it be the policy of the State to appropriate money to the State Department of Agriculture for education or investigation, nor should it be the policy of the State to appropriate money to the College of Agriculture for regulatory purposes.

Conclusions of Agricultural Leaders.

At each of the institutions visited the situation facing the College of Agriculture of the University of California was presented in the following series of questions and the frank opinion of the various presidents, deans, and professors solicited

1 Owing to the fact that adequate provision was not made for experimental and demonstration purposes at Berkeley before the grounds of the University were surrounded by a ring of cities and because of the wide difference which exists between the climate and products of the coast counties and the large interior valleys, the work of the college of agriculture is now divided between the University at Berkeley and a branch of the Agricultural College at Davis, seventy miles distant and in the interior valley. The plan provisionally adopted is to give the instruction of the freshman and sophomore years at Davis where an adequate area of land for experimental and demonstration work has been secured and with the possible exception of animal husbandry, to give the instruction of the junior and senior years at Berkeley in contact with the broader life of the University. Your opinion of the feasibility of this plan is desired

2. Do you believe instruction can be given properly in a divided agricultural college under any conditions?

3 Do you believe that agricultural instruction can be given satisfactorily if it is not located on a farm?

4. How important do you consider a unified college with all agricultural students at one place?

5. How important for a college of agriculture do you consider the location at and close affiliation with a great university?

6 If yours is a college of agriculture separate from a university, would you favor union with a university?

7 If your college of agriculture is part of a university would you favor separation?

8 How long has your college been in its present form and is it, in your opinion, successful?

The opinion at Oregon Agricultural College, chiefly expressed by President Kerr, was that the plan of divided instruction upon which the University of California is now embarked is not ideal, because of the isolation of the junior and senior years from the farm but is probably the best that can be devised and would be immeasurably improved by the acquisition of a small tract of land at Berkeley The importance of contact between agricultural students and men in other lines of work was held to be of the highest importance and attention was called to the fact that Oregon Agricultural College has this feature, since it is not an agricultural school but a university of the applied sciences President Kerr stated unequivocally that despite the great difficulties of the situation it was his opinion that the college of agriculture would lose its prestige and power for accomplishment if wholly separated, either physically or administratively from the University of California, and that division of the course between Berkeley and Davis would therefore seem to be the best solution.

At the University of Minnesota the faculty of the college of agriculture was unanimously opposed to separation, believing that a university offers a broader opportunity for students both in variety of courses and in opportunity to study under men eminent in lines of work outside of agriculture. Dean Coffey and others were not enthusiastic over the division of instruction between Berkeley and Davis, but stated that if forced to choose between this and complete physical separation from the state university, they would immediately choose the former as the lesser of two evils

The conviction was strong at Minnesota that consolidated instruction at Berkeley would be by far the best solution of California's problem if about 200 acres of land were available at that place, but that the accomplishments of the junior college in California would indicate success for the plan of divided instruction.

Both President Birge and Dean Russell at the University of Wisconsin stressed the fact that the college of agriculture is so closely knit into that institution that no one in the state would consider the advisability of separation. Dean Russell

spoke of the splendid team work between the college of agriculture and the other departments of the University and the great advantage of having men working on a research problem from different points of view. Separation in his opinion not only splits the campus, but also educational effort. President Birge stressed the economy of a united institution and its advantage to agriculture in that funds sorely needed for other purposes are not expended on basic scientific and cultural courses. The reaction of Dean Deaveport and others at the University of Illinois was precisely similar to that expressed at Wisconsin.

The opinion expressed at Purdue was that an agricultural college to achieve its destiny must be connected integrally with a great university, and that while land is also a prime requisite, it need not be of great area adjacent to the campus. Grave doubts were expressed as to the divided course, the opinion of Dean Coulter being that it would not provide the atmosphere necessary to strengthen the intellectual fiber. This opinion was considerably modified after an explanation had been made by the commission of the junior college system in California and the success which it had achieved. The advice of a group of prominent faculty members and trustees was that the state should secure land at Berkeley no matter what it costs rather than to either divide or separate, but that division should be chosen in preference to separation.

According to Dean Curtis of Iowa State College, the plan of divided instruction would have formidable difficulties under any conditions and would be practically impossible without land at Berkeley. Speaking from the experience of Iowa, he stated that taking agriculture wholly away from the state university should be the last alternative considered by the commission and that the state would find it economical and efficient to condemn city blocks if necessary, in order to maintain the unity of higher instruction.

Dean Mann of Cornell advised strongly that all work be centralized at Berkeley. In his opinion, divided instruction between Berkeley and Davis would inevitably result in two four-year institutions, neither of which could properly meet the needs of agriculture. If this resulted ultimately in all agricultural work being given at Davis, the outcome would be most unfortunate for agriculture, because in the ensuing jealousies and contentions the University, as in all other states, would have the advantage. He pointed out the fact that a separate institution always has a bitter struggle to maintain the liberal work necessary to supplement its technical courses, and as the experience of Iowa State College has shown, can never hope to play its proper part in the field of graduate study. Dean Mann informed the commission that Cornell uses not over two hundred acres of poor farming land for instruction and that with Berkeley conditions he would acquire this area and consolidate the college of agriculture as a whole, with the University of California. Former Dean Bailey strongly confirmed this opinion, stating that with one hundred acres, a college at Berkeley would be superior to any separate institution. "All separate institutions," he said, "are going backward and a state which adopts the policy of separation today dooms its agricultural college to mediocrity."

President Butterfield of Massachusetts Agricultural College saw no reason to believe that divided instruction with a junior college at Davis and a senior college at Berkeley would not succeed. He expressed his own belief in a strictly agricultural college not connected with a university or diluted by mechanic arts or engineering, but admitted that the tendency was all the other way. He concurred with the other members of his staff in the belief that some land at Berkeley would be necessary to the success of the present scheme.

Doctor True, Doctor Allen, and Professor Crosby of the United States Department of Agriculture met with the commission in New York and held a long conference on the whole question of agricultural education. A general outline of the ideas expressed at this conference is as follows: Agricultural education of college and university grade involves four large factors, (1) training managers for ordinary farm operations, (2) training leaders for agricultural enterprises, (3) training leaders in science and teachers of agriculture; (4) research. These require an experiment station and a college of agriculture with a graduate school. Extension work, such as is called for under the Smith-Lever Act, is also a proper function of these institutions. When the separate colleges of agriculture were established there were no state universities and such institutions as did exist were of the old classical type, neither qualified or willing to teach agriculture. This condition has radically changed in the last fifty years, and now the colleges of agriculture united with state universities, are at least as successful as the others. The great advantage they have are the much broader possibilities of research and the finer training they can give for agricultural leadership by reason of the contacts they offer with every phase of professional life. The agricultural student should receive instruction not only about agricultural production and farm management but also about rural economics and sociology, and the relations of agriculture and country life to other occupations and interests. We do not want the leaders of the farm people to cultivate too much

class feeling, but rather to be interested in their relations with other people and to get a broad vision of community, national, and world problems. Severance of an agricultural college from a university at this time should not be considered for a moment. It is out of line with all modern ideas. All the science, economics, sociology and other stores of knowledge, all the opportunities of student contact, of a great university should contribute to the broad training of the agricultural student. This does not mean that experiment station work or instruction must be maintained in one location, for diffusion wisely governed may in this field be an advantage. The maintenance of a successful agricultural college at Berkeley or divided instruction between Davis and Berkeley is entirely possible with land for outdoor laboratories at Berkeley and this should be secured as promptly as possible.

The opinions set forth in the preceding paragraphs are those expressed by various educators in response to the questions on page ??. They were unanimous in opposition to separation, either physical or administrative, of a college of agriculture from the State University, doubtful of divided instruction except as an alternative to separation, and generally favorable to the location of the whole college at the site of the State University even if highly expensive land must be condemned to make this possible. The latter two opinions were, however, considerably modified in most cases when the prevalence and success of junior colleges in California were explained and particularly the notable accomplishments in agriculture by the Chaffey Union Junior College. Considering these facts, there was general agreement that divided instruction with the first two years of work in certain courses given at Davis under University direction and backed by the resources of the State would have every prospect of success.

Conclusions of the Commission

1. Agriculture, from being a simple art, has become one of the most complex of modern occupations and modes of life, and agricultural education must, as a consequence, comprehend the practice, the science, and the business of farming, in order that men may be trained not only as tillers of the soil but as rural leaders, scientific investigators, managers of cooperative enterprises, agricultural teachers and for the many other branches of human endeavor that closely affect farm life and rural progress.

2. To meet all these demands with the highest efficiency and success, two distinct types of institution must be established, one stressing the science and economics of agriculture, the other the actual practice and business of farming.

3. For teaching the economics and science of agriculture, the college of agriculture in contact with the broad life of a university and directed by the same board of trustees is the best agency. It can not be expected to train the great army of farmers any more than the engineering colleges are expected to train the mechanics of the country, but it is the only source from which agricultural leadership can be looked for with confidence.

4. To be at all successful the agricultural college must have more land, live stock, and equipment than the University of California, including Davis, now possesses, that institution being inferior in these regards to the leading institutions of the country.

5. Applying these principles to the California situation the commission recommends:

(*a*) That the College of Agriculture be maintained as an integral part of the University of California under the President and Board of Regents of that institution.

(*b*) That for the present, the instruction of the college be divided between Davis and Berkeley in all curricula where such division is necessary to provide the physical facilities incident to a proper agricultural education.

(*c*) That where such division takes place it be in accordance with the junior college system of the state and provide for the first two years at Davis, Berkeley or elsewhere and the last two years at Berkeley. This arrangement will fit our educational system and at the same time prevent duplication of the highly expensive faculties and equipment needed for upper division work. It will also provide a splendid opportunity for boys desiring two years of scientific agriculture on the farm rather than a complete university course.

(*d*) That the following additions to the Berkeley plant be made at the earliest possible date, and the first of them immediately, in order that the program of divided instruction may be put on a basis that will make the University of California the equal of any institution in the country:

1. Between one hundred and two hundred acres of tillable land within fifteen minutes of the campus. Such an area is available and aid can be secured from the bay cities in financing its purchase. This land will be used not as a farm, but as an outdoor laboratory by various departments, and in the opinion of the commission and the faculty of the college, will meet the most imperative need which the institution faces.

2. A large acreage of hill land for the use of the forestry and animal husbandry departments. This is available and can either be leased for a long term of years or bought at a reasonable price.

3. A building similar to Hilgard Hall completing the agricultural group to house instruction in agricultural economics and to provide meeting places for agricultural associations and for short course classes.

4. Additional class rooms and laboratories for plant and animal nutrition.

5. Greenhouses for researches in plant and animal life.

6. A factory type of building to house investigations in the means of preserving perishable products and the processes by which the products of the farm are changed into forms used in human consumption. This would include operations such as the canning and drying of fruits, preservation of meats, and the manipulations of wool and vegetable fibre products.

7. A laboratory for researches and demonstrations in agricultural engineering. This is needed for upper division and graduate students.

(e) That provision for instruction in domestic science and home economics be made at Davis, in order that recognition may be given to the fact that the farm is a partnership concern, for which women must be trained as well as men.

(f) That, as more fully developed in the chapter on farm schools, the nondegree work at Davis be transferred to other institutions, and that in its place the short courses both at Davis and Berkeley be extended and developed to meet the needs of persons over eighteen who have not availed themselves of the opportunities of the Smith-Hughes high schools and similar institutions.

6. The commission recommends that the college of agriculture be granted the largest measure of autonomy in educational matters compatible with the existence of a unified university policy, and that the decision as to the extent of this autonomy rest with the president and regents rather than with any academic body.

7. The commission recommends that the admission requirements of the College of Agriculture be maintained at the same level as those for the rest of the University, but that the attention of the proper authorities be called to the excellent records of many nonrecommended high school graduates in the University Farm School and to the possibility of a more satisfactory standard for recommendation from the high school to the College of Agriculture.

8. Observations throughout the country convinced the commission of the high character of the Board of Regents of the University of California and of the desirability of long terms and freedom from political interference. The commission is of the opinion, however, that in a state as highly agricultural as California, the interests of the University would be served by the more frequent appointment as regents of men who are leaders in rural life. Also the desire of the farmers to express themselves more fully on the service of their industry might be put to good use for the State and the institution if the regents were to solicit the formation of advisory committees from various phases of the agricultural industry and seek advice from these committees from time to time on the policy of the college and the needs of their field of agriculture.

9. As a result of their investigations the commission has returned to California proud of the experiment station and the extension service in this state which have only one possible equal and no superiors. Despite this fact the commission is of the opinion that the University of California is acting in accordance with the best practice of American universities and agricultural colleges in admitting to academic status only those engaged in research and resident instruction. The overwhelming verdict of the institutions visited is against according academic titles and privileges to the county agents or farm advisers, not because they are considered inferior in any way but because their activities lie outside the academic field.

10. The commission recommends that experiment station work be centralized at Berkeley, Davis and Riverside where there are permanent plants and that work on specific problems characteristic of particular localities be conducted in more or less temporary stations, thus avoiding duplication of expenses for acreage, institutional buildings, and overhead. Moreover, expenses for land and buildings, even under these simple conditions, should be met, at least in part, by the community in which they are situated. This provision will do much to insure the genuineness of the need which is being pressed.

11. The commission recommends that no student be permitted to graduate from the College of Agriculture who has not had at least one year of actual farm experience.

12. The commission is unanimous in the belief that one of the greatest causes of criticism of the College of Agriculture of the University of California has been lack of knowledge amongst the farmers of the State as to its activities and the very notable results of its teaching and research. Some method of organizing and disseminating proper publicity concerning the work of the college and the university is strongly recommended as a means of making available to the people of the State in larger measure the benefits of higher learning. Another reason is the conspicuous absence at Berkeley of land and buildings for agricultural research and instruction.

These have such prominence in the teaching equipment of all other first-class institutions (as shown by the illustrations in this report), that their lack at Berkeley can not escape intelligent criticism which will continue until this lack has been supplied.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

In summary form the findings and recommendations of the commission are as follows:

Elementary and Secondary Schools.

1. The basis for a sound and practical system of agricultural education in the elementary and secondary schools of California has been provided by the federal and State vocational educational acts of 1917.

2. The principal need of the elementary schools of the State is for a competent corps of instructors. If the regular grade teachers are to instruct pupils upon agricultural subjects they must receive a more thorough preparation for the work, and they should be under the close supervision of a specially trained district director of agricultural education. An alternative plan which holds promise of even better results is to place the actual teaching of agriculture in the grade schools in the hands of the local high school teachers in agriculture. When every high school has an agricultural department this will be a possible and practical solution of the problem of teaching agriculture in the elementary schools.

3. In the high schools the Smith-Hughes work has made a successful beginning and its extension is recommended. The project feature of this type of agricultural instruction has proved particularly valuable. Constant improvement of the high school teaching personnel is distinctly desirable, and is rapidly taking place.

4. Agricultural instruction given in the high schools either now or in the future, should be better correlated with the work given in the College of Agriculture of the University than has been the case in the past. This is a practical possibility under present university requirements and is usually neglected because of unfamiliarity with these requirements.

5. In the opinion of the commission junior colleges of agriculture equivalent to the first two years of the College of Agriculture in a university can not be efficiently conducted or adequately financed except by the state. The brilliant record of Chaffey Union Junior College might seem to indicate that this opinion is erroneous, but we believe that the community in which Chaffey is located is unusually rich and we doubt if even it will always bear easily the constantly mounting cost of scientific agricultural education, research, and extension. Whether it will or not there are certainly few other districts which could copy it, and it is therefore not practical to look in this direction for state development.

6. As a practical substitute for the Chaffey type of school and as a supplement to the College of Agriculture of the University of California and its branches, this commission strongly recommends that consideration be given by the State Board of Education to the extension of agricultural instruction by the project system into the junior colleges. Under this system a reasonable number of junior colleges, strategically located, could without the very heavy expense of land, buildings, live stock, and farm equipment, conduct worth while vocational agricultural courses that would be a very serviceable factor in keeping the boy on the farm and fitting him to make of the farm a profitable business venture.

7. Finally, the commission recommends strongly that support and encouragement be given the branch of the College of Agriculture at Davis where the facilities and staff are such as to guarantee the most successful results in the first two years beyond the high school, both from the point of view of vocational and professional training. This type of school can not be duplicated by any smaller political subdivision than the State and it should not be duplicated even by the State, which after all has not limitless finances until the need develops. Neither enrollment nor any other factor indicates that need at the present time but when such need does appear it would seem logical that similar institutions should be established in central and southern California.

Farm Schools.

1. The educational service of the farm school occupies a narrow field of usefulness between the Smith-Hughes work in the high schools and the collegiate instruction in the university, but within this field is of considerable importance.

2. The farm school should be a vocational training school of secondary grade teaching relatively immature persons the practical handicrafts and the well established principles of agriculture and home-making, with a minimum of general cultural courses. It should prepare young people for farming and homemaking by the shortest route. It should emphasize the practical and, only in a very limited degree, teach the scientific and theoretical aspects of agriculture.

3. The farm schools should be primarily finishing schools not college preparatory schools. To become the latter denies the premise upon which they were established. To care for the student who, in the farm school, discovers his "career" and wishes further education, some correlation with the University should be effected, so that certain work would be accepted for matriculation and the balance of the requirements met through examinations.

4. The farm school should not conduct research work of any kind. This can be done only by highly trained specialists, a class of men not needed to impart established knowledge to young people of high school age. It is also very expensive and requires special facilities.

5. The farm school should do no extension work. Extension work deals with mature farmers and brings to them methods based on knowledge of recent and often incomplete research. This type of service can not be given advantageously by those who have been chosen primarily for their ability to teach the immature. Reliable extension teaching, which will keep ahead of the demands of the farmers for exact information, can only be done by extension workers who are in close touch with specialized teaching and investigation departments such as exist in the college of agriculture.

6. The farm school should not admit the student over 21 years of age who has discovered too late the need of an education. This student should improve his preparation and enter the University as a special student or should take short course work in the line of his special interest. Experience has shown that the mixing of mature and immature students of varying degrees of preparation and ability is disastrous to the effectiveness of a teaching institution. The type of short course offered at the University of Wisconsin seems to this commission to meet admirably the need of the student who fits neither in the high school, the farm school, or the college of agriculture.

7. The farm school, being a part of the secondary school system, should be under the State Board of Education. This body should insure its rendering its particular service and keep it in proper adjustment with the other units of the school system.

8. The need for farm schools is limited. It is the opinion of the commission that this need in California would be fully met at the present time by the careful, efficient and attractive development of the California Polytechnic School at San Luis Obispo, to which should be transferred all the non-degree work now given at Davis except the short courses for persons beyond high school age.

Universities.

Agriculture, from being a simple art, has become one of the most complex of modern occupations and modes of life, and agricultural education must as a consequence comprehend the practice, the science, and the business of farming, in order that men may be trained not only as tillers of soil but as rural leaders, scientific investigators, managers of cooperative enterprises, agricultural teachers and for the many other branches of human endeavor that closely affect farm life and rural progress.

2. To meet all these demands with the highest efficiency and success, two distinct types of institution must be established, one stressing the science and economies of agriculture, the other the actual practice and business of farming.

3. For teaching the economics and science of agriculture the college of agriculture, in contact with the broad life of a university and directed by the same board of trustees, is the best agency. It cannot be expected to train the great army of farmers any more than the engineering colleges are expected to train the mechanics of the country, but is the only source from which agricultural leadership can be looked for with confidence.

4. To be at all successful the agricultural college must have more land, live stock, and equipment than the University of California including Davis, now possesses, that institution being inferior in these regards to the leading institutions of the country.

5. Applying these principles to the California situation the commission recommends:

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(c) That where such division takes place it be in accordance with the junior college system of the state and provide for the first two years at Davis, Berkeley or elsewhere and the last two years at Berkeley. This arrangement will fit our educational system and at the same time prevent duplication of the highly expen-

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(d) That the following additions to the Berkeley plant be made at the earliest possible date, and the first of them immediately, in order that the program of divided instruction may be put on a basis that will make the University of California the equal of any institution in the country

1 Between one hundred and two hundred acres of tillable land within fifteen minutes of the campus. Such an area is available and and can be secured from the bay cities in financing its purchase. This land will be used not as a farm but as an outdoor laboratory by various departments, and in the opinion of the commission and the faculty of the college will meet the most imperative need which the institution faces

2 A large acreage of hill land for the use of the forestry and animal husbandry departments This is available and can either be leased for a long term of years or bought at a reasonable price

3. A building similar to Hilgard Hall completing the agricultural group, to house instruction in agricultural economics and to provide meeting places for agricultural associations and for short course classes.

4 Additional classrooms and laboratories for plant and animal nutrition.

5. Greenhouses for researches in plant and animal life

6 A factory-type of building to house investigations in the means of preserving perishable products and the processes by which the products of the farm are changed into forms used in human consumption This would include operations such as the canning and drying of fruits, preservation of meats, and the manipulations of wool and vegetable fibre products

7 A laboratory for researches and demonstrations in agricultural engineering This is needed for upper division and graduate students

(e) That provision for instruction in domestic science and home economics be made at Davis, in order that recognition may be given to the fact that the farm is a partnership concern, for which women must be trained as well as men.

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9. As a result of their investigations the commission has returned to California proud of the experiment station and the extension service in this State which have only one possible equal and no superiors. Despite this fact the commission is of the opinion that the University of California is acting in accordance with the best practice of American universities and agricultural colleges in admitting to academic status only those engaged in research and resident instruction. The overwhelming verdict of the institutions visited is against according academic titles and privileges to the county agents or farm advisers, not because they are considered inferior in any way but because their activities lie outside the academic field.

10 The commission recommends that experiment station work be centralized at Berkeley, Davis and Riverside where there are permanent plants and that work on

specific problems characteristic of particular localities be conducted in more or less temporary stations thus avoiding duplication of expenses for acreage, institutional buildings, and overhead. Moreover expenses for land and buildings even under these simple conditions should be met, at least in part, by the community in which they are situated This provision will do much to insure the genuineness of the need which is being pressed.

11 The commission recommends that no student be permitted to graduate from the College of Agriculture who has not had at least one year of actual farm experience

12 The commission is unanimous in the belief that one of the greatest causes of criticism of the college of agriculture of the University of California has been lack of knowledge amongst the farmers of the state as to its activities and the very notable results of its teaching and research Some method of organizing and disseminating proper publicity concerning the work of the college and the university is strongly recommended as a means of making available to the people of the state in larger measure the benefits of higher learning Another reason is the conspicuous absence at Berkeley of land and buildings for agricultural research and instruction. These have such prominence in the teaching equipment of all other first class institutions (as shown by the illustrations in this report) that their lack at Berkeley can not escape intelligent criticism which will continue until this lack has been supplied

Respectfully submitted

A C HARDISON, Chairman,
SAM G MORTLAND,
ELWOOD MEAD,
SHERIDAN W. BAKER,
J JAS HOLLISTER,
R G SPROUL
W S GUILFORD,
Members of Commission.

STATE OF CALIFORNIA, EXECUTIVE OFFICE
SACRAMENTO, January 8, 1923

To the Senate and Assembly of the State of California

I have the honor to inform your honorable body that since the adjournment of the last session of the Legislature, I have made the following appointments

Board of Charities and Corrections—Rev. Chas A Ramm, San Francisco Hattie H Sloss, San Francisco, Jessica B. Pierotto Berkeley B H Pendleton, Oakland.

Insurance Commissioner E C Cooper

Prison Director, Charles L Neumiller

Yours truly,

WM D STEPHENS Governor

RECESS.

At ten o'clock and fifty minutes a.m., on motion of Mr. Edwin Baker, the Assembly was declared at recess for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 9, 1923.

At eleven o'clock a.m. the Senate and Assembly met in Joint Convention.

Hon. Frank F. Merriam, Speaker of the Assembly, directed that Hon C. C Young, President of the Senate, be escorted to the chair.

The President directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

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

Senators Allen, Arbuckle, Boggs, Breed, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Gray, Handy, Harris, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, Murphy, Osborne, Powers, Rominger, Sample, Sharkey, Slater, Swing, and West—33.

The President declared a quorum of the Senate present.

Hon. Frank F. Merriam, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

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

Anderson, Badham, Baker, C. C., Baker, E., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kime, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

The Speaker declared a quorum of the Assembly present.

PRESIDENT PRO TEMPORE IN CHAIR.

At eleven o'clock and fifteen minutes a. m. the President of the Senate called Hon. A. H. Breed, President pro tempore of the Senate, to the chair.

REGULAR ORDER OF BUSINESS.

By direction of the President pro tempore of the Senate, the Secretary of the Senate read sections of the Constitution of the State of California and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in joint convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor, as follows:

Constitution:

Section 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor, but in case any two or more have an equal and highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

Section 15. A Lieutenant Governor shall be elected at the same time and place, and in the same manner, as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall have only a casting vote therein.

Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant Governor, the clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must as soon as the statement of the vote of his county is made out and entered upon the records of the boards of supervisors make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant Governor."

Section 1294. He must at once direct one copy to the Speaker of the Assembly next to meet, address it to Sacramento, California, and deposit it, postpaid, in the post office.

Section 1295. The other copy he must direct and address, in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who

holds over; and the person to whom it is so delivered must deliver it to the Speaker on or before the second day next after his election

Section 1296 The returns of election for Governor and Lieutenant Governor must, during the first week of the session, be opened, canvassed, and the result declared by the Speaker of the Assembly, in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election if it can with reasonable certainty be ascertained from such return what office is intended, and who is elected thereto

ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received and were now at the desk, and that the joint convention would proceed with the opening of the returns from the recent election for Governor and Lieutenant Governor

APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed as tellers, on the part of the Assembly, Messrs Badham and Erb

The President pro tempore of the Senate appointed as tellers, on the part of the Senate, Senators Chamberlin and Jones

Canvass of the returns was thereupon made, and the tellers reported:

FOR GOVERNOR

The total number of votes cast for each of the several candidates for the office of Governor of the State of California was announced as follows

Friend Wm Richardson	576,447
Thomas Lee Woolwine	347,530
Alexander Horr	41,418
Scattering	391

Whereupon the Speaker of the Assembly declared Friend Wm. Richardson duly elected Governor of the State of California for the next succeeding four years

FOR LIEUTENANT GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Lieutenant Governor of the State of California was announced as follows

C. C. Young	597,349
William B. Shearer	232,366
Isabel C King	58,088
Scattering	21

Whereupon the Speaker of the Assembly declared C. C. Young duly elected Lieutenant Governor of the State of California for the next succeeding four years.

RESOLUTION

The following resolution was offered

By Senator Sample·

Resolved, That the hour of two o'clock p m, on Tuesday, January 9, 1923, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, Cal., the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature in joint convention assembled, as required in and by section 905 of the Political Code

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action and that when this joint convention adjourns it adjourn to meet at the hour and place aforesaid

Resolution read, and on motion of Senator Sample adopted.

READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were then read, and on motion of Assemblyman Carter approved.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m. the President pro tempore of the Senate declared the Joint Convention adjourned until two o'clock p.m. of Tuesday, January 9, 1923.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
Tuesday, January 9, 1923.

Pursuant to adjournment this day, the Senate and Assembly of the State of California met in Joint Convention on this day, Tuesday, January 9, 1923, at two o'clock p.m., for the purposes set forth in the following resolution, adopted this day in Joint Convention:

RESOLUTION.

Resolved, That the hour of two o'clock p.m. on Tuesday, January 9, 1923, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, California, the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature, in Joint Convention assembled, as required in and by Section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourn to meet at the hour and place aforesaid.

Senator A. H. Breed, President pro tempore of the Senate, and Hon. Frank F. Merriam, Speaker of the Assembly, presiding.

The President pro tempore of the Senate directed the Secretary of the Senate to call the roll of Senators.

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

Senators Allen, Arbuckle, Boggs, Breed, Burnett, Canepa, Carr, Chamberlin, Creighton, Crowley, Dennett, Eden, Gates, W. F., Gates, E. J., Godsil, Gray, Handy, Harris, Hart, Hurley, Ingram, Inman, Johnson, A. B., Johnson, M. B., Jones, Lewis, Lyon, McDonald, Murphy, Osborne, Powers, Rominger, Rush, Sample, Sharkey, Slater, Swing, and West—38.

The President pro tempore declared a quorum of the Senate present.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, E., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—80.

The Speaker declared a quorum of the Assembly present.

REPORT OF JOINT COMMITTEE.

Senator Sample, Chairman of the Joint Committee of the Senate and Assembly on Inaugural Ceremonies, appeared at the bar of the House

and announced to the Speaker of the Assembly the presence of His Excellency William D. Stephens, Governor, Hon. Friend Wm. Richardson, Governor-elect, and Hon. C. C. Young, Lieutenant Governor and Lieutenant Governor-elect.

At the invitation of Hon. A. H. Breed, President pro tempore of the Senate, the Governor, the Governor-elect and the Lieutenant Governor and Lieutenant Governor-elect were escorted to the platform by the following committee: Senators Sample, Sharkey and Boggs, and Assemblymen Graves, Broughton, Scott and Mathews.

ORDER OF BUSINESS.

The following was the order of business followed:

INAUGURAL CEREMONIES.

Program

Call to order of the Joint Assembly of the Legislature of the State of California—Hon. Arthur H. Breed, President pro tempore of the Senate; Frank F. Merriam, Speaker of the Assembly, presiding.

National Airs—Noack's Orchestra.

Invocation—Rt Rev. William Hall Moreland, D.D., Chaplain of the Assembly.

"America."

Introduction of Governor William D. Stephens, by Frank F. Merriam, Speaker of the Assembly.

Address—Governor William D Stephens

Administration of Oath of Office to Hon Friend Wm. Richardson, Incoming Governor, by Hon. E C. Hart, Justice of the Third District Court of Appeal.

"Hail to the Chief"—Noack's Orchestra.

Firing of the Governor's Salute of Seventeen Guns.

Introduction of Governor Friend Wm. Richardson, by Hon. Arthur H. Breed, President pro tempore of the Senate.

Inaugural Address—Governor Friend Wm. Richardson

Solo, "Because I Love You, Dear" (Hawley)—Gertrude Warren Barry; Mrs. Elliott McSwain, Accompanist.

Administration of Oath of Office to Lieutenant Governor C. C. Young, by Justice E C Hart.

Introduction of Lieutenant Governor C. C. Young, by Hon. Arthur H. Breed, President pro tempore of the Senate.

Address—Lieutenant Governor C. C. Young.

Solo, "Thank God for a Garden," (Teresa Del Riego)—Rudolph Caffaro; Mrs. Sue Geary Pease, Accompanist.

"Star Spangled Banner."

Benediction, by Rev. William E Harrison, D.D., Chaplain of the Senate.

Selection—Noack's Orchestra.

PRAYER.

Prayer was offered by the Chaplain of the Assembly, Rt. Rev. William H. Moreland.

ADDRESS BY GOVERNOR STEPHENS.

Upon invitation by the Speaker of the Assembly, Governor William D. Stephens addressed the Joint Convention.

ADMINISTRATION OF OATH OF OFFICE.

The Hon. E C. Hart, Justice of the Third District Court of Appeal of the State of California, administered the oath of office to Governor-elect Friend Wm. Richardson, as follows:

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

ADDRESS BY GOVERNOR FRIEND WM. RICHARDSON.

Governor Friend Wm. Richardson was presented to the Joint Convention by Hon A. H. Breed, President pro tempore of the Senate, and he proceeded to address the Joint Assembly.

ADMINISTRATION OF OATH OF OFFICE.

The Hon. E. C. Hart, Justice of the Third District Court of Appeal, administered the oath of office to Lieutenant Governor-elect Hon. C. C. Young, as follows:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant Governor according to the best of my ability.

PRESENTATION OF LIEUTENANT GOVERNOR

Hon. A. H. Breed, President pro tempore of the Senate, introduced to the Joint Convention the Hon. C. C. Young, Lieutenant Governor of the State of California.

ADDRESS BY LIEUTENANT GOVERNOR C. C. YOUNG.

The Lieutenant Governor, C. C. Young, then addressed the Joint Convention.

READING AND APPROVAL OF MINUTES.

Minutes of the Joint Convention were read and approved.

BENEDICTION.

Benediction by Rev. William E. Harrison, Chaplain of the Senate.

ADJOURNMENT.

There being no further business, at three o'clock p.m. the President of the Senate adjourned the Joint Convention sine die.

IN ASSEMBLY

REASSEMBLED.

At three o'clock and ten minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

During the joint convention, Governor F. W. Richardson delivered the following inaugural message:

To the Senate and Assembly of the State of California:

At the recent primary election there was one paramount issue before the people. At the general election there was presented the same issue. The people by their vote at these two elections indicated that they want the State conducted on an economical, efficient and businesslike basis, that they want to stop the orgy of extravagance which has prevailed during the past few years, and that they want to put out of power the political machine which has dominated the State government. The expressed will of the people must be carried out without weakening any of the humane, charitable, progressive or educational functions of the State government.

In 1911 the people did a good job of political house cleaning. During the past few years another great political machine has come into power which has cost the people millions of dollars. It will be necessary to first wreck this political machine before the State can be put on an economical basis and the government again handed back to the people.

Economy in government is not entirely a matter of the form of government, but must depend primarily upon the spirit and purpose of the officers in control of State affairs. The State should improve its form of government by elimination of unnecessary boards and officers, by consolidation, and by doing away with overlapping functions. Two years ago this State combined certain offices into departments, and the result has shown that it is difficult to find supermen to head these departments, that not a single office has been eliminated and that the cost of these departments has increased rather than decreased. Efficiency and economy were not desired, hence were not secured. Primarily the people must depend upon the men in government rather than upon form of government, but with men dedicated to good public service much can be done, and with an improved plan still more.

The State highways are in a deplorable condition. Millions of dollars of the people's money have been squandered on roads which have proved a failure. The specifications under which the roads have been built have proved defective. The

[illegible] four-inch cement highways intended to be permanent roads broke down in very few years. The five-inch concrete highways have been nearly a total failure. [illegible] roads themselves and the Pittsburg test show the State specifications defective. After several years of experience the engineering department in charge of the highway work has shown itself incapable of learning, even through the experience of its [illegible]. The people who pay the bills will not soon forget those who are responsible for this result. The task of reconstruction and maintaining these broken down highways will be a tremendous undertaking.

Upon the Legislature rests the grave responsibility of passing new laws and repealing old ones. The value of your work will depend upon its merit, and not upon its volume. Let us hope that the statute book of 1923 will be the smallest in size in a score of years.

Civil service has proved its worth, and the defects complained of are mainly those of administration. Civil service to be truly appreciated must be contrasted with the [illegible] spoils system. Civil service employees who become inefficient should be promptly [illegible] for discharge, as the State should be protected as well as the employees. In the recent primary election the law against collecting political assessments from civil service employees was violated. This should be investigated and the offenders [illegible] to justice.

The people have indicated that they want the Volstead Act enforced, and every [illegible] officer in California should do his full duty. The rigid enforcement of this law [illegible] result in moral benefit to the whole State, and will also save the cities, counties [illegible] the State many thousands of dollars. The constitution of the nation and of the [illegible] must be respected, and all good citizens, regardless of opinion, should unite [illegible] this worthy object.

Some time during the present month an executive budget will be presented to you. [illegible] budget will represent the expressed will of the people in the matter of State [illegible] and will carry into effect the purpose of the budget amendment adopted at [illegible] recent election.

There is a demand for a more speedy trial of cases before the courts. The remedy [illegible] to be in more activity on the part of the judiciary and less delay on the part [illegible] the attorneys. As the State pays part of the salaries of the superior judges of [illegible] counties, the State has a right to insist upon efficient service and the resignation [illegible] those who become derelict or incompetent. The matter of simplifying court [illegible] should have your careful attention.

Legislatures heretofore have succeeded in a measure in limiting and controlling [illegible]. While you are supreme in this matter, the executive can assist you in [illegible] a form of lobbying which is objectionable, and that is the attempt of State [illegible] and members of boards and commissions to exert undue influence upon [illegible] members of the Legislature. At the last session of the Legislature there were [illegible] employees who spent weeks in Sacramento at State expense trying to influence [illegible] seeking to intimidate the members of the Legislature. Political bosses drawing [illegible] salaries and on State expenses shocked the people of California by their brazen [illegible]. Some of these bosses are now in the employ of the corporations which they [illegible] opposed. If such employees are not needed in their various departments they [illegible] be removed from the pay roll. No State employee should come to Sacramento [illegible] upon the request of the Legislature, or some of its committees, or upon official [illegible]. Employees residing in Sacramento should assist the Legislature when [illegible] upon, but should not assume the role of lobbyist.

The Industrial Accident Commission has been a beneficial humane agency in [illegible] workmen and their families. This commission should be composed of [illegible] able, competent men who can and will do the great work placed in their [illegible]. This commission must be protected and, if possible, put on a more efficient [illegible] systematic basis. In the buying of securities for investment for the compensation fund there should be a strict limit placed upon the character of the purchases so [illegible] to prevent speculation and the purchase of doubtful bonds and questionable stocks.

The value of the direct primary law was signally demonstrated in the primary election when the great State political machine aided by most of the county politicians went down to defeat. The machine politicians were united in their opposition to [illegible] government, but the people by their votes showed they were tired of extravagance and boss rule.

The education of the youth of the State is one of the most vital matters, and while California ranks high in educational standards, it should be our endeavor to have it rank still higher. Education should not be confined to book learning, but should embrace good morals, unselfish citizenship, manual training, thrift and loyalty to national ideals. The people are willing to contribute liberally to education because it promotes better citizenship, but they are not willing to have their money squandered. The educational departments of the State should be placed on an economical and efficient basis, waste should be eliminated, and advocates of thrift should be placed in control.

You will undoubtedly join me in support of every possible aid to farmers, good roads, fair dealing to labor, Oriental exclusion, justice to our war heroes and the protection of life and property. It is my purpose to remove from office the members of the present political machine, to substitute business for politics in State government, to abolish unnecessary offices and commissions, to restore efficiency to the

various departments, to put highway construction in the hands of skilled builders, to attend strictly to the business of my office, and, while meeting all necessary needs of the State, to save the people many millions of dollars. Y[illegible] cooperation and support will be of great aid to me in my plan, and you [illegible] realize that you are under the same obligations to the people and should be [illegible] to their wishes in as full a measure

California should be kept in the foremost ranks of progressive States, all for[illegible] looking legislation must be cherished and every effort should be exercised to [illegible] those humane functions of government which will help mankind in their struggles.

This message is submitted to you in the confident hope that you will [illegible] consider the suggestions, and will give them expression in the legislation you enact.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Mr. Mo[illegible] the Speaker declared the Assembly adjourned this day until [illegible] o'clock a.m., Wednesday, January 10, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 10, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly [illegible] called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and [illegible] following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, [illegible] Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, C[illegible] Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, [illegible] Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, [illegible] Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, [illegible] McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., [illegible] Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, [illegible] Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, [illegible] Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of [illegible] Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Kline, [illegible] further reading was dispensed with.

ANNOUNCEMENT.

The Speaker announced the receipt of the following communicat[illegible] from the Surveyor General, and ordered that the same be printed [illegible] the Journal:

OFFICE OF SURVEYOR GENERAL AND REGISTER STATE LAND OFFICE,
STATE OF CALIFORNIA,

SACRAMENTO, January 8, 1923.

To the Legislature of the State of California.

Pursuant to the provisions of chapter 800, Statutes of California, 1917, I [illegible] to report that the registrars of titles under "The Torrens Law" in the [illegible] counties of the state in which registrations of land have been made up to [illegible] 1, 1922, advised me as follows:

County.

"I desire to say that there has been nineteen registrations and certificates issued this office since August, 1921, to date. The total number of certificates issued seventy-seven, several being transfers of owners, and only about forty of them original registrations."

County.

"In regard to the number of registrations or certificates of title issued in this of land titles, beg to state that up to and including August 1, 1922, we have only one registered in this office."

Humboldt County.

"The total number of Torrens certificates of title issued in Humboldt County up August 1, 1922, is 154."

County.

"The number of Torrens certificates outstanding as of August 1st, is 211."

ern County.

"Total number of registrations made in Kern County, two. Total number of ificates of title issued, twenty-nine, up to and including July 31, 1922. Of the ificates issued six have been cancelled so there are today twenty-three out-"

County.

"Will say there has been one transfer."

Angeles County.

"The total number of certificates of title issued by this office up to August 1, was 17,107, and the total number of documents filed to the same date was 558."

County.

"Total number of original registrations to August 1, 1922, 892. Total number of ificates issued 2342."

County.

"This office has issued only ninety-five certificates of title under The Torrens Title t, since the same became effective in this county, in 1917."

Bernardino County.

"Total number of registrations to August 1 by decrees, 420. Total number of ificates of title issued, caused by transfer of title, 831."

Diego County.

"The total number of certificates of title issued by me up to August 1, 1922, is 24."

Francisco County.

"In the entire life of the act but five original decrees have been filed in this "

Barbara County.

"Total number of certificates issued, forty-two. Number of parties whose prop- is registered (including wives and husbands), seventeen. Total number of filed (including two decrees), five."

Cruz County

"We have issued two certificates of title to date."

County.

"Up to August 1, 1922, there had been 149 certificates issued, 114 documents and seventy-eight parcels of land registered."

ulare County.

"Total number of certificates of title issued since operations commenced in ulare County, thirty-one."

entura County.

"In regard to Torrens registrations in this county, we have issued only one ificate."

The Torrens Act provides that upon the original registration of any land, a equal to one-tenth of one per cent of the assessed value of the land, including permanent improvements thereon as the same were valued for county taxation the time said land and permanent improvements or either thereof were assessed county taxes next preceding the filing of the petition, shall be collected by registrar and paid to the State Treasurer to be credited to the "Torrens Assurance Fund" The books of the State Treasurer show that on July 20, the "Torrens Title Assurance Fund" contained $20,414.88, and that on July 21, State of California Harbor Improvement four per cent bonds having a face of $20,000 were purchased for the benefit of said fund, for the sum of $19,356 and that the amount of cash in said fund on August 1, 1922, was $1,058.35

Respectfully submitted,

W. S. KINGSBURY, Surveyor General.

RESOLUTION.

The following resolution was offered:

By Mr. Lyons:

Resolved, That the action of Jerome B. Kavanaugh, Chief Clerk of the Assembly for the forty-fourth session, in employing necessary assistance for the of the Assembly for the forty-fifth session, be and the same is hereby ratified approved, and the State Controller is hereby authorized and directed to draw warrants in favor of the following named persons for the items and the amounts opposite their respective names, upon the fund for the payment of officers employees of the Assembly, and the Treasurer is directed to pay the same:

Thomas Prendergast, page, 2 days at $2 50	$5 00
Frank Sullivan, page, 2 days at $2 50	5 00
Jerome B Kavanaugh, Chief Clerk, 9 days at $10 00	90 00
Ellsworth E Eustice, Assistant Chief Clerk, 2 days at $9 00	18 00
W E Monohan, Assistant Clerk, 6 days at $7 00	42 00

Resolution read.

The question being on the adoption of the resolution

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton Carter, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews McMillan, McPherson, Mitchell, A G, Moore, Morrison, Mueller, Noyes, Pedrotti Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—66

NOES—None.

ASSISTANT CLERK MONOHAN READING

APPOINTMENT OF STANDING COMMITTEE.

The Speaker announced the appointment of the following standing committee:

Attaches—Messrs. Carter (chairman), Smith, Erb, Johnston, J. W., and Pedrotti.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 10, 1923.

To the Assembly of the State of California

I have the honor to inform you that I have appointed Joseph W Vickers, of Los Angeles, State of California, my Private Secretary, and Harry Lutgens, of Santa Rosa, my Executive Secretary, through whom all communications from this office will be transmitted to your honorable body.

Yours respectfully,

F. W RICHARDSON,
Governor of the State of California

MOTION TO ADJOURN.

At eleven o'clock and forty minutes a.m., Mr. Carter moved that the Assembly do now adjourn until the hour of eleven o'clock a.m., Thursday, January 11, 1923.

MOTION TO AMEND.

Mr. Fellom offered the following amendment:

That the Assembly do now recess until the hour of two o'clock p.m. of this day.

The question being on the adoption of the amendment.

Amendment lost.

The question being on the motion to adjourn.

Motion carried

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Thursday, January 11, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 11, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A. Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Badham, its further reading was dispensed with.

ASSISTANT CLERK MONAHAN READING.

RESOLUTIONS

The following resolutions were offered:

By Mr. Erb:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Expense Fund in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of seventy-

five ($75.00) dollars, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Resolution read.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Crittenden, Dawson, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

NOES—None.

By Mr. Pedrotti:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to order the printing from the State Printing Department of 84 copies of the latest and up-to-date Pony Codes of the State of California, and the latest general laws of California, and the latest edition of Treadwell's Annotated Constitution of California, and Robert's Rules of Order, and to supply each member of the Assembly, the Chief Clerk of the Assembly and the Judiciary Committee with one set each.

Resolution read.

Mr. Lyons moved the adoption of the resolution.

The question being on the adoption of the resolution.

MOTION TO REFER.

Mr Eksward moved the resolution be referred to a select committee to be appointed by the Speaker.

Motion carried.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with Mr. Eksward's motion, the Speaker appointed Messrs. Lyons, Fellom and Eksward as such committee.

By Mr. Eksward:

Resolved, That the Chief Clerk be authorized to receive from the members of the Assembly a mailing list of all bills, resolutions and histories, to be directed to libraries, chambers of commerce and other public centers, for general inspection. This list to be limited to fifteen names each, and shall be forwarded to the legislative bill room for regular mailing.

Resolution read, and on motion adopted

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1923.

MR. SPEAKER. Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names Said per diem to be paid out of the fund for the payment of the officers

and employees of the Assembly. Said appointments to date from and include the eighth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named persons for said per diem, and the State Treasurer is hereby authorized to pay the same:

Thomas Prendergast, Page	$2 50
Frank Sullivan, Page	2 50
Daven Morey, Page	2 50
Charles Spalding, Page	2 50
Bessie Manning, Stenographer	5 00
Martha Jane Clarke, Stenographer	5 00
Norma Brown, Stenographer	5 00
Winifred Merriman, Stenographer	5 00
Wilhelmina Snyder, Stenographer	5 00
Geneva Bernard, Stenographer	5 00
Madge Cross, Stenographer	5 00
Ethel Doebler, Stenographer	5 00
C. E. Whiteside, Assistant Sergeant-at-Arms	5 00
Theo. Lafayette, Assistant Sergeant-at-Arms	5 00
Mrs. Anna Perry, Postmistress	4 00
Arvilla Ball, Assistant Postmistress	4 00

CARTER, Chairman.

Report and resolution read

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dezier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.

NOES—None.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following-named persons heretofore employed for the positions and at the per diem set opposite their respective names be stricken from the roll to date from and including the ninth day of January, 1923:

Bessie Manning, Stenographer	$5 00
Madge Cross, Stenographer	5 00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointments to date from and include the ninth day of January, 1923, and the Controller is hereby authorized and directed

to draw his warrants upon said funds in favor of the following-named persons for said per diem and the State Treasurer is hereby authorized to pay the same

F. A. Cooley, Assistant Minute Clerk	$7 00
Robert Orr, Assistant Clerk	7 00
Charles H. Erb, File Clerk	7 00
L. M. Bromley, Assistant File Clerk	5 00
Bessie Manning, Secretary to Chief Clerk	5 00
Madge Cross, Chief Stenographer	6 00
Margaret Lawrence, Stenographer	5 00
Ethel C. Secor, Stenographer	5 00
Violet Brassard, Stenographer	5 00
Cornelia De Carlow, Stenographer	5 00
Pearl Power, Stenographer	5 00
Dora Thompson, Stenographer	5 00
Thomas O'Neil, Assistant Sergeant-at-Arms	5 00
A. Harris, Assistant Sergeant-at-Arms	5 00
George L. Hager, Assistant Sergeant-at-Arms	5 00
Lawrence Green, Assistant Sergeant-at-Arms	5 00
Frank J. McCarthy, Assistant Sergeant-at-Arms	5 00
Dan Whelan, Assistant Sergeant-at-Arms	5 00
Bernard J. Cullum, Assistant Sergeant-at-Arms	5 00
Gerald J. Scannell, Assistant Sergeant-at-Arms	5 00
T. S. Chambers, Assistant Sergeant-at-Arms	5 00
Frances Pedrotti, Committee Clerk	4 00
Sarah Lyons, Committee Clerk	4 00
Estelle Eksward, Committee Clerk	4 00
P. T. Kline, Committee Clerk	4 00
Hermina Badham, Committee Clerk	4 00
Mary Desmond, Committee Clerk	4 00
A. S. Gomez, Assistant Sergeant-at-Arms	5 00
Edward Clark, Assistant Sergeant-at-Arms	5 00
Dr. J. M. Riddle, Assistant Sergeant-at-Arms	5 00
John Meuse, Assistant Sergeant-at-Arms	5 00
George Barder, Assistant Sergeant-at-Arms	5 00
Harriet Russell, Stenographer	5 00
Mrs. G. F. Michael, Stenographer	5 00
Mrs. Lawson, Stenographer	5 00
Pearl E. Baker, Stenographer	5 00

CARTER, Chairman

Report and resolution read.

The question being on the adoption of the report and resolution

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.

NOES—None.

APPOINTMENT OF STANDING COMMITTEE

The Speaker announced the appointment of the following standing committee:

Mileage—Hawes (Chairman), Prendergast, Morrison, Duval, and Eksward.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received, and ordered printed in the Journal

ON MILEAGE.

District	Name	Address	Distance from seat	Distance from Co seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
1	G H Douglas	Crescent City, Del Norte Co	364	9		373	746	$74 60
2	Fred J Moore	Eureka, Humboldt Co	312				624	62 40
3	Earnest Dozier	Redding, Shasta Co	171				342	34 20
4	A J Mathews	Susanville, Lassen Co	260				520	52 00
5	Van Bernard	Butte City, Glenn Co	88	15		103	206	20 60
6	P Connolly	Ukiah, Mendocino Co	150				300	30 00
7	Bert Snyder	Chico, Butte Co	86	28		114	228	22 80
8	Fred B Noyes	Yuba City, Sutter Co	50				100	10 00
9	Mrs Cora M Woodbridge	Roseville, Placer Co	37		19	18	36	3 60
10	Robt B McPherson	Vallejo, Solano Co	40	19		59	118	11 80
11	Frank I Coombs	Napa, Napa Co	61				122	12 20
12	Emmett I Donohue	Petaluma, Sonoma Co	90				180	18 00
13	Lucien E Fulwider	Santa Rosa, Sonoma Co	90				180	18 00
14	John W Johnston	Sacramento, Sacramento Co						
15	Percy G West	Sacramento, Sacramento Co						
16	F G Stevenot	Carson Hill, Calaveras Co	73	16		89	178	17 80
17	Chas F Reindollar	San Rafael, Marin Co	105			105	210	21 00
18	Thomas M Carlson	Richmond, Contra Costa Co	62	22		84	168	16 80
19	Bradford S Cuttenden	Tracy, San Joaquin Co	48	20		68	136	13 60
20	Geo A Dean	Stockton, San Joaquin Co	48	20		68	136	13 60
21	Fred C Hawes	San Francisco, San Fran Co	90				180	18 00
22	Thomas A Mitchell	San Francisco, San Fran Co	90				180	18 00
23	Joseph F Burns	San Francisco, San Fran Co	90				180	18 00
24	Walter I Schmidt	San Francisco, San Fran Co	90				180	18 00
25	Wm B Hornblower	San Francisco, San Fran Co	90				180	18 00
26	Roy Fellom	San Francisco, San Fran Co	90				180	18 00
27	Wm Seward Scott	San Francisco, San Fran Co	90				180	18 00
28	Louis F Erb	San Francisco, San Fran Co	90				180	18 00
29	Harry F Morrison	San Francisco, San Fran Co	90				180	18 00
30	Clarence W Morris	San Francisco, San Fran Co	90				180	18 00
31	Albert A Rosenshine	San Francisco, San Fran Co	90				180	18 00
32	W J Rock	San Francisco, San Fran Co	90				180	18 00
33	J B Badaracco	San Francisco, San Fran Co	90				180	18 00
34	E H Christian	Hayward, Alameda Co	84	14		98	196	19 60
35	H R Spence	Alameda, Alameda Co	84	5		89	178	17 80
36	Edward I Smith	Oakland Alameda Co	84				168	16 80
37	Richmond M Tyman Jr	Oakland, Alameda Co	84				168	16 80
38	J Crofer	Oakland, Alameda Co	84				168	16 80
39	Frank W Anderson	Oakland, Alameda Co	84				168	16 80
40	Chris B Fox	Berkeley, Alameda Co	84				168	16 80
41	Anna L Saylor	Berkeley, Alameda Co	84				168	16 80
42	F L Ekswald	Burlingame, San Mateo Co	119				238	23 80
43	Geo C Cleveland	Watsonville, Santa Cruz Co	198	20		218	436	43 60
44	T M Wright	San Jose, Santa Clara Co	128				256	25 60
45	C C Spalding	Sunnyvale Santa Clara Co	128	10		138	276	27 60
46	Isto B Broughton	Modesto, Stanislaus Co	77				154	15 40
47	Geo A Clarke	Bishop, Inyo Co	418	48		466	932	93 20
48	C C Baker	Salinas, Monterey Co	208				416	41 60
49	D C Williams	Le Grand, Merced Co	114	14		128	256	25 60
50	Chas A Foster	Fowler Fresno Co	169	10		179	358	35 80
51	Herbert McDowell	Fresno, Fresno Co	169				338	33 80
52	S I Heisinger	Selma, Fresno Co	169	16		185	370	37 00
53	M N McMillan	Shandon San Luis Obispo Co	313		20	323	646	64 60
54	Frank Johnson	Hardwick, Kings Co	214	7		221	442	44 20
55	Chas W Cleary	Lindsay Tulare Co	206	20		226	452	45 20
56	Grace S Dorris	Bakersfield, Kern Co	278				556	55 60
57	Isaac Jones	Ontario San Bernardino Co	508		24	484	968	96 80

ON MILEAGE—continued.

District	Name	Address	Distance from seat	Distance from Co seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
58	J. J. Prendergast	Redlands, San Bernardino Co.	508	12		520	1,040	104 00
59	Edgar W Stow	Goleta, Santa Barbara Co.	460		10	450	900	90 00
60	Walter H. Duval	Saticoy, Ventura Co	490	8		498	996	99 60
61	Frank C Weller	Glendale, Los Angeles Co	447	8		455	910	91 00
62	Hugh R Pomeroy	Redondo Beach, Los Angeles Co.	447	24		471	942	94 20
63	Sidney T Graves	Los Angeles, Los Angeles Co	447				894	89 40
64	Harry Lyons	Los Angeles, Los Angeles Co	447				894	89 40
65	Joseph L Pedrotti	Los Angeles, Los Angeles Co.	447				894	89 40
66	Otto J. Emme	Los Angeles, Los Angeles Co	447				894	89 40
67	Eleanor Miller	Pasadena, Los Angeles Co	447	13		460	920	92 00
68	Allen G Mitchell	Pomona, Los Angeles Co	447	33		480	960	96 00
69	Charles B. Dawson	Huntington Park, Los Ang. Co	447	6		453	906	90 60
70	Frank F Merriam	Long Beach, Los Angeles Co.	447	22		469	938	93 80
71	Henry E Carter	Los Angeles, Los Angeles Co.	447	25		472	944	94 40
72	W. E Badham	Los Angeles, Los Angeles Co	447				894	89 40
73	Elmer P. Bromley	Los Angeles, Los Angeles Co.	447				894	89 40
74	F M Roberts	Los Angeles, Los Angeles Co	447				894	89 40
75	Edwin Baker	Los Angeles, Los Angeles Co.	447				894	89 40
76	C D Ball	Santa Ana, Orange Co	481				962	96 20
77	Chester M. Kline	San Jacinto, Riverside Co	512	36		548	1,096	109 60
78	George H Davis	El Centro, Imperial Co.	661				1,322	132 20
79	P. A Whitacre	San Diego, San Diego Co	573				1,146	114 60
80	Edwin A Mueller	El Cajon, San Diego Co	573	16		589	1,178	117 80
		OFFICERS						
	Jerome B Kavanaugh	San Bernardino, San B'dino Co	508				1,016	101 60
	Arthur A. Ohnimus	San Francisco, San Fran. Co	90				180	18 00

HAWES, Chairman

REQUEST FOR LEAVE OF ABSENCE.

Mr. Coombs requested and was granted leave of absence for Friday, January 12, 1923.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, January 12, 1923

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 12, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly,

Coombs, Crittenden, Cloter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Erb, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Reindollar, Mr. Carlson was granted leave of absence for the day.

On motion of Mr. Burns, Messrs. Hornblower and Rock were granted leave of absence for the day.

On motion of Mr. Christian, Mr. Smith was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Pedrotti, its further reading was dispensed with.

RESOLUTION.

The following resolution was offered:

By Mr. Roberts:

Resolved, That the State Printer be and he is hereby instructed to print for the members and officers of the Assembly, one hundred personal cards each.

Resolution read, and on motion adopted.

REPORT OF SELECT COMMITTEE.

The following report of Select Committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1923.

MR. SPEAKER: Your committee, appointed to report on the advisability of having the Codes and General Laws of California furnished by the State Printing Office, beg leave to submit the following report:

We find that it will be impossible, owing to the shortness of the time, for the Printing Department of the State to print and bind the Codes and General Laws of the State of California, and we, therefore, recommend that the Chief Clerk of the Assembly be authorized and directed to order eighty-four copies of the 1915 edition of the Codes and General Laws, together with the 1917-21 supplement, that the Legislative Counsel Bureau be directed to furnish eighty-four leather bound copies of the Constitution, as prepared by said bureau, the member's name to appear upon his individual copy of the same.

We further recommend that legislation should be adopted at this session of the Legislature providing that in the future the Codes and General Laws of California shall be prepared in manuscript form by the Legislative Counsel, and printed at the State Printing Office, that the Codes and General Laws, as thus prepared and printed, shall be sold by the State at a price sufficient to cover the cost of publication and distribution, except that copies be furnished free to members of the Legislature and to all elected State officers, and that the receipts from the sale of the same be placed in the State Treasury to the credit of the general fund.

Respectfully submitted,

LYONS,
EKSWARD,
FELLOM,
Select Committee.

Mr. Lyons moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—Bernard, Graves, Jones, Snyder, and Spalding—5.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1923

MR. SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code, and recommends the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

G. H. Douglas	$74 60
Fred J. Moore	62 40
Earnest Dozier	34 20
A. J. Mathews	52 00
Van Bernard	20 60
P. Connolly	30 00
Bert Snyder	22 80
Fred B. Noyes	10 00
Cora M. Woodbridge	3 60
Robert B. McPherson	11 80
Frank L. Coombs	12 20
Emmett I. Donohue	18 00
Lucien E. Fulwider	18 00
John W. Johnston	-----
Percy G. West	-----
F. G. Stevenot	17 80
Charles F. Reindollar	21 00
Thomas M. Carlson	16 80
Bradford S. Crittenden	13 60
George A. Dean	13 60
Fred C. Hawes	18 00
Thomas A. Mitchell	18 00
Joseph F. Burns	18 00
Walter J. Schmidt	18 00
William B. Hornblower	18 00
Roy Fellom	18 00
Wm. Seward Scott	18 00
Louis F. Erb	18 00
Harry F. Morrison	18 00
Clarence W. Morris	18 00
Albert A. Rosenshine	18 00
W. J. Rock	18 00
J. B. Badaracco	18 00
E. H. Christian	19 60
H. R. Spence	17 80
Edward J. Smith	16 80
Richmond M. Lyman, Jr.	16 80
J. Croter	16 80
Frank W. Anderson	16 80
Chris B. Fox	16 80
Anna L. Saylor	16 80
F. L. Eksward	23 80
George C. Cleveland	43 60
T. M. Wright	25 60

C. C. Spalding	$27 00
Esto B. Broughton	15 40
George A. Clarke	93 20
C. C. Baker	41 60
D. C. Williams	25 60
Charles A. Foster	35 80
Herbert McDowell	33 80
S. L. Heisinger	37 00
Alex McMillan	64 60
Frank Johnson	44 20
Charles W. Cleary	45 20
Grace S. Dorris	55 60
Isaac Jones	96 80
J. J. Prendergast	104 00
Edgar W. Stow	90 00
Walter H. Duval	99 60
Frank C. Weller	91 00
Hugh R. Pomeroy	94 20
Sidney T. Graves	89 40
Harry Lyons	89 40
Joseph L. Pedrotti	89 40
Otto J. Emme	89 40
Eleanor Miller	92 00
Allen G. Mitchell	96 00
Charles B. Dawson	90 60
Frank F. Merriam	93 80
Henry E. Carter	94 40
W. E. Badham	89 40
Elmer P. Bromley	89 40
F. M. Roberts	89 40
Edwin Baker	89 40
C. D. Ball	96 20
Chester M. Kline	109 60
George H. Davis	132 20
P. A. Whitacre	114 60
Edwin A. Mueller	117 80

OFFICERS.

Jerome B. Kavanaugh	101 60
Arthur A. Ohnimus	18 00

HAWES, Chairman.
MORRISON.
PRENDERGAST.
DUVAL.
EKSWARD.

Mr. Hawes moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the position and at the per diem set opposite their respective names. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointments to date from and include the

tenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named persons for said per diem, and the State Treasurer is hereby authorized to pay the same

Everett Cox, History Clerk	$7 00
Albert Brady, Journal Clerk	7 00
Hazel C. McIntosh, Assistant Journal Clerk	5 00
E. C. Stephens, Assistant History Clerk	5 00
John Kelly, Assistant Sergeant-at-Arms	5 00
Barney Ferguson, Assistant Sergeant-at-Arms	5 00
William Allen, Assistant Sergeant-at-Arms	5 00
Charles Wilkenson, Assistant Sergeant-at-Arms	5 00
F. F. Williamson, Assistant Sergeant-at Arms	5 00
William J Keyes, Assistant Sergeant-at-Arms	5 00
Al. Lang, Assistant Sergeant-at-Arms	5 00
William Vacher, Assistant Sergeant-at-Arms	5 00
Walter J. Hicks, Assistant Clerk	7 00
James Powers, Assistant Clerk	7 00
R. E Lucas Assistant Sergeant-at-Arms	5 00
Gertrude Anderson, Committee Clerk	4 00
Mrs Mary Abbott, Committee Clerk	4 00
Elva B Mitchell, Committee Clerk	4 00
Miss M Morrill, Committee Clerk	4 00
Amy J. Davis, Committee Clerk	4 00
Dorothy Lee Weller, Committee Clerk	4 00
Bertha F. Moore, Committee Clerk	4 00
Nelia Davis, Committee Clerk	4 00

CARTER, Chairman

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Cuttenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emine, Erb, Fellom Foster, Fulwider, Graves, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—71.

NOES—Johnson—1

ASSISTANT CLERK HICKS READING.

Also:

MR. SPEAKER Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite her name be stricken from the roll to date from and including the ninth day of January, 1923:

Mrs. G. F Michael, Stenographer $5.00

CARTER, Chairman.

Resolution read, and on motion adopted.

ADJOURNMENT.

At eleven o'clock and forty-five minutes a.m, on motion of Mr Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a m, Monday, January 15, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 15, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Lyman, Mr. Spence was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. Schmidt, Mr. Hornblower was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Baker, Edwin, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

RESOLUTION.

The following resolution was offered:

By Mr. Eksward:

WHEREAS, Matters of utmost importance to the people of the State of California will come before the Motor Vehicle Committee of the Assembly, and

WHEREAS, In order that more representation should be had upon said committee, owing to the above mentioned fact, it is desirable that said Committee be increased in number; now, therefore, be it

Resolved, That the number of members on the Motor Vehicle Committee be increased from eleven to twenty-one.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up his resolution for adoption at this time without reference to committee.

Mr. Eksward moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution unanimously adopted.

PRESENTATION OF PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Baker, Edwin:

LOS ANGELES, CALIFORNIA, January 9, 1923

The following resolution was passed by Los Angeles Federation, Tenth District, California Congress of Mothers and Parent-Teachers Associations, in the regular meeting January 4, 1923

WHEREAS, The War Department under authority of an act of Congress and upon the request of the Board of Education of the city of Los Angeles, California, has established military training in the high schools of this city under regulations prescribed for the Reserve Officers' Training Corps,

AND, WHEREAS, It having come to the notice of this organization that certain bodies, elements and individuals are actively engaged in broadcasting propaganda against such training and seeking to destroy the effectiveness and popularity of this important branch of education:

Therefore, be it resolved, That the Los Angeles Federation, Tenth District, California Congress of Mothers and Parent-Teacher Associations, is strongly in favor of the military training as now conducted in the high schools of this city so long as the government requests such service of the schools;

Be it further resolved, That as this training is productive of self reliance, physical well being and good citizenship among the young manhood of our community it should not only be continued but should be to the fullest extent, fostered by all patriotic citizens, encouraged by the proper authorities and supported by Congress with the necessary appropriations, and

Be it further resolved, That in order that the proper authorities may have knowledge of the action taken by this organization in this matter that copies of this resolution be furnished the Secretary of War, the Senators and members of Congress from the State of California and the Los Angeles Board of Education.

(Signed) RESOLUTION COMMITTEE.
MRS. F. W. FOX, Chairman.
MRS. JOHN A. HALLINEN
MRS. J. F. FABER

By Mr. Bromley:

WHEREAS, There is apparent need of additional revenue for road purposes in the State, city and county highway systems for proper maintenance; and

WHEREAS, A gasoline tax of 1 cent per gallon levied for road purposes against gasoline used in motor vehicles is fair in principle, in that it automatically distributes itself in proportion to road uses; therefore, be it

Resolved, That the Motor Car Dealers Association of Los Angeles, endorse the levying of such a tax, providing that—

First. The proceeds be used exclusively for maintenance. Original construction should in the future, as it has in the past, be made from the proceeds of bond issues.

Second. That the proceeds be distributed between the State and counties, one-third to the State and two-thirds to the counties, the distribution between counties to be made on a basis of the amount of gasoline sales in each respective county; *provided, further*, that the respective counties agree in turn to take over the maintenance of an equitable part of the major street system of the cities within the county limits.

I hereby certify that the above is a true and correct copy of the resolution adopted by the Motor Car Dealers Association of Los Angeles, at the regular meeting on Tuesday, January 9, 1923.

(Signed) PAUL G. HOFFMAN, President.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees:

1. *Agriculture*—Stow (Chairman), McMillan, Foster, Fulwider, Duval, Ball, Bernard, Woodbridge, Baker, C. C., Johnson, Frank, Williams, Clarke, Cleary, Cleveland, Noyes, Prendergast, Broughton.

2. *Attaches*—Carter (Chairman), Erb, Pedrotti, Smith, Johnston, J. W., Morris, Bromley.

3. *Banking*—Lyons (Chairman), Spalding, Stow, Mathews, Graves, Duval, Connolly, Ball, Dean.

4. *Building and Loan Associations*—Spalding (Chairman), Anderson, Rock, Rosenshine, Schmidt, Broughton, Christian.

5. *Civil Service*—Johnson, (Chairman), Erb, Emme, Spence, Coombs, Connolly, Croter, Spalding.

6. *Claims*—West (Chairman), Baker, Edwin; Dean, Badaracco, Bernard, Coombs, Dorris

7. *Commerce and Navigation*—McPherson (Chairman), Badham, Badaracco, Fellom, Johnson, Frank, Rock, Smith, Mueller, Morrison

8. *Conservation*—McMillan (Chairman), Fulwider, Bernard, Ball, Douglas, Heisinger, Prendergast, Scott, Kline.

9. *Constitutional Amendments*—Mitchell, A. G. (Chairman), Snyder, Fox, Clarke, Bernard, Crittenden, Coombs, Stevenot, Kline, Morris, Noyes.

10. *Contested Elections*—Duval (Chairman), Jones, Eksward, Fellom, Hawes, Mathews, Mitchell, T. A.

11. *Contingent Expenses*—Dawson (Chairman), Rock, Pedrotti, Mitchell, A. G., Lyons

12. *Corporations*—Johnston, J. W. (Chairman), Snyder, Weller, Mitchell, A. G., Lyman, Carlson, Noyes, Croter, Hornblower.

13. *County Government*—Smith (Chairman), Baker, C. C., Cleary, Croter, Davis, Christian, Heisinger, Johnson, Frank, McDowell, Stevenot, Whitacre, Lyman, Dozier, Prendergast, Noyes.

14. *Direct Legislation*—Dorris (Chairman), Cleary, Jones, Wright, Emme, Morris, Hornblower.

15. *Drainage, Swamp and Overflowed Lands*—Noyes (Chairman), Snyder, McPherson, Crittenden, Bernard, Donohue, Johnson, Frank, Dorris, West, Spalding, Dean, Spence, Woodbridge.

16. *Education*—Baker, C. C. (Chairman), Miller, Heisinger, McMillan, Scott, Whitacre, Roberts, Woodbridge, Foster, Stevenot, Cleveland, Graves, Moore.

17. *Elections*—Pomeroy (Chairman), Emme, Prendergast, Mitchell, A. G., Bromley, Schmidt, Broughton, Stow, Ball, Carter, Duval

18. *Engrossment and Enrollment*—Roberts (Chairman), Pomeroy, Baker, Edwin; Graves, Moore.

19. *Federal Relations*—Davis (Chairman), Wright, Whitacre, Cleary, Heisinger, Pomeroy, Morrison

20. *Fish and Game*—Graves (Chairman), Rock, Johnston, J. W., Moore, Donohue, Stow, Carter, Connolly, Douglas, Emme, Kline, Baker, C. C., Badaracco, Whitacre, Dawson.

21. *Governmental Efficiency and Economy*—Fulwider (Chairman), Christian, Carter, Baker, C. C., Kline, McPherson, Weller, Lyons, Connolly, Morris, Jones.

22. *Hospitals and Asylums*—Clarke (Chairman), Ball, Miller, Moore, Reindollar, Spalding, Saylor, Dean, Fox, Connolly, McMillan, Davis, Douglas.

23. *Insurance*—Baker, Edwin (Chairman), Erb, Spence, Bromley, Anderson, Douglas, Moore, Mitchell, T. A., Rock, Roberts, West.

24. *Irrigation*—Williams (Chairman), Stow, Donohue, McPherson, Snyder, Johnson, Frank, Heisinger, McDowell, Davis, Bernard, Crittenden, Cleary, Dozier, Dorris, Duval, Foster, West, Broughton, Clarke, Spalding, Noyes.

25. *Judiciary*—Morris (Chairman), Bromley, Carter, Lyons, Mitchell, A. G., Mueller, Rosenshine, West, Smith, Snyder, Spence, Weller, Whitacre, Carlson, Hornblower, Fulwider, McDowell, Crittenden, Broughton, Christian, Baker, C. C.

26. *Labor and Capital*—Burns (Chairman), Foster, Dorris, Dean, Hawes, Weller, Graves, Mathews, West, Prendergast, Morrison, Williams, Hornblower

27. *Libraries*—Whitacre (Chairman), Crittenden, Schmidt, Spence, Miller, Saylor, Spalding.

28. *Livestock and Dairies*—Moore (Chairman), Fulwider, Clarke, Broughton, Donohue, Johnson, Frank, McMillan, Reindollar, Stevenot, Croter, Mathews.

29. *Manufactures*—Erb (Chairman), Anderson, Burns, Lyman, Pedrotti, West, McDowell

30. *Medical and Dental Laws*—Ball (Chairman), Carlson, Dozier, Erb, Morrison, Stow, Smith, Williams, Dean.

31. *Mileage*—Hawes (Chairman), Prendergast, Morrison, Duval, Eksward.

32. *Military Affairs*—Weller (Chairman), Dawson, Fox, Lyons, McPherson, Williams, Spence, Burns, Cleveland.

33. *Mines and Mining*—Scott (Chairman), Mathews, Whitacre, Foster, Clarke, Dozier, Johnston, J. W., Stevenot, Woodbridge.

34. *Motor Vehicles*—Bromley (Chairman), Pomeroy, Dawson, Eksward, Prendergast, Badham, Baker, Edwin, Graves, Rock, Scott, Douglas, Reindollar, Lyman, Dozier, Anderson, Carlson, Cleveland, Noyes, Spence, Spalding, Mitchell, A. G.

35. *Municipal Corporations*—Donohue (Chairman), Jones, Anderson, Emme, Eksward, Pedrotti, Schmidt, Lyons, Carlson, Badham, Pomeroy, Smith, Dozier.

36. *Normal Schools*—Snyder (Chairman), Rock, McDowell, Moore, Erb, Spalding, Morrison.

37. *Oil Industries*—Foster (Chairman), Badham, Duval, Lyons, Badaracco, Anderson, Baker, Edwin; Carlson, Dawson.

38. *Prisons and Reformatories*—Pedrotti (Chairman), Johnston, J. W., Wright, Saylor, Roberts, Reindollar, Miller, Carlson, Rosenshine, Connolly, Croter, Dawson, Erb.

39. *Public Charities and Corrections*—Woodbridge (Chairman), Anderson, Crittenden, Lyman, Morrison, Schmidt, Scott, Spence, Saylor

40. *Public Health and Quarantine*—Dozier (Chairman), Fulwider, Cleveland, Kline, Pedrotti, Spalding, Woodbridge, Graves, Mitchell, T. A.

41. *Public Morals*—Miller (Chairman), Wright, Cleary, Hornblower, Williams, Burns, Dozier, Weller, Saylor, Jones, Schmidt

42. *Public Utilities*—Christian (Chairman), Mathews, Rosenshine, Crittenden, Foster, Erb, Pomeroy, Morris, Dorris, Burns, Baker, C. C.

43. *Reapportionment*—Eksward (Chairman), Mitchell, A. G., Baker, Edwin; Duval, Cleveland, Heisinger, Cleary, Hornblower, Hawes, Roberts, Mitchell, T. A., Mueller, Snyder, Bromley, Badham, Badaracco, Ball, Miller, Connolly, Davis, Lyman.

44. *Revenue and Taxation*—Coombs (Chairman), Fulwider, Wright, Baker, Edwin, Mitchell, A. G., Bromley, Morris, Bernard, Hawes, Dawson, Smith, Christian, Badaracco, Broughton, Fellom.

45. *Revision and Printing*—Rock (Chairman), Roberts, Foster, Eksward, Fellom.

46. *Revision of Criminal Procedure*—Jones (Chairman), Carlson, Saylor, Coombs, Emme, Fox, Lyman.

47. *Roads and Highways*—Douglas (Chairman), Woodbridge, Clark, Connolly, Fellom, Heisinger, McMillan, Scott, Wright, Reindollar, Stevenot, Coombs, Mueller, McPherson, Donohue.

48. *Rules*—Carter (Chairman), Johnston, J. W., Christian, Rosenshine, Eksward, Smith, Merriam.

49. *Soldiers and Sailors Affairs*—Mueller (Chairman), Dorris, Emme, Fox, Mitchell, A. G., Spence, Williams, Burns, Cleveland, Christian, Dawson, Schmidt, McDowell.

50. *State Grounds and Parks*—Reindollar (Chairman), Davis, Miller, Saylor, Croter, Dean, Johnston, J. W.

51. *Universities*—Badham (Chairman), McDowell, Saylor, Miller, Rosenshine, Weller, Mueller.

52. *Ways and Means*—Kline (Chairman), Donohue, Scott, Badham, Duval, Stow, McPherson, Morrison, Fox, Reindollar, Roberts, Burns, Davis, Douglas, Fellom, Hawes, Pomeroy, Wright, McMillan, Cleveland, Eksward.

CONFIRMATION OF APPOINTMENTS.

Mr. Carter moved that the committee appointments of the Speaker be confirmed.

Motion carried.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ATTACHES.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointments to date from and include the twelfth day of

January, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named persons for said per diem, and the State Treasurer is hereby authorized to pay the same.

M. A. Clark, Committee Clerk	$4 00
Ford A. Chatters, Committee Clerk	4 00
Gertrude R Magruder, Committee Clerk	4 00
Margaret Duffy, Stenographer	5 00
Mrs. W. Schmidt, Committee Clerk	4 00
Elizabeth Fulwider, Committee Clerk	4 00
Mary G Beck, Stenographer	5 00
Irene Snyder, Committee Clerk	4 00
Jessie A. Spalding, Committee Clerk	4 00
Fay Butler, Assistant Sergeant-at-Arms	5 00
Adelyn Stafford, Committee Clerk	4 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Pedrotti, Pomeroy Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite his name be stricken from the roll to date from and including the eighth day of January, 1923,

Ben Cohen, Bookkeeper to Sergeant-at-Arms $5.00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Badaracco: Assembly Joint Resolution No. 1—Relative to modification by Congress of the Volstead Act.

Introduced, and referred to Committee on Federal Relations.

By Mr. Edwin Baker: Assembly Bill No. 1—An act entitled an act to amend section 117 of the Political Code, relating to the division of the State into congressional districts, and defining and establishing such districts

Bill read first time, and referred to Committee on Reapportionment.

By Mr. Ball: Assembly Bill No. 2—An act entitled an act to amend an act entitled, "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the committment of such persons to the Whittier State School and the Preston School of

Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment of committment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with references to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a new section to be numbered 22*a*, relating to maintenance of public schools in detention homes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bromley: Assembly Bill No. 3—An act entitled an act to add a new section to the Civil Code to be numbered 3051*a*, fixing a limit on the amount of a lien on property held under the provision of section 3051 of said code

Bill read first time, and referred to Committee on Judiciary.

By Mr. Christian: Assembly Bill No. 4—An act entitled an act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Clarke: Assembly Constitutional Amendment No. 1—Proposed amendment to article 14 of the constitution, relative to basis of taxation for state purposes.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Cleary: Assembly Bill No. 5—An act entitled an act to increase the number of judges of the superior court of the State of California, in and for the county of Tulare, to provide for the appointment of an additional judge and for his compensation.

Bill read first time, and referred to Committee on County Government.

By Mr. Coombs: Assembly Bill No. 6—An act entitled an act to authorize and provide for the formation of bridge and highway districts of one or more of the counties, and cities and counties within the State of California, for the purpose of constructing and maintaining bridges and highways by the district; to create a commission and provide for the appointment of commissioners to manage, control and represent the district, and to do and perform its duties and exercise its privileges; to provide funds therefor by direct tax upon the taxable property of the district, or by the issuance of bonds to be paid by the district, and chargeable upon the property thereof; to provide for the payment of interest on said bonds, for the redemption or refunding thereof; to provide for an election for the purpose of creating said bond issue; to provide for issuance and sale of bonds by commission; the payment of all expenses to be incurred; the charging of a toll for the use of said bridge or highway, the disposition of moneys received, and the appor-

tionment of the surplus moneys received by the commission for county purposes.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Eksward and Lyons: Assembly Bill No. 7—An act entitled an act to provide for the preparation, printing and distribution of the Codes and General Laws of California, and making an appropriation for the purposes hereof.

Bill read first time, and referred to Committee on Revision and Printing.

By Mr. Foster: Assembly Bill No. 8—An act entitled an act to amend section 791 of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 9—An act entitled an act declaring certain corporations, individuals or associations engaged in the manufacture, refinement, transmission, delivery or furnishing of petroleum products to be public utilities and subject to the provisions of the public utilities act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Johnston, J. W.: Assembly Bill No. 10—An act entitled an act making an appropriation for the reconstruction of the causeway on the Auburn boulevard at the end of the American River bridge.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Johnson, Frank: Assembly Bill No. 11—An act entitled an act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyman: Assembly Bill No. 12—An act entitled an act to amend section 1373 of the Code of Civil Procedure, relating to notice of petitions for letters of administration.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyons: Assembly Bill No. 13—An act entitled an act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Bill read first time, and referred to Committee on Judiciary.

By Miss Miller: Assembly Bill No 14—An act entitled an act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16*a*.

Bill read first time, and referred to Committee on Education.

By Mr. Mitchell, A. G.: Assembly Bill No. 15—An act entitled an act to add a new section to the Penal Code to be numbered 476*b*, relating to the issuing of checks or drafts with intent to defraud.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Noyes: Assembly Bill No. 16—An act entitled an act declaring that portion of the public highway, in Sutter County, California, extending from the east and west public highway at the quarter section corner between sections 5 and 6, in township 13 north, range 3 east, Mount Diablo Meridian, southerly and southwesterly and across the Sutter By-pass, to a point in the southeast quarter of section 19, in township 13 north, range 3 east, and being a portion of the public highway, connecting the county seat of Yolo County with the county seat of Sutter County, to be a State highway and making an appropriation for the construction thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Reindollar: Assembly Bill No. 17—An act entitled an act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, to Point San Quentin, in Marin County, to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Rock: Assembly Bill No. 18—An act entitled an act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Snyder: Assembly Bill No. 19—An act entitled an act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended by adding a new section thereto to be numbered 20*a*, providing for the alteration of the boundaries of drainage districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflow Lands.

By Messrs. Weller and Mitchell, A. G.: Assembly Bill No. 20—An act entitled an act to amend sections 5, 7 and 23 of an act entitled "An act to provide for and regulate primary elections, and providing for choosing the delegates for electors of President and Vice-President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Elections.

By Mr. West: Assembly Bill No. 21—An act entitled an act making an appropriation for the improvement of the State highway from the

southern limit of the city of Sacramento, Sacramento County, to the town of Galt, Sacramento County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 22—An act entitled an act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation

Bill read first time, and referred to Committee on County Government.

By Mr. Lyons: Assembly Constitutional Amendment No 2—Proposed amendment to article —— of the constitution, relative to inferior courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyman: Assembly Bill No. 23—An act entitled an act to amend section 1380 of the Code of Civil Procedure, relating to special notices to heirs, devisees and legatees during administration.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston, J. W.: Assembly Bill No. 24—An act entitled an act making an appropriation for the construction of a grandstand at the State Agricultural Park.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Johnson, Frank: Assembly Bill No. 25—An act entitled an act to amend section 537 of the Penal Code, relating to defrauding innkeepers and merchants

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 26—An act entitled an act to add a new section to the Civil Code to be numbered 69*b*, relating to physical examination as a requirement of person contracting marriage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Foster: Assembly Bill No. 27—An act entitled an act levying a tax of one cent per gallon on motor vehicles fuels purchased for use in motor vehicles operated or intended to be operated upon public highways of the State of California; providing for the regulating of such sales and the collection of said tax; and for the crediting of the same to the highway fund; defining terms; providing for certain exemptions; and prescribing penalties.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Erb: Assembly Bill No. 28—An act entitled an act to add a new section to the numbered section 4 of an act entitled "An act to prevent the adulteration of paints, oils, varnishes and pigments," approved March 22, 1907, relating to labeling of paint containers

Bill read first time, and referred to Committee on Manufactures.

By Mr. Eksward: Assembly Bill No. 29—An act authorizing the establishment and government of municipal port districts, providing

for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Clarke: Assembly Bill No 30—An act entitled an act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining of screens over the inlets of pipe flumes, ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bromley: Assembly Constitutional Amendment No 3—Proposed amendment to article VI of the constitution, relative to the salaries of the justices of the Supreme Court and the justices of the District Courts of Appeal and judges of the Superior Court.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Ball: Assembly Bill No 31—An act entitled an act to amend section 1910 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent therewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Constitutional Amendment No 4—Proposed amendment to article IV of the constitution, relative to the sessions and business of the legislature

Introduced, and referred to Committee on Constitutional Amendments.

By Mr Badaracco: Assembly Bill No 32—An act entitled an act to amend sections 3, 6 and 7 of an act entitled "An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons, and the giving, transferring and disposition thereof to other

persons within this State; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another," approved May 4, 1917, and to add a new section to said act to be numbered 6*a*, relating to the carrying of concealed weapons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Christian: Assembly Bill No 33—An act entitled an act to amend an act entitled "An act to regulate the issuance of licenses for the resale to hunters and anglers," approved May 20, 1915, as amended, to provide for the disposition of license fees

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Eksward: Assembly Bill No. 34—An act entitled an act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled: "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Coombs: Assembly Bill No 35—An act entitled an act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison, and Folsom State Prison, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Heisinger: Assembly Bill No. 36—An act entitled an act to amend sections 626*h* and 626*i* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No 37—An act entitled an act to amend section 2757 of the Civil Code, relating to the value of interest in policy of insurance.

Bill read first time, and referred to Committee on Insurance

By Mr. Bromley: Assembly Bill No. 38—An act entitled an act to amend section 953*c* of the Code of Civil Procedure, relating to record on appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 39—An act entitled an act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 40—An act entitled an act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p*, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read first time, and referred to Committee on County Government.

By Mr. Baker, Edwin: Assembly Bill No 41—An act entitled an act making an appropriation to pay the claim of Jeff. McElvaine against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 42—An act entitled an act to amend section 1072 of the Political Code relating to compensation of officers of election.

Bill read first time, and referred to Committee on Elections.

By Mr. Coombs: Assembly Bill No. 43—An act entitled an act to amend section 1560 of the Political Code of the State of California relating to the calling and holding of teachers' institutes in counties, cities and counties, and cities governed by a board of education, and compelling the attendance of the sessions thereof by teachers and the penalty in case of neglect or failure to attend without excuse, and the granting of such excuse by the trustees of the district.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 44—An act entitled an act to appropriate moneys for, and to authorize and direct the California Highway Commission to complete and hard surface that part of the State highway system of the State of California between the towns of Hopland in Mendocino County and Lower Lake in Lake County, provided for by an act of the Legislature of the State of California entitled, "An act calling a special election to be held on Tuesday, July 1, 1919, and providing for the submission thereat to the qualified electors of the State of an amendment to the Constitution of the State of California known as Senate Constitutional Amendment No. 27, proposed by the Legislature of said State at its forty-third session, providing for the issuance of bonds to the amount of forty million dollars for the completion of the State highway system and the acquisition and construction of other State highways by the State Department of Engineering, and making an appropriation for the purposes of this act".

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 45—An act entitled an act to amend section 690 of the Code of Civil Procedure of California, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 46—An act entitled an act to amend section 613 of the Code of Civil Procedure, relating to deliberations of the jury in civil actions.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 47—An act entitled an act to amend section 607 of the Code of Civil Procedure, relating to procedure in the trial of civil actions.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 48—An act entitled an act to amend section 953 of the Code of Civil Procedure, relating to transcripts upon appeal to the supreme court.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 49—An act entitled an act to amend section 649 of the Code of Civil Procedure, relating to bill of exceptions upon appeal in civil cases.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 50—An act entitled an act to amend section 650 of the Code of Civil Procedure, relating to bill of exceptions upon appeal in civil cases
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 51—An act entitled an act appropriating money for premiums at fairs held by the Twenty-fifth Agricultural District Association during the seventy-fourth and seventy-fifth fiscal years.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Clarke: Assembly Bill No. 52—An act entitled an act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.
Bill read first time, and referred to Committee on County Government.

By Mr Lyman: Assembly Bill No 53—An act entitled an act to amend section 1723 of the Code of Civil Procedure, of relating to termination of life estates.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No. 54—An act entitled an act to amend section 589 of the Political Code, relating to the salary of the Insurance Commissioner.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Coombs: Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties.
Introduced, and referred to Committee on Federal Relations.

MOTION TO CORRECT JOURNAL.

Mr. Baker, Edwin, moved that the Journal of January 9, 1923, be corrected to include the inaugural address of Governor Richardson.
Motion carried.

ADJOURNMENT.

At 12 o'clock and 55 minutes p m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until 10 o'clock a.m., Tuesday, January 16, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 16, 1923.

At ten o'clock a. m, pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stenevnot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Johnson, Frank, Mr. Cleary was granted leave of absence for the day.

On motion of Mr Heisinger, Mr. McDowell was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hawes, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Davis: Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact.

Introduced, and referred to Committee on Federal Relations.

By Mr. Baker, Edwin: Assembly Constitutional Amendment No. 5—Proposed amendment to article XII of constitution, relative to a resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article XII thereof, relating to the Railroad Commission.

Introduced, and referred to Committee on Constitutional Amendments.

Also: Assembly Bill No. 55—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties, and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Foster: Assembly Bill No. 56—An act amending the Political Code by amending section 3756 thereof, relating to the time at which taxes become delinquent.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Pedrotti and Emme: Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Emme: Assembly Bill No. 59—An act to add a new section to the Penal Code to be numbered 653*f*, relating to landlord and tenant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Douglas: Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Williams: Assembly Bill No. 61—An act to amend section 2322*a* of the Political Code, relating to the duties of county horticultural commissioners.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 62—An act making an appropriation for the improvement of the State highway between Briceburg, Mariposa County, and El Portal, Mariposa County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Dozier: Assembly Bill No. 63—An act to amend section 591 of the Political Code, relating to the maintenance of office and contingent expenses of the Insurance Commissioner.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyman: Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 65—An act to amend section 674 of the Code of Civil Procedure, relating to the filing of transcripts of judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury who may be present and recording of testimony.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 67—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Morrison: Assembly Bill No. 68—An act providing that one half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State Harbor Improvement Fund.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Schmidt: Assembly Bill No. 69—An act to amend sections 13, 22, 24 of the act known as the "Vehicle Act," approved May 10, 1915, as amended; said amendments to provide for the regulation and use of the public highway by vehicles; to provide for the licensing of persons operating motor and to provide for the examination of such operators; to prohibit the operation of any motor vehicle by any person under the age of eighteen years and to provide penalties for the violation of the provision thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Rosenshine: Assembly Bill No 70—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Foster: Assembly Bill No 71—An act to authorize the State Treasurer to make a loan of $300,000 from the treasury of the state to the California Highway Commission for the purpose of improving the "Sierra-to-the-Sea" State highway, otherwise designated as Route No. 10, San Lucas to Sequoia National Park; providing for the manner in which the said loan shall be returned and providing for the payment of interest money for the use of the same.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Donohue: Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Clarke: Assembly Bill No 73—An act to amend an act entitled "An act declaring the public highway extending from Auburn, in Placer County to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Morrison and Pedrotti: Assembly Constitutional Amendment No. 6—Proposed amendment to add a new article XXIV to the constitution, relative to establishing a State Athletic Commission and regulating boxing and sparring in the State.

Introduced, and referred to Committee on Constitutional Amendments

By Mr. Noyes: Assembly Bill No 74—An act making the initiative, referendum and recall applicable to levee district No. 1 of Sutter County.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Lyman: Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 76—An act to amend section 671*a* of the Code of Civil Procedure, relating to filing and recording of transcripts of judgments and judgments rendered in federal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr Cleveland: Assembly Bill No. 77—An act to amend sections 92 and 124, and to repeal sections 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106 of the Civil Code, relating to divorce.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Bernard: Assembly Bill No. 78—An act to make an appropriation for the construction and completion of a State highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Reindollar: Assembly Bill No. 79—An act to add a new section, to be numbered section 19x25, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Fellom: Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

Bill read first time, and referred to Committee on Elections.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Coombs:

Resolved, That the State Highway Commission is requested to furnish the Legislature with a list showing the uncompleted portions of the highway system of the State, mileage, etc., the estimated or probable cost of completion, and the moneys available therefor.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Coombs asked for and was granted unanimous consent to take up his resolution for adoption at this time without reference to committee.

MOTION TO AMEND.

Mr. Heisinger offered the following amendment:

To insert the words "and bonds unsold," between the words "moneys" and "available."

The question being on the adoption of the amendment.

Amendment adopted

Mr. Coombs moved the adoption of the resolution as amended.

The question being on the adoption of the resolution as amended.

Resolution unanimously adopted.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1923

MR SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution:

Resolved That the following named person heretofore employed for the position and at the per diem set opposite her name be stricken from the roll to date, from and including the ninth day of January, 1923

Dora Thompson, Stenographer..... $5 00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution.

Resolved, That the following named person be and he is hereby appointed and employed for the position and at the per diem set opposite his name Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointment to date from and include the fifteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same.

Frank Fletcher, Assistant Sergeant-at-Arms..... $5 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

Also:

MR SPEAKER. Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution

Resolved, That the following named person be and he is hereby appointed and employed for the position and at the per diem set opposite his name. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointment to date from and include the eighth day of January, and the Controller is hereby authorized and directed to draw his warrant upon

said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same.

Herman Lohman, Page $2 50

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Carlson, Carter, Christian, Clark, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

Also:

MR. SPEAKER. Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution

Resolved: That the following named person heretofore employed for the position and at the per diem set opposite his name be stricken from the roll to date, from and including the fourteenth day of January, 1923:

Barney Ferguson, Assistant Sergeant-at-Arms $5 00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

Also:

MR SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved That the following named person be and she is hereby appointed and employed for the position and at the per diem set opposite her name. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly Said appointment to date from and include the sixteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same.

Norma Archer, Stenographer $5 00

CARTER, Chairman.

Mr. Erb moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63

NOES—None.

Also:

MR SPEAKER Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution

Resolved That the following named person be and she is hereby appointed and employed for the position and at the per diem set opposite her name.

Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly Said appointment to date from and include the sixteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same.

Mrs. E. M Dobbins, Committee Clerk_____ $4 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite his name be stricken from the roll to date, from and including the fourteenth day of January, 1923

Herman Lohman, Page_____$2 50

CARTER, Chairman.

Report and resolution read, and on motion adopted.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1923.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names

All Western Syndicate—I. G. Lewis, Lemuel F. Parton, Winfield Hogaboom
Associated Press—Denton Crow
Los Angeles Express—A. S. Petterson.
Los Angeles Times—Kyle D. Palmer
Fresno Republican—William E. Lockwood, Robert C Middleton.
Pacific Rural Press—R. E Hodges
Pacific Underwriter and Banker—Robt. W. Neal
Sacramento Bee—Stephen Leroy Kyle
Sacramento Union—O. K. Posey, Lester Adams, E. E Craven, Victor Werlhof, Art Wunger, R. E. Smith
San Francisco Call—Alan McEwen, Frank B. Anderson, C E Kunze
San Francisco Business—Richard W. Barrett, A. C. Sapiro.
San Francisco Chronicle—Benning P. Cook, Warren Dyar, Eddie Boyden
San Francisco Examiner—H L. Phillips, Edward H. Hamilton, William H. Jordan, Oscar H. Fernbach.
San Francisco Journal—E. C. Behrens
Stockton Evening Record—Shelden B. Davis
Sacramento Chamber of Commerce News Service—A S Dudley, Irvin Engler, S J. Richard, J H. Quire

ARTHUR A. OHNIMUS, Chief Clerk.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 16, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 2—Approving twelve certain amendments to the charter of the City and County of San Francisco, State of

California, voted for and ratified by the electors of said City and County of San Francisco, at a general election held therein on the seventh day of November, 1922.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 2 read first time, and referred to Committee on Judiciary.

MOTION TO ADJOURN.

At eleven o'clock and twenty minutes a.m., Mr. Carter moved that the Assembly do now adjourn until the hour of ten o'clock a.m., Wednesday, January 17, 1923.

MOTION TO AMEND.

Mr. Coombs offered the following amendment:

That the Assembly do now adjourn until the hour of eleven o'clock a.m., Wednesday, January 17, 1923.

The question being on the adoption of the amendment.

Amendment lost.

The question being on the motion to adjourn.

Motion carried.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 17, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 17, 1923.

At ten o'clock a. m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE

On motion of Mr. Johnson, Frank, Mr. Cleary was granted leave of absence for the day.

On motion of Mr. Spalding, Mr. Eksward was granted leave of absence for the day.

On motion of Mr. Schmidt, Mr. Hornblower was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Johnston, J. W., Mr. Grove L Johnson, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Christian, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1923.

MR SPEAKER: Your Committee on Rules recommends the adoption of the following amendment to the temporary rules of the Assembly for the forty-fifth session, as follows

On page 12 in the printed Journal of January 8, 1923, line 34, strike out the word "eleven" and insert in lieu thereof the words "twenty-one".

CARTER, Chairman

The speaker ordered the above report printed in the Journal.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1923.

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly for eighty-four dollars ninety-five cents ($84.95), being one-half of the expenses incurred by the Joint Committee on Inaugural Ceremonies as itemized below.

Noack's Orchestra	$50 00
Gertrude Barry	20 00
Rudolph Caffaro	20 00
Printing program	79 85
	$169 85

(Signed out)

DAWSON, Chairman.
PEDROTTI.
LYONS.
ROCK.
MITCHELL, A. G.

MOTION TO RE-REFER.

Mr. Dawson moved the report be re-referred to Committee on Contingent Expenses.

Motion carried

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Fulwider: Assembly Bill No. 82—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an

act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof; approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860 and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422, and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California 1917, page 1461

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Heisinger: Assembly Bill No. 83—An act to amend sections 1618 and 1619 of the Code of Civil Procedure relating to compensation for executors and administrators, and attorneys, in probate proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fellom: Assembly Bill No 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for

employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section (*a*), providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Douglas: Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

Bill read first time, and referred to Committee on Irrigation.

By Mrs. Woodbridge: Assembly Bill No 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as

amended, relating to employment conditions and hours of labor of females.

Bill read first time, and referred to Committee on Labor and Capital

By Mr. Fellom: Assembly Bill No. 89—An act to amend section 190 of the Penal Code relating to the punishment of persons found guilty of murder.

Bill read first time, and referred to Committee on Judiciary.

By Mr Moore: Assembly Bill No 90—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr Duval: Assembly Bill No 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list, providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Smith: Assembly Bill No 92—An act to amend section 1469 of the Code of Civil Procedure relating to administration of estates not exceeding $2,500 in value.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Mueller: Assembly Bill No 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Fellom: Assembly Bill No. 94—An act to assist persons of moderate means in acquiring lots of ground and building houses to become homesteads and to be sold on the installment plan, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyons: Assembly Bill No. 95—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner, providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks rated by rating bureaus; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies, providing for penalty for violation of act by agent or other representative; repealing all laws in conflict with this act

Bill read first time, and referred to Committee on Insurance

By Mr Coombs: Assembly Bill No 96—An act to amend section 1249 of the Code of Civil Procedure, relating to the assessing of compensation and damages in actions to condemn property for public use
Bill read first time, and referred to Committee on Judiciary

By Mr Schmidt: Assembly Bill No 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917", approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer."
Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No 98—An act to amend section 2777 of the Civil Code, relating to indemnity insurance.
Bill read first time, and referred to Committee on Insurance.

By Mr. Cleveland: Assembly Bill No 99—An act requiring the marking or labeling of all cloth, fabrics, garments or articles of apparel sold or offered for sale in this state which contain wool, or purporting to contain wool, and of all samples containing, or purporting to contain, wool displayed in this state in soliciting orders and providing for punishment for violations of the act.
Bill read first time, and referred to Committee on Manufactures.

By Mr Fox: Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure relating to the compromise of claims of minors.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure relating to attorney's fees in actions where a minor is plaintiff.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and state blue book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.
Bill read first time, and referred to Committee on Revision and Printing.

Also: Assembly Bill No. 103—An act to amend section 596 of the Penal Code relating to the poisoning of animals, or catching animals in traps, or shooting at, or shooting animals.
Bill read first time, and referred to Committee on Agriculture.

By Mr. Cleveland: Assembly Bill No. 104—An act to amend section 602 of the Penal Code, prescribing a penalty for malicious injury to real property.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No 105—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Rosenshine: Assembly Bill No. 106—An act to aid in the procuring to the State of California, in perpetuity, groves of sequoia gigantea and sempervirens trees, otherwise known as the redwoods, for the use of the public: to provide that money may be paid into the State Treasury by individuals for the purpose of purchasing tracts of land containing trees, and providing that when such sums of money are paid into the State Treasury, it shall be the duty of the Governor to order the State Engineer to appraise said properties and that, if the State Engineer shall report to the Governor that such sum of money as has been deposited in the State Treasury is adequate in his opinion for the purchase of said grove or groves of trees, the Governor shall order the Attorney General to commence proceedings and take measures for the condemnation of said lands containing said grove or groves of trees for public use: to provide that in such condemnation action, the Attorney General may associate or appoint, as a Deputy Attorney General, for the purpose of this suit, without public expense, any attorney that shall be suggested to him by the person depositing the money in the State Treasury; to provide that any land or grove of trees, so coming into the control of the State may, at the request of the person depositing the money in the State Treasury, be known thereafter by any name, designated by the donor of said money: to provide that, in the event of a condemnation suit, as herein provided, a judgment of the court or verdict of a jury shall find a value for said land of a greater amount than that deposited in the State Treasury the depositor of the money shall deposit an additional sum, making the sum in the State Treasury equal to the judgment so found, said condemnation of said lands for the benefit of the people of the State of California shall be consummated: but providing that, should said depositor not deposit an additional sum in the treasury to meet said judgment that, in that event, all costs of said proceedings of the court, including the expenses of the defendant or defendants, shall be paid out of the sum of money on deposit in the treasury and all proceedings in the courts for condemnation shall be dismissed and title restored to the original owner, the court in which said proceedings are held, notwithstanding any judgment, having the right, at the request of the Attorney General, to dismiss said proceeding and extinguish said judgment: to provide that on said proceedings being dismissed, after expenses paid, the Treasurer of the State of California, on the certificate of the Attorney General, signed by the Governor, shall return the remainder of any fund, so deposited, to the person depositing the same.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 107—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents.

Bill read first time and referred to Committee on Judiciary.

Also: Assembly Bill No. 108—An act to amend section 1597 of the Code of Civil Procedure, relating to the conveyance of real estate and transfer of personal property by executors and administrators in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Snyder: Assembly Concurrent Resolution No 2—Relative to approving the charter of the city of Chico, State of California, voted

for and ratified by the qualified voters of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921.

Introduced, and referred to Committee on Municipal Corporations.

By Mr. Baker, Edwin: Assembly Bill No. 109—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

WHEREAS, The production of crude oil has constantly increased, and the supply of gasoline is apparently in excess of consumption, and

WHEREAS, Gasoline is an acknowledged necessity of modern business operation, and

WHEREAS, Apparently unusual and unreasonable dividends have been declared of late by oil refining and distributing corporations, and

WHEREAS, The cost of gasoline to the consumer has not been materially decreased, and is apparently productive of excessive profits, now therefore be it

Resolved, That the Speaker appoint a committee of five members of the Assembly, who are hereby empowered and authorized to conduct an investigation with the view of ascertaining the cost of production and distribution of gasoline, and recommend such legislation as may be deemed necessary to regulate the selling price in fairness to all concerned.

Resolution read.

MOTION.

Mr. Dawson moved that the resolution be referred to Committee on Oil Industries, with special instructions to report back on the next legislative day

Motion carried.

MOTION TO WITHDRAW

Mr. Rosenshine moved that Senate Concurrent Resolution No. 2 be withdrawn from Committee on Judiciary.

Motion carried.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1923.

MR. SPEAKER Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution

Resolved, That the following named person be and he is hereby appointed and employed for the position and at the per diem set opposite his name. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointment to date from and include the fourteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same.

William Westphal, Assistant Sergeant-at-Arms_____$5 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

Also:

MR. SPEAKER. Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution.

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite his name be stricken from the roll to date from and including the seventeenth day of January, 1923.

William Vacher, Assistant Sergeant-at-Arms.....$5 00

CARTER, Chairman.

Report and resolution read and on motion adopted.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution.

Resolved, That the following named person be and he is hereby appointed and employed for the position and at the per diem set opposite his name. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointment to date from and include the seventeenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same.

Roy E. Fellom, Page.....$2 50

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnsten, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

ADJOURNMENT.

At ten o'clock and forty-five minutes a. m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a. m., Thursday, January 18, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 18, 1923.

At ten o'clock a. m., pursuant to adjournment the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Mathews, Mr. Eksward was granted leave of absence for the day.

On motion of Mr. Morrison, Mr. Mitchell, T. A., was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Morris, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named person be and she is hereby appointed and employed for the position and at the per diem set opposite her respective name. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointment to date from and include the eighteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same:

Verda Roberts, Stenographer..... $5.00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution,

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

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson,

Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Fulwider, Graves, Hawes, Hornblower, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, Miller, Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—58.

NOES—None.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report and recommends the adoption of the following resolution:

WHEREAS, Mr Ben Cohen was appointed bookkeeper to the Sergeant-at-Arms by the Sergeant-at-Arms and the said appointment was duly confirmed by the Assembly on the eighth day of January, 1923, and,

WHEREAS, Mr. Cohen found it impossible to be present and accept said appointment and his name was stricken from the roll of attaches on the fifteenth day of January, 1923, and said position is vacant, and,

WHEREAS, The Sergeant-at-Arms has appointed in the place of Mr. Cohen, Mr. George Hager, at the per diem provided by law, now, therefore,

Be It Resolved, That the Assembly confirm said appointment.

CARTER, Chairman.

The roll was called, and the appointment confirmed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Fox, Fulwider, Hawes, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

ON OIL INDUSTRIES

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1923.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Mr. Dawson's resolution relative to the investigation of oil industries, has had the same under consideration, and respectfully reports the same back and recommends that it be adopted as amended.

FOSTER, Chairman.

MOTION TO RE-REFER.

Mr. Morris moved that the resolution be re-referred to the Committee on Oil Industries.

Motion adopted.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Badham: Assembly Bill No 110—An act to add a new section to the Civil Code to be numbered 36*a*, relative to the disaffirmance of life insurance contracts by minors.

Bill read first time, and referred to Committee on Insurance.

By Mr. Carlson: Assembly Bill No 111—An act to amend section 330 of the Penal Code, relating to gambling.

Bill read first time, and referred to Committee on Public Morals.

By Mr. McDowell: Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members;

providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the co-operation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the non-application for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, and relating to riparian lands under lease.

Bill read first time, and referred to Committee on Conservation.

By Mr. Reindollar: Assembly Bill No 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpias Forest Fire District.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Noyes: Assembly Bill No 117—An act to add a new section to the Political Code, to be numbered 4270*a*, relating to the salary and compensation of the county surveyor of counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Fellom: Assembly Bill No 118—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment

By Mr. West: Assembly Bill No 119—An act to amend section 848 of the Code of Civil Procedure relating to service of summons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Coombs: Assembly Bill No. 120—An act to appropriate moneys for, and to authorize and direct the California Highway Commission to complete that part of the State highway system of the State of California between the towns of Middletown and Lower Lake in Lake County, provided for by an act of the Legislature of the State of California entitled "An act calling a special election to be held on Tuesday, July 1, 1919, and providing for the submission thereat to the qualified electors of the State of an amendment to the constitution of the State of California known as Senate Constitutional Amendment No. 27, proposed by the Legislature of said State at its forty-third session, providing for the issuance of bonds to the amount of $40,000,000 for the completion of the State highway system and the acquisition and construction of other State highways by the State Department of Engineering, and making an appropriation for the purposes of this act," approved July 1, 1919

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Christian: Assembly Bill No 121—An act to add new sections to the Political Code, to be numbered sections 3650*a*, and 3764*a*, relating to the preparation by the county assessor of a list of real property exempt from taxation and the publication thereof

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 122—An act to amend section 15 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.
Bill read first time, and referred to Committee on Motor Vehicles.

Also: Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence.
Bill read first time, and referred to Committee on Judiciary.

By Mr Morris: Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenshine Assembly Bill No 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Mitchell, T. A : Assembly Bill No. 126—An act to add a new section to the Penal Code, to be numbered section 383*b*, relating to adulteration and sale of white lead, paint, or compound intended to be used as such, providing for its enforcement, and making an appropriation therefor
Bill read first time, and referred to Committee on Manufactures.

By Mr. Wright: Assembly Bill No. 127—An act declaring the public highway extending from the eastern limits of the city of San Jose, Santa Clara County, to Lick Observatory, on Mount Hamilton, Santa Clara County, to be a State highway and making an appropriation for the improvement thereof.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr Cleveland: Assembly Bill No 128—An act to repeal an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919, and providing for the application of property and funds thereof for the benefit of shell-shocked veterans of the World War.
Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Emme: Assembly Bill, No. 129—An act to amend an act entitled "An act to establish police courts in the cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of said officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary

thereto," approved June 6, 1913, by adding thereto two new sections, to be numbered 5*a* and 5*b*, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weller: Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Pomeroy: Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883 and 884 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, to provide for police judges of cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Bromley: Assembly Bill No 132—An act to amend an act known as "The Vehicle Act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles

Also: Assembly Bill No. 133—An act to amend section 1142 of the Political Code, relating to appointment of election officers.

Bill read first time, and referred to Committee on Elections

By Mr. Stevenot: Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter 828 of the Laws of 1921.

Bill read first time, and referred to Committee on Claims.

By Mr. Mathews: Assembly Bill No. 135—An act to amend sections 320, 321, 322 and 323 of the Penal Code, and to add a new section thereto to be known as section 325*a*, all relating to lotteries, and fixing the punishment for the violation of said sections.

Bill read first time, and referred to Committee on Public Morals.

By Mr Clarke: Assembly Bill No. 136—An act declaring the public highway extending from a point one-half mile north of the town of Bishop, Inyo County, to the Nevada state line near the point where the main branch of the Southern Pacific railroad crosses such state line to be a public highway and making an appropriation for the improvement thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Williams: Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree Road, to be a part of the "seven per cent highway system."

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Dozier: Assembly Bill No. 138—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 25 thereof, and to add a new section to said act to be numbered section 61*d*, relating to the incurring of indebtedness and the issuing of warrants by directors of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Miss Broughton: Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 140—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No 141—An act making an appropriation to defray the expenses of legislative mailing handled by the chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dean: Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to deputy sheriffs.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyman: Assembly Bill No. 144—An act to amend section 330*a* of the Penal Code, relating to gambling by the use of slot machines or card dice, or other dice having more than six faces or bases each

Bill read first time, and referred to Committee on Public Morals.

By Mr Davis: Assembly Bill No. 145—An act to validate bonds of Mount Signal Union School District

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 146—An act to validate bonds of Brawley Union High School District.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Pomeroy: Assembly Constitutional Amendment No. 7—Proposed amendment to article XI of the constitution, relative to school district bonds.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Bromley: Assembly Constitutional Amendment No. 8—Proposed amendment to article II of the constitution, relative to the right of suffrage.

Introduced, and referred to Committee on Constitutional Amendments.

REQUEST FOR LEAVE OF ABSENCE

Mr. Coombs requested and was granted leave of absence until Monday, January 22, 1923.

RESOLUTION.

The following resolution was offered:

By Mr. Weller:

WHEREAS, The property now occupied by the State Hospital at Norwalk has become and is conceded to be practically proven oil territory by reason of oil development in what is known as the Santa Fe Springs Oil District in Los Angeles County, California, and,

WHEREAS, All of said property may be much more valuable for oil development than for hospital purposes, and,

WHEREAS, It may be advisable to sell, lease or develop said property for oil purposes, and,

WHEREAS, It may also be advisable to remove or establish said hospital on some other site in Los Angeles County, and,

WHEREAS, The Legislature will undoubtedly be called upon to take some action in regard to the aforesaid property; now, therefore, be it

Resolved, That the Speaker of the Assembly shall appoint a committee of three members to investigate the matters set forth in this resolution, said committee to report back and furnish recommendations to the Assembly upon reconvening after the constitutional recess as to any appropriate legislative action relating to the matters contained herein and such matters as may appertain thereto, and, be it further

Resolved, That said committee shall serve without compensation, but all the necessary expenses of said committee in making said investigation shall be paid

The Speaker referred the above resolution to the Committee on Governmental Efficiency and Economy

REQUEST FOR UNANIMOUS CONSENT.

Mr. Rosenshine asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 2, at this time

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO (OUT OF ORDER).

Senate Concurrent Resolution No 2—Approving twelve certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922.

Senate Concurrent Resolution No. 2 read

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 2 finally adopted by the following vote:

AYES—Anderson, Badaracco Badham, Baker, C C, Baker Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland Connolly, Coombs, Crittenden, Croter Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson Johnston, Jones, Kline, Lyman, Lyons Mathews, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Morrison, Mueller, Noyes Pedrotti, Pomeroy Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott Smith,

Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.
NOES—None.

Title read and approved.
Senate Concurrent Resolution No. 2 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 2.

Approving 12 certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the seventh day of November, 1922.

MOTION.

Mr. Carter moved the adoption of the report of the Committee on Rules, as printed in the Journal of January 17, 1923.
The following report was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1923.

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following amendment to the temporary rules of the Assembly for the forty-fifth session, as follows:
On page 12 in the printed Journal of January 8, 1923, line 34, strike out the word "eleven" and insert in lieu thereof the words "twenty-one".

CARTER, Chairman.

The question being on the adoption of the report.
The roll was called, and the report adopted by the following vote:
AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—65.
NOES—None.

COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1923.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

Sacramento Bee—J. E. Langdon, Walter P. Jones, Frank Durkee, Anthony Moitoret, Roy Goodwin, Darwin J. Smith.
The News—Franklin Hichborn.
San Diego Union—Eddy Orcutt.
United Press—Harold E. Swisher.
New Age Dispatch—L. C. Greene.
Sacramento Star, San Francisco Daily News—Max Stern.
Los Angeles Record—Ruth Finney.
San Diego Sun—Vid Larsen.
Oakland Post Enquirer—Herb. Westen.
San Francisco Bulletin—Chas. Fulweiler.
Fresno Bee—H. A. Van Dusen.

ARTHUR A. OHNIMUS, Chief Clerk.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 19, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 19, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mrs. Dorris, Miss Broughton was granted leave of absence for the day.

On motion of Mr. Stow, Mr. Duval was granted leave of absence for the day.

On motion of Mr. Erb, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Carter, Mr. Eksward was granted leave of absence for the day.

On motion of Mr. Schmidt, Messrs. Hornblower and Burns were granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Fulwider, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite his name, be stricken from the roll to date from and including the nineteenth day of January, 1923:

George Barder, Assistant Sergeant-at-Arms..... $5.00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

Also:

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions

and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be, and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said per diem to be paid out of fund for the payment of the officers and employees of the Assembly. Said appointments to date from and include the nineteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named persons for said per diem, and the State Treasurer is hereby authorized to pay the same:

Gertrude Emmerick, Stenographer	$5 00
James Henry, Assistant Sergeant-at-Arms	5 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker.—61.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced and referred as indicated:

By Mr. Fulwider: Assembly Joint Resolution No. 4.—An act relative to selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

Introduced, and referred to Committee on Federal Relations.

By Mr. Pomeroy: Assembly Bill No. 147—An act to regulate the discharge of sewage into the ocean, or into bays, harbors, or inlets thereof.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Mr. Williams: Assembly Bill No. 148—An act to amend section 1667 of the Political Code, relating to instruction in the public schools.

Bill read first time, and referred to Committee on Education.

By Mr. Weller: Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McPherson: Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the City of Vallejo, is hereby declared to be a State highway, and extending said highway to the Straits of Carquinez.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Noyes: Assembly Bill No. 151—An act to provide for the payment of retirement salaries to judges of this State and providing for the method of payment of such salaries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 153—An act to provide for a grant of State funds to school districts in which State land settlements are situated to meet losses arising from the withdrawal of real property in such districts from taxation on account of title to such property vesting in the State
Bill read first time, and referred to Committee on Education.

By Mr. Hawes: Assembly Bill No 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State.
Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Dozier: Assembly Bill No. 155—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.
Bill read first time, and referred to Committee on County Government.

By Mr Roberts: Assembly Bill No. 156—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.
Bill read first time, and referred to Committee on Judiciary.

By Mr Fox: Assembly Bill No 157—An act to amend section 1142 of the Political Code, relating to election boards
Bill read first time, and referred to Committee on Elections

By Mr Rosenshine: Assembly Bill No 158—An act to amend section 1723 of the Code of Civil Procedure, relating to the establishment of the fact of death and its effect upon title to land in reference to life estates, homesteads, joint tenancies and community property.
Bill read first time, and referred to Committee on Judiciary

By Mrs Woodbridge: Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property rights in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morrison: Assembly Bill No 160—An act to add a new section to Penal Code, to be numbered 146*a*, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.
Bill read first time, and referred to Committee on Judiciary

By Mr Williams: Assembly Constitutional Amendment No 9—Proposed amendment to article IX of the constitution, relative to the use of public money for sectarian schools and sectarian teachings.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dozier: Assembly Constitutional Amendment No. 10—Proposed amendment to article XI of the constitution, relative to municipal operation and regulation of public works.

Introduced, and referred to Committee on Constitutional Amendments.

Also Assembly Constitutional Amendment No 11—Proposed amendment to article IV of the constitution, relative to the amendment or repeal of statutes passed under the provisions of section 1 of article IV.

Introduced, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No 12—Proposed amendment to article IV of the constitution, relative to the resubmission of constitutional amendments to the electors of the State

Introduced, and referred to Committee on Constitutional Amendments

By Mr Wright: Assembly Bill No 161—An act providing for the establishment, government and maintenance of a child welfare research station under the management of the regents of the University of California, and making an appropriation therefor.

Bill read first time and referred to Committee on Universities

By Mr. Roberts: Assembly Bill No 162—An act to amend section 113 of the Code of Civil Procedure relating to the concurrent jurisdiction of the superior court and the justice court.

Bill read first time, and referred to Committee on Judiciary

By Mr Williams: Assembly Bill No 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption

Bill read first time, and referred to Committee on Education.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 18 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed as a case of urgency Senate Bill No 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act

J A BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary.

Senate Bill No. 32 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, January 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 3, approving certain amendments to the charter of the county of San Bernardino, State of California.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 3 read, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At 10 oclock and 35 minutes a m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until 10 o'clock and 30 minutes a. m., Monday, January 22, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 22, 1923

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Jones, Mr. Prendergast was granted leave of absence for the day.

On motion of Mr. Rosenshine, Mr. Mathews was granted leave of absence for the day.

On motion of Mr. Ball, Mr. Stevenot was granted leave of absence for the day.

On motion of Mr Smith, Mr. Fox was granted leave of absence for the day.

On motion of Mr. Schmidt, Mr. Hornblower was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day

On motion of Mr Stow, Mr. Duval was granted leave of absence for the day.

On motion of Mr. Fellom, Messrs. Morrison, Burns and Mitchell, T. A., were granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Badham, Mrs Hugh R. Pomeroy, wife of Assemblyman Pomeroy, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Mr. P. H. Johnson, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr McMillan, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

COMMUNICATION.

The Chief Clerk filed the following communication:

CALIFORNIA HIGHWAY COMMISSION,
SACRAMENTO, January 18, 1923.

Mr. Arthur A Ohnimus,
Chief Clerk, California Legislature Assembly,
Sacramento, California.

DEAR SIR This will acknowledge receipt of your letter of January 16th, with resolution requesting the Commission to furnish the Legislature with a list, showing the uncompleted portions of the highway system of the State, mileage, etc, the estimated or probable cost of completion and the moneys and bonds unsold, available therefor.

Your communication will receive the attention of the Commission.

Yours very truly,

CALIFORNIA HIGHWAY COMMISSION,
By H M. DAVIDSON, Assistant Secretary.

ANNOUNCEMENTS.

The Speaker announced the receipt of a gavel made of Osage orange-wood, from former Assemblyman A. F. Stevens of Healdsburg, and extended his thanks to Mr. Stevens for the gavel

Mr. Moore announced that he had been requested to present the Speaker with a gavel made from redwood burl in appreciation of the appropriation made by the forty-fourth session of the Legislature for the conservation of the redwoods along the Redwood Highway in Humboldt County.

The gavel was sent to the desk and appropriate thanks expressed by the Speaker.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1923.

MR. SPEAKER Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite her name be stricken from the roll to date from and including the twenty-second day of January, 1923.

Ethel C. Secor, Stenographer----------$5 00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

Also:

MR. SPEAKER Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution

Resolved, That the following named person be and she is hereby appointed and employed for the position and at the per diem set opposite her name Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly Said appointment to date from and include the twenty-second day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same:

Ethel C. Secor, Clerk of the Judiciary Committee_____$6 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution

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

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Also:

MR SPEAKER Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite her name be stricken from the roll to date, from and include the fifteenth day of January, 1923

P. T. Kline, Committee Clerk_____ $4 00

CARTER, Chairman.

Report and resolution read, and on motion adopted

Also:

MR. SPEAKER Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution

Resolved, That the following named person be and she is hereby appointed and employed for the position and at the per diem set opposite her name. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointment to date from and include the fifteenth day of January, 1923, and the Controller is hereby authorized and directed to draw his warrant upon said funds in favor of the following named person for said per diem, and the State Treasurer is hereby authorized to pay the same

P. T. Kline, Clerk of the Ways and Means Committee_____ $6 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carter, Christian, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Douglas, Dozier, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

ON DRAINAGE SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1923.

MR SPEAKER Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act—has had the same under consideration, and respectively reports the same back and recommends that it do pass

NOYES, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Senate Bill No. 32, at this time.

CONSIDERATION OF SENATE BILL NUMBER THIRTY-TWO.

Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act.

RESOLUTION

The following resolution was offered:

By Mr. Kline:

Resolved, That Senate Bill No 32 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Mr Kline moved the adoption of the resolution.

The question being on the adoption of the resolution

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66

NOES—None.

SECOND READING OF SENATE BILL NUMBER THIRTY-TWO.

Senate Bill No 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act

Bill read second time

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Erb, Fellom, Fox, Fulwider, Graves Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—65.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THIRTY-TWO.

Senate Bill No. 32—An act to validate certain bonds of certain levee and joint levee districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, and to declare the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. West: Assembly Bill No. 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Pedrotti: Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure relating to the Superior Court of Los Angeles County.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenshine: Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure of California relating to decision upon trial by court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure relating to special decisions of the court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure relating to entry of judgment

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 169—An act to repeal section 634 of the Code of Civil Procedure relating to waiver of findings of fact.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure relating to vacation of judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 171—An act to amend section 663*a* of the Code of Civil Procedure relating to notice of intention to vacate judgment and the granting of new trial.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Douglas. Assembly Bill No. 172—An act relating to liability for injury to school children.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 173—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, relating to the insurance of school districts from liability for injury to pupils.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Dozier: Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway, and making an appropriation for the resurvey, reconstruction and improvement thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cleveland: Assembly Bill No. 176—An act to prohibit any State board, boards of supervisors, or State commission from appointing any of its members to fill any vacancy which occurs in any office under such board or commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No 177—An act to appropriate money to control the flood waters of the Pajaro River.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville.

Bill read first time, and referred to Committee on Claims.

Also Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

Also· Assembly Bill No. 180—An act to amend section 4042 of the Political Code.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs

Also: Assembly Bill No. 182—An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain

infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled "The standard apple act of 1917," approved May 7, 1917, as amended.

Bill read first time, and referred to Committee on Agriculture.

By Mrs. Woodbridge: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California.

Bill read first time, and referred to Committee on Claims.

By Messrs. Christian, Dozier and Cleveland: Assembly Bill No. 184—An act to amend section 396 of the Political Code, relating to the duties of the Lieutenant Governor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mrs. Saylor: Assembly Bill No. 185—An act to amend sections 1886 and 1587 of the Penal Code, relating to the government of State prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 186—An act to repeal sections 2168, 2170 and 2171 of the Political Code, relating to the Amendment of Insane Persons; to amend section 2169 of the Political Code, relating to the attendance and examination of witnesses; to amend section 2172, relating to the delivery of committed persons to the hospital; and to add a new section to the Political Code, to be numbered 2168, relating to the commitment of insane persons; and to add a new section to be numbered 2170, relating to emergency commitments of insane persons in condition dangerous to self or others; and to add a new section numbered 2171, relating to the temporary care of patients incapable of making voluntary application for admission to the State Hospital

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 187—An act providing for the establishment of the California Psychopathic Hospitals, a corporation, with two hospitals, and for the establishment, government and maintenance thereof, regulating the admission of patients thereto, their treatment therein and discharge therefrom; for out-patient, preventive and follow-up work; providing for the transfer of patients between institutions and the expense of transfer and maintenance in the hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums

By Mr. Kline: Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Conservation.

By Mr Pomeroy: Assembly Bill No. 189—An act to amend section 69 of the Civil Code and to add a new section thereto, to be numbered

68*a*, relating to marriage licenses and providing for the filing of a declaration of intention to marry with the county clerk.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 190—An act to create a sewerage district to be called "Los Angeles Metropolitan Sewerage District"; and to define the purposes, powers, officers, government, and jurisdiction thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 191—An act to authorize the board of supervisors of any county to establish sewerage districts within the said county, to be known as Metropolitan Sewerage Districts; and to define the purposes, powers, officers, government, and jurisdiction thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties; providing for the government of such districts, designating the officers thereof and prescribing their powers and duties.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 193—An act to prevent actions for alienation of affections.

Bill read first time, and referred to Committee on Judiciary

By Mr. Foster: Assembly Bill No. 194—An act making an appropriation for the improvement of the State highway between Coalinga, Fresno County, and San Lucas, Monterey County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Williams: Assembly Bill No. 195—An act making an appropriation for the construction of a highway from the city of Madera, Madera County, to Wawona, Mariposa County

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Smith: Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Bromley: Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason; providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 199—An act to add a new section to the Political Code of the State of California, to be known as section 3805*c*, providing for the cancellation of assessments on certain lands of the State.

Bill read first time, and referred to Committee on Judiciary

By Messrs. Heisinger, Clarke, McDowell: Assembly Bill No 200—An act to provide for the survey, location and estimate of cost of a State highway known as the Pinte Pass Road from a point on South Fork of the San Joaquin River at Florence Lake, Fresno County, to North Lake on the North Fork of Bishop Creek, Inyo County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. McMillan: Assembly Bill No 201—An act to amend section 3801 of the Political Code, relating to duties of the tax collector.

Bill read first time, and referred to Committee on County Government.

By Mrs. Dorris: Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 203—An act to add a new section to the Political Code to be numbered 738*cc*, relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Judiciary

By Mr. Noyes: Assembly Bill No 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr Bernard (by request): Assembly Bill No. 205—An act to amend section 1739*a* of the Political Code, relating to high school districts.

Bill read first time, and referred to Committee on Education

By Mr. McDowell: Assembly Bill No 206—An act to amend section 978 of the Code of Civil Procedure, relating to undertaking on appeal in justice's court.

Bill read first time, and referred to Committee on Judiciary

By Mr. Scott: Assembly Bill No. 207—An act making an appropriation to pay the claim of the American Mutual Liability Insurance Company against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr West: Assembly Bill No 208—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Pomeroy: Assembly Bill No. 209—An act to add a new chapter to title III, part III of the Political Code to be numbered chapter IV to be entitled "Private Schools" embracing article I, sections 1893, 1894, 1894*a*, providing for the submission of courses of study of private schools to the State Department of Education, for its approval, and providing for the inspection of private schools by the State Superintendent of Public Instruction; providing for the inspection by county or city superintendent of schools and the accrediting of courses of study in such schools by the said superintendents and providing for the admission of students of private schools to the public schools of the State.

Bill read first time, and referred to Committee on Education

By Mr Morris: Assembly Bill No 210—An act to amend section 360*c* of the Political Code relating to records.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Dawson: Assembly Joint Resolution No 5—Relative to an investigation of the growing narcotic menace

Introduced, and referred to Committee on Public Morals

By Mr Weller: Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system.

Introduced, and referred to Committee on Federal Relations

By Mr. Cleary: Assembly Concurrent Resolution No. 3—An act relative to approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held there therein on the fourth day of January, 1923.

Introduced, and referred to Committee on Municipal Corporations.

By Mr. Baker, Edwin,: Assembly Bill No. 211—An act to amend sections 363, 363*a*, 363*b*, 363*c*, 363*d*, 363*e*, 363*f*, 363*g*, and 363*h*, of the Political Code relating to the Department of Public Works

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Fulwider: Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditors omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

MOTION.

Mr West moved that the Committee on County Government be instructed to report back Assembly Bill No. 164 on the next legislative day.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Mr Erb:

WHEREAS, In the death of Wallace Reid, well known motion picture star, the pernicious evil of the so-called drug ring is again evidenced; and

WHEREAS, Legislation has been enacted by both the United States government and the Legislature of this State, looking to the destruction of illegal combinations dealing in this unlawful trade and the correction of this vice, and

WHEREAS, All good citizens of this State and country are desirous of stopping the illegal use of drugs; therefore, be it

Resolved, By the Assembly of the State of California that the district attorney of each and every county of this State be, and he is hereby, urged to use his utmost endeavor by all legal means within his power to stop the illegal use of drugs.

Resolved, further, That the Chief Clerk of the Assembly be, and he is hereby, directed to send a copy of this resolution to each and every district attorney of this State.

The Speaker ordered the resolution printed in the Journal

ADJOURNMENT.

At 11 o'clock and 55 minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 23, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 23, 1923.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Fenne, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Erb, Mr. Mathews was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day.

On motion of Mr. Fellom, Messrs. Morrison and Badaracco were granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr. Mitchell, A. G., was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mrs. Woodbridge, the following members of the California Federation of Women's Clubs were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal:

President, Mrs. W. A. Fitzgerald; Executive Committee, Mrs. J. L. Richards, Mrs. T. B. Reardan, Mrs. Amanda Schlesenger, Miss E. M. Timerhoff, Miss Anna McConnell, Mrs. E. V. Jacobs, Mrs. Ella M. Dobbins, Mrs. P. B. Goss, Mrs. W. W. Green, Mrs. Manuel Lewis, Mrs. L. L. Ehret, Mrs. Will C. Wood, Miss Margaret B. Curry, Miss A. French, Mrs. C. M. Haring, Mrs. J. W. Johnston, Mrs. C. P. Vicini, Mrs. Wells Longbotham, Mrs. E. J. Rodden, Mrs. J. F. Devin, Mrs. Geo. A. Regg, and Mrs. Aaron Schloss.

Through the courtesy of Mr. Dawson, Miss Mary E. Smith of Los Angeles was extended the privilege of the floor of the Assembly for this day, and her name ordered printed in the Journal.

Through the courtesy of Mr. Smith, Mr. Frank C. Merritt, President of the California League of Municipalities, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Snyder, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Williams:

WHEREAS, There has been introduced in the Legislature a measure for the reading of the Bible in the public schools, and

WHEREAS, The Bible contains the record of the progressive development and evolution of human knowledge of God; and

WHEREAS, The Bible is recognized as the world's best literature, without knowledge of which, there can be no education,

We, the undersigned citizens of California, respectfully petition the California State Legislature to enact appropriate constitutional legislation looking toward the teaching of the Bible in the public schools

(Signed) IVAN MELVILLE TERWILLIGER,
And 22 others.

By Mr. Foster:

SELMA, CALIFORNIA, January 21, 1923.

We, the undersigned directors of the Independent Service Station Owners of the San Joaquin Valley, are informed that an effort is being made to discontinue the work of the oil committee appointed to investigate the cost of gasoline, and we most earnestly recommend and demand that the services of the committee be continued to the completion of its investigation

R. O. BURTON
And 10 others

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1923

MR. SPEAKER Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No 74—An act making the initiative, referendum and recall applicable to levee district No 1 of Sutter County—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

NOYES, Chairman

Bill read second time, ordered to engrossment, and third reading.

ON ATTACHES

ASSEMBLY CHAMBER, SACRAMENTO January 23 1923

MR SPEAKER Your Committee on Attaches and Employees respectfully begs leave to report and recommend the adoption of the following resolution

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly Said appointments to date from and include the twenty-third day of January, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named persons for said per diem, and the State Treasurer is hereby authorized to pay the same

R. P Benton, Engrossing and Enrolling Clerk..... $7 00
Charles A. Joyce, Assistant Engrossing and Enrolling Clerk..... 5 00

CARTER, Chairman.

Mr. Bernard moved the adoption of the report and resolution

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badham, Baker, C. C., Baker Edwin, Ball Bernard, Bromley, Broughton, Carlson, Carter, Christian, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue Dorris, Douglas Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Moore, Morris, Mueller Pedrotti, Pomeroy, Reindollar Roberts, Rock, Saylor, Schmidt, Scott Smith, Snyder, Spalding Spence Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—62.

NOES—None

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1923

MR. SPEAKER Your Committee on Rules recommends the adoption as the permanent rules of the Assembly for the forty-fifth session, the temporary rules adopted as printed in the Journal of January 8, 1923, and as amended as printed in the Journal on January 17, 1923, with the exception of Rule 14, and that said Rule 14 be amended as follows By striking out all of said Rule 14, and inserting in lieu thereof the following: "All bills making appropriations of money may be considered in a Committee of the Whole House while on second reading by demand of five or more members."

CARTER, Chairman.

The Speaker ordered the above report printed in the Journal

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1923.

MR SPEAKER Your Committee on Ways and Means to which was referred Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back and recommends that the bill do pass.

KLINE, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr Baker, Edwin, asked for and was granted unanimous consent to take up Assembly Bill No. 141, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL ONE HUNDRED FORTY-ONE.

Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California.

RESOLUTION.

The following resolution was offered:

By Mr. Baker, Edwin:

Resolved, That Assembly Bill No. 141 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Baker, Edwin, moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—68.

NOES—None.

SECOND READING OF ASSEMBLY BILL ONE HUNDRED FORTY-ONE

Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California.

Bill read second time.

Considered engrossed.

Mr. Kline moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering the bill.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Merriam in the chair.

Assembly Bill No. 141 considered.

Mr Kline moved that the committee do now rise and report in favor of the passage of the bill.

Motion carried.

IN ASSEMBLY.

Speaker Merriam in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1923.

GENTLEMEN: The Committee of the Whole has had under consideration Assembly Bill No. 141, and does now report the same back, and recommends that it do pass.

MERRIAM, Chairman.

Urgency clause read.

The question being "Shall this section, setting forth the urgency features of this bill be passed?"

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

THIRD READING OF ASSEMBLY BILL ONE HUNDRED FORTY-ONE

Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved

Bill ordered to engrossment.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 164—An act to amend section 4236½ of the Political Code, relating to justices and constables in counties of the seventh class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SMITH, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for and was granted unanimous consent to take up Assembly Bill No. 164, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-FOUR.

Assembly Bill No. 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class.

RESOLUTION.

The following resolution was offered:

By Mr West:

Resolved, That Assembly Bill No 164 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. West moved the adoption of the resolution.

The question being on the adoption of the resolution

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-FOUR.

Assembly Bill No. 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class.

Read second time

Considered engrossed.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill be passed?

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Foster, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-FOUR.

Assembly Bill No. 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dean, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Ped-

rotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered to engrossment

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 17 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922.

Also Senate Concurrent Resolution No 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 4 read, and referred to Committee on Municipal Corporations

Senate Concurrent Resolution No. 5 read, and referred to Committee on Municipal Corporations.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr Johnson, Frank: Assembly Bill No. 213—An act to amend section 7 of "The Vehicle Act," approved May 10, 1915, relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Miss Broughton: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No 216—An act to amend the act known and cited as the "Workmen's Compensation, Insurance and Safety Act of 1917", chapter 586, Statutes of 1917, approved May 23, 1917, as amended by adding thereto a new section to be designated section 11*ee*, prescribing the method for ascertaining what is an "unreasonable

refusal" to submit to medical or surgical treatment pursuant to the provisions of subsection (e) of section 11 of said act.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donohue: Assembly Bill No 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds at Fort Ross.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. West: Assembly Bill No. 218—An act to add a new section to the Penal Code to be numbered 644, relating to habitual criminals.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 219—An act to add a new section, to be numbered 23, to an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to, or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to the equipment by motor vehicles of a speed governor.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Rosenshine: Assembly Bill No 220—An act to add a new section to the Code of Civil Procedure to be numbered section 634, relating to judgment upon trial by court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Mueller: Assembly Bill No 222—An act to amend section 35 of an act entitled "The Vehicle Act" approved May 10, 1915, as amended

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Mitchell, T. A : Assembly Bill No. 223—An act to regulate sweatshops, requiring a license for the purpose of manufacturing,

altering, repairing or finishing, for wages or for sale, any articles whatsoever in any room or apartment in any tenement or dwelling house or in a building situated immediately in the rear of any department, tenement or dwelling house; prescribing the requirements or conditions for the operation of such sweatshops; defining the powers of the Commissioner of the Bureau of Labor Statistics, of local boards of health or health officers, or State or municipal factory inspectors; in the enforcement of the provisions of this act; and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Baker, C. C.: Assembly Bill No. 224—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 225—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnston, J. W.: Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crittenden: Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 228—An act to amend section 1195*b* of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments and propositions, measures and questions to be submitted to the vote of the electors.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 229—An act recognizing and declaring valid the Tracy Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Noyes: Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No 2056 and also all the acts and proceedings of said district.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Messrs Eksward and Noyes: Assembly Bill No. 231—An act to amend section 3818 of the Political Code, relating to the collection of property taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 232—An act to amend section 1543 of the Political Code, relating to the duties of school superintendents regarding requisitions on auditor for expenses and warrants on county treasury.

Bill read first time, and referred to Committee on Education.

By Mr. Whitacre: Assembly Bill No 233—An act to amend sections 7, 20, 22 and 36 of an act entitled the "Vehicle Act," approved May 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Coombs: Assembly Bill No. 234—An act providing for the appearance of the Attorney General of the State of California in behalf of the public before the Railroad Commission of the State of California, at hearings in which the public is interested, and providing for expert services in aid thereof.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 235—An act to amend section 1121 of the Penal Code, relating to the placing of juries in criminal actions in the charge of officers, the furnishing of separate rooms therefor when composed of both males and females, and the prohibiting of deliberations when so separated.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No 237—An act to authorize the payment of the claim of John Akers and Jesse M Akers against the State of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Claims

Also· Assembly Bill No. 238—An act to authorize and provide for a bond issue by the people of the State of California in the sum of _____ million dollars for the purpose of completing the construction of State highway of said State; providing for the submission of said proposition to the voters of said State at the general election to be held November, 1925; providing for the appropriation and sale of said bonds, payment of interest thereon, for a sinking fund to pay the distribution of the monies received and for their use by the State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Morris: Assembly Bill No. 239—An act making an appropriation for the purchase of filing cases for the District Court of Appeal, first district.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 240—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to the Committee on County Government.

Also: Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California.

Bill read first time, and referred to Committee on Claims.

By Mr. Kline: Assembly Bill No 242—An act appropriating money for summer session courses for the College of Agriculture of the University of California, at Riverside.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Rock: Assembly Bill No. 243—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read first time, and referred to Committee on Municipal Corporations.

By Miss Miller: Assembly Bill No. 244—An act to amend an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 5, 1919, and to provide for commitment and admission thereto of women convicted of a felony and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Heisinger: Assembly Bill No. 245—An act to amend sections 13 and 15 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Baker, Edwin (By request): Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Erb: Assembly Constitutional Amendment No 13—Proposed amendment to article VI of the constitution, relative to inferior courts.
Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Cleary: Assembly Concurrent Resolution No. 4—Relative to approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922.
Introduced, and referred to Committee on Municipal Corporations.

By Mr. Scott: Assembly Joint Resolution No. 7—Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry.
Introduced, and referred to Committee on Mines and Mining.

By Mr. Hornblower: Assembly Bill No. 247—An act amending section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.
Bill read first time, and referred to Committee on Medical and Dental Laws.

Also Assembly Bill No 248—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations.
Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 249—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Burns and Hornblower: Assembly Bill No 250—An act to require the furnishing of seats for elevator operators.
Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests
Bill read first time, and referred to Committee on Elections.

By Mr. Hornblower: Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate.
Bill read first time, and referred to Committee on Judiciary.

By Messrs Burns and Hornblower: Assembly Bill No. 253—An act to require the furnishing of seats for elevator operators

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Hornblower: Assembly Bill No. 254—An act to amend section 179 of the Political Code, relating to dividing the State into congressional districts, and opening and establishing such district, and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

Also: Assembly Bill No. 255—An act to amend an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods, in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Burns and Hornblower: Assembly Bill No 256—An act to amend section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended May 26, 1921.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Fellom: Assembly Bill No. 258—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by providing a graduated scale of compensation for dependents of employees whose injuries, arising out of or in the course of their employment, result in death.

Bill read first time, and referred to Committee on Insurance.

MOTION.

Mr. Erb moved that his resolution, printed in the Journal of January 22, 1923, be now taken up for consideration.

Motión carried

RESOLUTION.

By Mr. Erb:

WHEREAS, In the death of Wallace Reid, well known motion picture star, the pernicious evil of the so-called drug ring is again evidenced, and

WHEREAS, Legislation has been enacted by both the United States government and the Legislature of this State, looking to the destruction of illegal combinations dealing in this unlawful trade and the correction of this vice, and

WHEREAS, All good citizens of this State and country are desirous of stopping the illegal use of drugs, therefore be it

Resolved, By the Assembly of the State of California that the district attorney of each and every county of this State be and he is hereby urged to use his utmost endeavor by all legal means within his power to stop the illegal use of drugs

Resolved, further, That the Chief Clerk of the Assembly be, and he is hereby, directed to send a copy of this resolution to each and every district attorney of this State.

Resolution read, and on motion adopted.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Coombs:

Assemblyman Frank L. Ekswird, being compelled to absent himself from the deliberations of this body on account of sickness, his fellow members desire to convey to him their sincere sympathy, and to express the hope of his speedy recovery and an early return to the activities of this House.

Resolution read, and on motion unanimously adopted by a rising vote.

REQUEST FOR LEAVE OF ABSENCE.

Mr. Morris requested and was granted leave of absence for Wednesday, January 24, 1923.

ANNOUNCEMENT.

The Speaker announced the receipt of a gavel from Al Borak Temple No. 75, Los Angeles, Dramatic Order of Knights of Khorassan, with the wish that the gavel may contribute to a most successful session of the California Assembly

The Speaker expressed appropriate thanks to the donors.

ADJOURNMENT.

At 11 o'clock and 30 minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until 10 o'clock a.m., Wednesday, January 24, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 24, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Erb, Mr. Mathews was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Johnston, J. W., Mr. J. M. Higgins, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Pomeroy, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Fulwider:

SANTA ROSA, CALIFORNIA, January 15, 1923.

WHEREAS, It has come to our notice that the viticultural service of the State Department of Agriculture is likely to be discontinued owing to the lack of an appropriation by the present Legislature, and

WHEREAS, We have received valuable information and aid from this service in the past and for this reason desire to have it continued, therefore, be it

Resolved, That we the Sonoma County Grape Growers' Protective Association, hereby respectfully protest against this contemplated action; and be it further

Resolved, That an expression of this sentiment be sent to Governor Friend W. Richardson and to Senator Herbert W. Slater, Assemblyman L. E. Fulwider and Assemblyman Emmett I. Donohue and to other members of the Legislature in interest.

Respectfully submitted.

SONOMA COUNTY GRAPE GROWERS' PROTECTIVE ASSOCIATION,

By W. F. PRICE, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California;

Also Assembly Bill No 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered transmitted to the Senate.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1923.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 2—Approving the charter of the city of Chico State of California, voted for and ratified by the qualified voters of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the county of San Bernardino, State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

DONOHUE, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 4—Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported resolution ordered on file for adoption.

REPORT OF SELECT COMMITTEE.

The following report of Select Committee on Inaugural Ceremonies was received and read:

Resolved, That the State Controller be, and he is hereby, directed and ordered to draw his warrant upon the Contingent Fund of the Assembly in favor of the Secretary of the Senate for eighty-four dollars ninety-five cents ($84.95), being one-half of the expenses incurred by the Joint Committee on Inaugural Ceremonies as itemized below:

Noack's Orchestra	$50 00
Gertrude Barry	20 00
Rudolph Caffaro	20 00
Printing program	79 85
	$169 85

GRAVES,
BROUGHTON,
Select Committee.

The Speaker referred the above report to Committee on Contingent Expenses.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Baker, Edwin: Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

By Mr. Emme: Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 261—An act to amend section 3 of an act entitled "An act requiring employers to provide hospital service for their employees and to make a charge therefor and to keep records and accounts of all such charges and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service and prescribing penalties for the violation of the provisions thereof," approved June 8, 1915, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr Weller: Assembly Bill No. 262—An act to add a new section to the Civil Code, to be numbered 2957*a*, relating to the filing of memorandum of conditional sales contracts and certain leases.

Bill read first time, and referred to Committee on Judiciary

By Mr. Hawes: Assembly Bill No 263—An act to control the possession, sale, and use of pistols and revolvers, to provide penalties, and for other purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Spalding: Assembly Bill No. 264—An act to amend section 1735 of the Political Code, relating to the lapsing of high school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Wright: Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Johnston, J. W.: Assembly Bill No. 266—An act to amend section 3825 of the Political Code, relating to personal property taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Davis: Assembly Bill No. 267—An act to amend an act entitled "An act to provide for the levying and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the

first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved May 27, 1895, as amended, and defining municipal corporations for the purposes of the act.

Bill read first time, and referred to Committee on Municipal Corporations.

Also. Assembly Bill No. 268—An act making an appropriation for the completion of that portion of the State highway between El Centro, in the county of Imperial, and the Yuma Indian Reservation.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bernard Assembly Bill No. 269—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Assembly Bill No. 270—An act to amend sections 12, 14 and 21 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended, relating to the collections of assessments, to the conducting of delinquent sales, and to maintenance and operation of flood control works and structures by the State Department of Engineering.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Dawson:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one copies of Robert's Rules of Order, and to supply each member of the Assembly, and the Chief Clerk of the Assembly with one each

The Speaker ordered the above resolution printed in the Journal.

By Mr Smith:

WHEREAS, Today is the seventy-fifth anniversary of the discovery of gold in California by James Marshall, and

WHEREAS As a result of such discovery of gold in tail race of the mill at Coloma on January 24, 1848, there came to California those hardy immigrants who, upon their arrival, discovered that California held not only gold but the wealth and beauty of all the world, and,

WHEREAS, During the three-quarters of a century past this great commonwealth has grown and prospered, and in such space has reached a place of honor in the aggregation of states which compose this nation, now, therefore, be it

Resolved, That this Assembly, when it shall adjourn this twenty-fourth day of January, 1923, do so in commemoration of the seventy-fifth anniversary of the discovery of gold and the resultant influx of pioneers who founded this great State

Mr. Smith moved the adoption of the resolution.

The question being on the adoption of the resolution,

Resolution read, and on motion unanimously adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dean asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 5, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIVE.

Senate Concurrent Resolution No. 5—Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922.

Senate Concurrent Resolution No. 5 read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 5 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Layman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 5 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 5

Approving the charter of the city of Stockton, State of California, voted for and ratified by the qualified electors of the said city at a special municipal election held therein for that purpose on the twenty-eighth day of November, 1922.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Snyder asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Assembly Concurrent Resolution No. 2—Approving the charter of the City of Chico, State of California, voted for and ratified by the qualified voters of the said City of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921.

Assembly Concurrent Resolution No. 2 read, and considered engrossed.

The question being on the adoption of the resolution

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline,

Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 2 ordered to engrossment.

ASSEMBLY CONCURRENT RESOLUTION No. 2.

Approving the charter of the city of Chico, State of California, voted for and ratified by the qualified voters of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fulwider asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 4, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Approving a new charter for the City of Santa Rosa, in the County of Sonoma, State of California, ratified by the qualified electors of said City of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922.

Senate Concurrent Resolution No. 4 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 4.

Approving a new charter for the city of Santa Rosa, in the county of Sonoma, State of California, ratified by the qualified electors of said city of Santa Rosa, at a special municipal election held therein on Tuesday, November 7, 1922.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 3, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the County of San Bernardino, State of California.

Senate Concurrent Resolution No. 3 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 3 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Smith,

Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 3 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 3

Approving certain amendments to the charter of the county of San Bernardino, State of California.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No 74—An act making the initiative, referendum and recall applicable to levee district number one of Sutter County.

Bill read second time, ordered to engrossment, and third reading.

MOTION.

Mr Carter moved the adoption of the report of the Committee on Rules, as printed in the Journal of January 23, 1923:

REPORT OF COMMITTEE ON RULES

MR SPEAKER Your Committee on Rules recommends the adoption as the permanent rules of the Assembly for the forty-fifth session, the temporary rules adopted as printed in the Journal of January 8, 1923, and as amended as printed in the Journal on January 17, 1923, with the exception of Rule 14, and that said Rule 14 be amended as follows By striking out all of said Rule 14, and inserting in lieu thereof the following "All bills making appropriations of money may be considered in a Committee of the Whole House while on second reading by demand of five or more members."

CARTER, Chairman.

Report read.

The question being on the adoption of the amendment.

Amendment adopted

The question being on the adoption of the standing rules of the Assembly as amended.

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

AYES—Anderson, Badham, Baker, C C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson Johnston, Jones, Lyman, McDowell McMillan, McPherson, Miller, Mitchell, A. G Mitchell, T. A., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, and Mr. Speaker—60.

NOES—None.

STANDING RULES OF THE ASSEMBLY.

CONVENING AND ORDER OF BUSINESS.

Hours of Meeting.

1. The sessions of the Assembly shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes a.m After the constitutional recess a recess shall be taken daily at the hour of twelve o'clock noon until the hour of one o'clock and thirty minutes p.m., unless otherwise ordered by a vote of the House

Speaker to Call House to Order

2. The Speaker, or, in his absence, the Speaker pro tempore, shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside

Order of Business

3. The order of business of the Assembly shall be as follows
   1. Roll Call.
   2. Prayer by the Chaplain.
   3. Reading and Approval of the Journal.
   4. Presentation of Petitions.
   5. Reports of Standing Committees.
   6. Reports of Select Committees.

7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File, Second Reading, and Third Reading of Bills.
14. Business on General File, Second Reading, and Third Reading of Bills.
15. Announcements of Committee Meetings.
16. Adjournment.

Priority of Business.

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

Motion to Adjourn.

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

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

DUTIES OF THE SPEAKER

Speaker to Preserve Order; to Decide Points of Order; and May Speak to Same.

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

Speaker to Have Direction of the Hall; May Call Any Member to the Chair.

7. The Speaker shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitutions shall not extend beyond an adjournment. He shall have the control and direction of the journals, papers and bills of the Assembly. He shall have the power to see that all officers of the Assembly perform their respective duties, and may assign places to properly accredited newspaper representatives.

Speaker to Sign Resolutions, etc., Attested by the Clerk.

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

COMMITTEES OF THE ASSEMBLY

Committees to be Appointed by Speaker.

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

Standing Committees.

10. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of seventeen members.
2. A Committee on Attaches, to consist of seven members.
3. A Committee on Banking, to consist of nine members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Civil Service, to consist of nine members.
6. A Committee on Claims, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of nine members.
10. A Committee on Contested Elections, to consist of seven members.
11. A Committee on Contingent Expenses, to consist of five members.
12. A Committee on Corporations, to consist of nine members.
13. A Committee on County Government, to consist of fifteen members.
14. A Committee on Direct Legislation, to consist of seven members.
15. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
16. A Committee on Education, to consist of thirteen members.
17. A Committee on Elections, to consist of eleven members.
18. A Committee on Engrossment and Enrollment, to consist of five members.
19. A Committee on Federal Relations, to consist of seven members.
20. A Committee on Fish and Game, to consist of fifteen members.
21. A Committee on Governmental Efficiency and Economy, to consist of eleven members.
22. A Committee on Hospitals and Asylums, to consist of thirteen members.
23. A Committee on Insurance, to consist of eleven members.

24. A Committee on Irrigation, to consist of twenty-one members.
25. A Committee on Judiciary, to consist of twenty-one members.
26. A Committee on Labor and Capital, to consist of thirteen members.
27. A Committee on Libraries, to consist of seven members.
28. A Committee on Live Stock and Dairies, to consist of eleven members.
29. A Committee on Manufactures, to consist of seven members.
30. A Committee on Medical and Dental Laws, to consist of nine members.
31. A Committee on Mileage, to consist of five members
32. A Committee on Military Affairs, to consist of nine members.
33. A Committee on Mines and Mining, to consist of nine members
34. A Committee on Motor Vehicles, to consist of twenty-one members
35. A Committee on Municipal Corporations, to consist of thirteen members.
36. A Committee on Normal Schools, to consist of seven members.
37. A Committee on Oil Industries, to consist of nine members.
38. A Committee on Prisons and Reformatories, to consist of thirteen members.
39. A Committee on Public Charities and Corrections, to consist of nine members
40. A Committee on Public Health and Quarantine, to consist of nine members.
41. A Committee on Public Morals, to consist of eleven members.
42. A Committee on Public Utilities, to consist of eleven members
43. A Committee on Reapportionment, to consist of twenty-one members.
44. A Committee on Revenue and Taxation, to consist of fifteen members.
45. A Committee on Revision and Printing, to consist of five members.
46. A Committee on Revision of Criminal Procedure, to consist of seven members
47. A Committee on Roads and Highways, to consist of fifteen members
48. A Committee on Rules to consist of seven members, including the Speaker.
49. A Committee on Soldiers and Sailors Affairs, to consist of thirteen members
50. A Committee on State Grounds and Parks, to consist of seven members.
51. A Committee on Universities, to consist of seven members
52. A Committee on Ways and Means, to consist of twenty-one members.

Special Standing Committees.

11. In addition to the regular standing committees of the Assembly, there shall be special standing committees, as follows

1. A Committee on Revision and Printing, to consist of five members, as provided in the Joint Rules of the Senate and Assembly
2. A Committee on Introduction of Bills after the Constitutional Recess, to consist of three members

Schedules for Committee Meetings

12. The Speaker shall be empowered to propose to the Assembly such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

Quorum of Standing Committees.

13. Each standing committee shall determine its own quorum and the number of affirmative votes necessary to report a bill out of committee; *provided*, that not less than one-half the number of members constituting such committee shall in any case constitute such quorum, nor shall less than the affirmative votes of a majority of such committee be sufficient to report a bill out of committee.

COMMITTEE OF THE WHOLE.

Appropriations of Money to Be Considered in Committee of the Whole.

14. All bills making appropriations of money may be considered in a Committee of the Whole House while on second reading by demand of five or more members

Proceedings of Committee of the Whole House.

15. In forming a Committee of the Whole House, the Speaker, as chairman or a chairman to be named by the Speaker, shall preside Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections All amendments shall be noted and reported to the Assembly by the chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

Rules in Committee of the Whole.

16. The rules of the Assembly shall be observed in Committees of the Whole, as far as may be applicable except limiting the time of speaking, and except that the ayes and noes need not be taken.

Motion to Rise Decided Without Debate.

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

SPECIAL DUTIES OF CERTAIN COMMITTEES

Committee on Engrossment and Enrollment.

18. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and, before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

Engrossing and Enrolling Bills.

19. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly, and the report of such engrossment must be made to the Assembly on a day previous to the day on which such final action is taken.

Reports of Committee on Engrossment and Enrollment.

20. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

Committee on Ways and Means.

21. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State officers and State boards or State commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly, to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required. The Committee on Ways and Means shall from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

Committee's Report on Sine Die Adjournment.

22. Concurrent resolutions for adjournment sine die shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

Committee on Contested Elections.

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

Committee on Attaches.

24. The Committee on Attaches shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have the authority to reassign any clerk or attache under him to special duties or other committees when the necessity arises.

The Committee on Attaches, in cooperation with the Chief Clerk and Sergeant-at-Arms, shall exercise general supervision over and shall systematize the work of all attaches.

The Committee on Attaches shall see to it that attaches shall not receive their per diem until they have been sworn in, and that the per diem of attaches shall be forfeited for each day on which they are absent from their duties without excuse from the authority delegated by the Committee.

All assignments of committee clerks and stenographers made by the Committee on Attaches under this rule shall be reported to the House and entered in the Journal.

DUTIES OF ASSEMBLY OFFICERS AND ATTACHES

Duties of Chief Clerk.

25. The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. Subject to the provisions of Rule 67, he and his assistants shall read from the desk only such matter as the Speaker shall direct. He shall have the supervision of all the clerks and assistants at the desk, of all bill clerks, bill filers,

stenographers, and of all committee attaches, and all pages, and shall be responsible for their performance of and regular attendance upon their duties and shall have power to suspend any such clerk or attache under him for dereliction of duty, and shall report to the Committee on Attaches such suspension and the cause thereof. Said suspended clerk or attache shall not receive any pay during the time of such suspension. The Committee on Attaches shall have the power to relieve the attache or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attache for incompetency or for wilful neglect of duty. The Chief Clerk shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee, but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor

Duties of the Sergeant-at-Arms

26. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all processes issued by authority thereof directed to him by the Speaker He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeant-at-Arms and gatekeepers, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attache under him for dereliction of duty, and shall report to the Committee on Attaches such suspension and the causes thereof. Said suspended attache shall not receive any pay during the time of such suspension The Committee on Attaches shall have power to relieve the attache of his suspension and shall have the power, subject to the approval of the House, to remove any attache for incompetency or for wilful neglect of duty. The Sergeant-at-Arms shall place copies of all bills, joint, and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of members at least one hour previous to the opening of the session.

Expenses of Sergeant-at-Arms.

27. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

Assistant Sergeant-at-Arms to Be Doorkeeper

28. The Assistant Sergeant-at-Arms who is designated to be the doorkeeper shall be sworn to keep the secrets of the House.

Compensation of Attaches.

29. No attache of the Assembly shall demand or receive from any person any compensation other than that provided by law for services performed as such attache.

INTRODUCTION OF BILLS

Introduction and Reading of Bills.

30. Any member desiring to introduce a bill shall rise in place and address the Speaker, and upon being recognized shall present the same It shall then be numbered and read the first time at the clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two-thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading, whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Joint and Concurrent Resolutions and Constitutional Amendments.

31. Joint and concurrent resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided, further*, that the ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments, unless regularly demanded, or required by statute or the Constitution. Proposed amendments to the Constitution shall be treated the same as bills, *provided*, they shall be read but once, and only after they have been reported by a committee. All bills, constitutional amendments, and joint and concurrent resolutions may be amended by a majority of those voting.

Procedure on First Day of Introducing Bills.

32. In each legislative session on the first day when bills are introduced, under the "Order of Business" of "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, joint or concurrent resolution. After these two roll calls, bills, constitutional amendments, joint or concurrent resolutions shall be introduced by members on recognition of the Speaker, as provided by the rules of the Assembly, and all bills,

constitutional amendments or joint or concurrent resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills by Committee

33. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed, and placed upon the Assembly file for further action.

Introduction of Bills After Constitutional Recess

34. Immediately upon convening after the constitutional recess the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either House of the same character which might be amended to effect the results sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three-fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

REFERENCE TO COMMITTEES

Reference of Bills.

35. At the time of introduction the Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Assembly by a majority vote refer it to some other committee. A motion to re-refer a bill shall be debatable as to the propriety of such re-reference.

Order of Reference

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

The Committee of the Whole House
A Standing Committee
A Select Committee

Referring With Special Instructions.

37. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment to a select committee, under special instructions to amend.

Reference of Senate Bills.

38. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however*, that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislative day whether or not said bill is identical with the Assembly bill, and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee, *provided*, that the fact that the bills are identical shall be entered in the Journal.

Bills to Be Reported Back to Committees.

39. All committees shall act upon bills, constitutional amendments and resolutions referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Assembly may at any time, by a majority vote of all its members, recall a bill, constitutional amendment or resolution from any committee.

ORDER OF CONSIDERING BILLS

Order of Making File

40. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 39. When reported back they shall be placed upon the general file, to be kept by the Clerk, as follows: All bills when reported to the House by the committees, except such bills as are by the report re-referred to another committee, shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by two-thirds vote of the House. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present, such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in the General File, and when passed on file a second time the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

Order Making Special File.

41. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

Ordering Bills to Third Reading.

42. After being read the second time bills shall be ordered by the Speaker to third reading (or, in the case of Assembly bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days.

43. No Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two houses of the Legislature, unless permission to vote on such bill be granted by a three-fourths vote of the Assembly after being recommended by the Speaker of the Assembly.

QUESTIONS AND MOTIONS.

Procedure of Motions During Debate

44. When a question is under debate, or before the House, no motion shall be received but: To adjourn, to lay on the table, for the previous question, to postpone to a day certain; to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

Division of Questions.

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

Substitute.

46. A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such.

Subjects Different from the One Under Consideration.

47. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Question Indefinitely Postponed.

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

PROCEDURE OF DEBATE.

Motions to Be Stated by Speaker, and If Desired Shall Be Reduced to Writing, or May Be Withdrawn.

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

Order in Speaking to Questions.

50. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

Speaker to Decide Who Is Entitled to the Place.

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

Calling Members to Order When Transgressing Rules.

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

Called to Order for Offensive Words in Debate.

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

THE PREVIOUS QUESTION.

Previous Question Demanded.

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

Manner of Putting the Previous Question.

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

Questions of Order After Previous Question Is Ordered.

56. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate, *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

VOTING BY ASSEMBLY.

Calling Ayes and Noes.

57. The ayes and noes shall be taken on the final passage of all bills, and when called for by five members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the clerk shall enter on the Journal the names of those demanding the ayes and noes.

Members at Clerk's Desk.

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

Voting on Question When Interested.

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

Division and Count of House.

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

Explaining or Changing Vote.

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

Election by House.

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

Notice of Reconsideration of Vote.

63 On the day succeeding that on which a final vote on any bill, constitutional amendment, or resolution has been taken, said vote may be reconsidered on the motion of any member, *provided*, a notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the successful side, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

MESSAGES, PETITIONS AND PAPERS.

Messengers May Be Introduced.

64. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

Messages from the Governor and Senate.

65. Messages from the Governor and from the Senate may be considered at any time by vote of the House or by unanimous consent.

Petitions to Be Presented With a Brief Statement of Contents.

66 Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

Reading of Papers.

67 When the reading of a paper is called for, except petitions, and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate, upon brief statement of its substance by the Speaker.

THE ASSEMBLY CHAMBER.

Persons Admitted to the Floor.

68. No persons except Senators, State officers, Governors and ex-Governors of the states, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, attaches when actually engaged in work for the Assembly or a member thereof, and the wife or child of a member, shall be admitted within the Assembly Chamber, except in the gallery during the sessions of the Assembly; *provided, however*, any other guest of any member may be admitted to the floor of the Assembly, but to no other part of the floor than to a seat at the desk of said member, and *provided, also*, that such admission of said guest shall be only by written permission of said member, countersigned by the Speaker, such permission being good only for the sessions of the day on which it is given, the names of such member and guest to be entered in the Journal when specifically requested by such member At the convening of the Assembly in the morning, or after recess, all present except those covered by this rule shall retire from the floor of the Assembly. No one except the Sergeant-at-Arms or his deputies shall be allowed to remain in the lobby behind the rail at any time.

No Lobbying in the Assembly Chamber

69. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation, and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule This rule can not be suspended except by a two-thirds vote of the entire Assembly.

Speaker May Order the Galleries and Lobby Cleared.

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

Smoking in the Assembly Chamber.

71. No smoking shall be allowed within the Assembly Chamber during the session of the House, *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

Use of Assembly Chamber.

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

LEGISLATIVE PRINTING.

Printing of Bills.

73. One thousand five hundred copies of all bills and as many additional copies as the House shall order, shall be printed. The Chief Clerk or Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter and quantity thereof.

Printing Extra Number of Bills, Etc.

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

Form for Printed Amended Bills.

75. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted, the omission of any matter to be indicated by the insertion of heavy parentheses and all proposed additions to be enclosed in heavy brackets.

Printing of Maps.

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

Filling Blanks.

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

MISCELLANEOUS PROVISIONS.

Protest of Members.

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

Personal Explanation.

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

Right to Address Assembly.

80. No one except a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Call of the House.

81. Upon a motion being carried for a call of the House the Speaker shall immediately order the doors to be closed, and shall direct the Clerk to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Assembly Chamber except by written permission of the Speaker, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House, *provided, however*, that during a call of the House it may consider and transact any matter or business that the members then present shall unanimously decide to consider, but no call of the House shall be had, during the call of the House, on any matter so taken up or considered while the House is under call. When a call of the House is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the House are dispensed with, when it will forthwith become the order of business before the Assembly.

Members Absenting Themselves.

82. No member shall absent himself from attendance at a session of the House without the leave of the House, and no member shall obtain leave of absence, or be excused without a vote of two-thirds of the House, or by unanimous consent.

Fees for Witnesses.

83. Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of three

dollars for each mile he shall travel in coming to and going from the place of examination the sum of ten cents No mileage shall be paid, except where the witness has actually traveled for the purpose of giving testimony

No Committee Expenditures Permitted

84 No member of any committee shall be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Ways and Means shall, during the Constitutional Recess, be allowed his actual expenses while on such business.

RULES OF PROCEDURE.

Parliamentary Rules.

85 The rules of parliamentary practice contained in Robert's Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and Assembly

Suspending and Changing Rules

86 No standing rule or order of the House shall be rescinded or changed without a vote of two-thirds of the members of the Assembly, and one day's notice being given of the motion therefor, *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes

1 Bills affecting the State Government, its revenues, its various departments or commissions or appropriations therefor
2. Bills affecting county and township governments, or roads and highways.
3 Bills affecting town, city, city and county governments, or the municipal affairs of the same
4 Bills amending election or primary election laws
5. Constitutional amendments
6 Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House

On the adoption of such temporary rule by the House by a two-thirds vote thereof if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein

A rule or order may be suspended temporarily by a vote of two-thirds of the members present, except Rule 43 and that portion of Rule 30 relating to third reading of bills A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules

The Committee on Rules may also, at any time, report a temporary rule or regulation When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker

REQUEST FOR UNANIMOUS CONSENT.

Mr McPherson asked for and was granted unanimous consent to take up Senate Bill No. 17, at this time, for second reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Strike out all of section 2 and insert in lieu thereof the following

Sec 2. Inasmuch as this act concerns and is necessary to the immediate preservation of the public safety for the reason that the officials of the United States government have declared that two of the present bridges crossing the estuary between Oakland and Alameda, in the county of Alameda, are a menace to navigation and dangerous to the lives and property on vessels navigated on the estuary and must be

removed at once, and a subway or tube cannot be constructed until the above entitled act be amended, this act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California and it shall take effect immediately.

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 1—Relative to canvassing vote for governor and lieutenant governor—and reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported resolution ordered to enrollment

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922

J A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 6 read, and referred to Committee on Municipal Corporations.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Morrison: Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. West: Assembly Bill No. 272—An act to establish Gold Discovery Day.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Bernard (by request): Assembly Bill No. 273—An act to amend section 1733*a* of the Political Code, relating to high school districts

Bill read first time, and referred to Committee on Education

By Mr. Bromley: Assembly Bill No 274—An act to amend section 1426 of the Political Code, relating to regents of the University of California

Bill read first time, and referred to Committee on Universities

By Mr. Donohue. Assembly Bill No. 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved

March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Christian: Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to the extension of time in which an act is to be done

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenshine: Assembly Bill No 277—An act to repeal an act entitled "An act to amend an act entitled 'An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance', approved May 10, 1915, as amended by an act approved May 11, 1917, by adding a new section thereto to be numbered 3*a*," approved June 3, 1921, and to relieve from and remove any penalties, suspensions or forfeitures incurred or accrued under said act

Bill read first time, and referred to Committee on Corporations

By Mrs. Saylor: Assembly Bill No 278—An act to amend section 27 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Noyes: Assembly Bill No 279—An act to amend section 14 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof, to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act,"

approved May 10, 1915, as amended, relating to the examination and testing of brakes on motor vehicles by testing agencies and providing for the fee for such examination.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Crittenden: Assembly Bill No 280—An act entitled an act to amend section 1880 of the Code of Civil Procedure, relating to persons who can not testify.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 281—An act entitled an act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23. 1917, as amended, relating to the wilful misconduct of the employer.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 282—An act entitled an act to amend section 1210 of the Political Code, relating to sample ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. Weller: Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Bill read first time, and referred to Committee on Education.

By Mr. Pomeroy: Assembly Bill No. 284—An act to amend section 22 of the "Vehicle Act," approved May 10, 1915, as amended, relating to the manner of making arrests for violations of speed regulations.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Erb: Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyons: Assembly Bill No. 286—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, authorizing the court to appoint attorneys for legatees, devisees, minor or absent heirs at law, and to fix the compensation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr Bernard: Assembly Constitutional Amendment No. 15—Proposed amendment to article IX of the constitution, relative to the regents of the University of California.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr Carter: Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

Introduced, and referred to Committee on Rules

By Mr. Coombs: Assembly Joint Resolution No. 8—Relative to memorializing Congress to amend the constitution of the United States relating to citizenship.

Introduced, and referred to Committee on Federal Relations.

By Messrs Christian and McPherson: Assembly Joint Resolution No. 9—Relative to the passage of an act providing for adjusted compensation for World War Veterans.

Introduced, and referred to Committee on Soldiers and Sailors Affairs.

ANNOUNCEMENT.

Mr. West announced that, as a charter member of the Whiskerino Club of Sacramento, it afforded him great pleasure to announce that Mrs. Woodbridge had been appointed an honorary member of the club; whereupon Mrs. Woodbridge appeared in costume of a pioneer mother, accompanied by Mr. Wilkinson, arrayed in typical '49 attire, and Mrs. Woodbridge extended, on behalf of the Whiskerino Club, an invitation to all the members of the Assembly, and their friends, to witness the Whiskerino parade and celebration this afternoon to commemorate the seventy-fifth anniversary of the discovery of gold in California.

The Speaker accepted, on behalf of the Assembly, and thanked Mrs. Woodbridge and the Whiskerino Club for their cordial invitation.

ADJOURNMENT.

At eleven o'clock and fifteen minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 25, 1923, said adjournment being in commemoration of the seventy-fifth anniversary of the discovery of gold in California.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 25, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. West, Messrs Badaracco, Eksward, Mathews and Rock were granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Morris, Mr. Siegfried Graf of San Francisco, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. West, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. West:

SACRAMENTO, CALIFORNIA, January 18, 1923.

We, the rural carriers of the Sacramento postoffice, would greatly appreciate the use of your influence so that exemption from the provisions of the gas tax bills now before the State Legislature may be granted to rural carriers

It is commonly believed that the government pays the expense and upkeep on our machines and we think that if this misinformation was corrected in the minds of the legislators, they would realize the justice of our request.

Respectfully,

S. E. BABSON,
And 4 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to levee district number one of Sutter County—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923.

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 120—An act to appropriate moneys for, and to authorize and direct the California Highway Commission to complete that part of the State highway system of the State of California between the towns of Middletown and Lower Lake in Lake County, provided for by an act of the Legislature of the State of California entitled, "An act calling a special election to be held on Tuesday, July 1, 1919, and providing for the submission thereat to the qualified electors of the State of an amendment to the Constitution of the State of California known as Senate Constitutional Amendment No 27, proposed by the Legislature of said State at its forty-third session, providing for the issuance of bonds to the amount of $40,000,000 for the completion of the State highway system and the acquisition and construction of other State highways by the State Department of Engineering, and making an appropriation for the purposes of this act," approved July 1, 1919;

Also Assembly Bill No. 136—An act declaring the public highway extending from a point one-half mile north of the town of Bishop, Inyo County, to the Nevada state line near the point where the main branch of the Southern Pacific railroad crosses such state line to be a public highway and making an appropriation for the improvement thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends they be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 73—An act to amend an act entitled, "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DOUGLAS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway;

Also Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DOUGLAS, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 1—Relative to canvassing vote for Governor and Lieutenant Governor—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of January, 1923, at one o'clock and forty minutes p.m.

ROBERTS, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

(Signed out)

DONOHUE, Chairman.
JONES.
BADHAM.
EMME.
CARLSON.
DOZIER.
PEDROTTI.
POMEROY.
SCHMIDT.

The above reported resolution ordered on file for adoption.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No 3—Relative to approving the Colorado River Compact—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DAVIS, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon John E Raker for the establishment of a Pacific Coast national highway system—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

DAVIS, Chairman.

The above reported resolution ordered on file for adoption.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Coombs: Assembly Bill No 287—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of life estates, the investiture of title in homesteads, and affecting titles held in joint tenancy and in community property.

Bill read first time, and referred to Committee on Judiciary

By Mr Spence: Assembly Bill No 288—An act to add a new section to the Code of Civil Procedure to be numbered 726*a*, relating to negotiable instruments

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919

Bill read first time and referred to Committee on Elections

Also: Assembly Bill No 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the home for feeble-minded and to the support of persons admitted to said home

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 291—An act entitled an act to add a new section to the Code of Civil Procedure to be numbered 1810*d*, relating to estates of minors

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 292—An act entitled an act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 293—An act entitled an act to amend section 407 of the Code of Civil Procedure, relating to appearance after service of summons

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 295—An act to amend section 702 of the Code of Civil Procedure, relating to time of redemption.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 296—An act to amend sections 1327 and 1328 of the Code of Civil Procedure, relating to will contests
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 297—An act to amend sections 132 of the Civil Code, relating to final decree of divorce
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.
Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No 299—An act to amend section 537 of the Code of Civil Procedure, relating to attachment.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 301—An act to amend section 974 of the Code of Civil Procedure, relating to appeals to the superior court
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 302—An act to amend section 132 of the Civil Code, relating to judgments of divorce
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 303—An act to amend sections 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of the said code, relating to judgment liens and transcripts of judgments
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure and to repeal section 947 of the said code, relating to undertakings upon appeal.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code, to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 306—An act to amend section 1159 of the Penal Code, relating to conviction of an offense included in or similar to the one charged.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Christian: Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California.

Bill read first time, and referred to Committee on Education

By Messrs. Kline, Prendergast, Jones and Davis: Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the State of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Emme: Assembly Bill No. 309—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Foster: Assembly Bill No. 310—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to provide for the construction and completion of the system of State highways contemplated by and designated in an act of the Legislature approved May 22, 1909, known as the "State Highways Act," and in an act of the Legislature approved May 20, 1915, and known as the "State Highways Act of 1915," and in section 2 of article XVI of the constitution of this State, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense, preparing and of advertising the sale of bonds herein authorized to be issued, creating the fourth highway fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Bill read first time, and referred to Committee on Roads and Highways

By Mr Fox: Assembly Bill No 311—An act to add a new section to the Political Code, to be numbered 4041*g*, providing for the establishment of landing places for air craft by county boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Pomeroy: Assembly Bill No. 312—An act to authorize and provide for the formation by county boards of supervisors, of county assessment districts for the purpose of the construction, improvement and maintenance of parks, park ways, streets, and boulevards; and providing for the construction and maintenance within said districts of playgrounds and for the construction and maintenance within said districts of street lighting systems, to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes in said districts.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 313—An act to add a new section to the Political Code, to be numbered 1894*c*, and relating to the granting of a permit to those establishing or conducting private schools in this State.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 314—An act to add a new section to the Political Code to be numbered 1894*b*, relating to the establishment and abolishment of private schools.

Bill read first time, and referred to Committee on Education.

By Mr. Badham: Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

Bill read first time and referred to Committee on Elections

Also: Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county water works districts, for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts and for the issuance of county water works bonds, and the payment thereof." approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½ to provide for the incurring of additional bonded indebtedness by water works districts and for adding new territory thereto

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor.

Bill read first time, and referred to Committee on Education.

By Mr Weller: Assembly Bill No 318—An act to amend section 2 of an act entitled, "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the pay-

ment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 319—An act to amend sections 541, 542 and 544 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stevenot: Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the Mother Lode Fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purpose of this act, and providing for the submission of this act to the vote of the people.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 321—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Pedrotti: Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 323—An act amending the Political Code by amending section 2632 thereof, relating to the construction and repair of sidewalks by owners of property.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Hornblower: Assembly Bill No. 324—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 326—An act to amend section 1 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State, and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, by amending section 1 thereof so as to prohibit the use of products of State prisons in public schools

Bill read first time, and referred to Committee on Prisons and Reformatories

By Mrs. Dorris: Assembly Bill No 327—An act to amend section 1 of an act entitled "An act to provide for the burial of ex-union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 328—An act to amend an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917 by amending section 1 of said act and adding thereto a new section to be numbered 1*a*, relating to the place of interment.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also Assembly Bill No. 329—An act to amend an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No 330—An act to add a new section to the Political Code to be numbered 1608*c* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608*d* to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district

Bill read first time, and referred to Committee on Education

Also: Assembly Bill No. 332—An act to amend section 4 of an act entitled the "Workmen's Compensation, Insurance and Safety Act of 1917, chapter 586, Statutes of 1917," approved May 23, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

By Mr. McMillan: Assembly Bill No. 333—An act to amend section 3650 of the Political Code, relating to assessment of property.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class

Bill read first time, and referred to Committee on County Government.

By Mr. Williams: Assembly Bill No. 335—An act to add a new section to the Penal Code, to be numbered 592*a*, relating to the diversion or use of water for purposes of irrigation and cultivation.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Duval: Assembly Bill No 336—An act to amend section 4252 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Crittenden: Assembly Bill No 337—An act to add a new section to be numbered section 5½ to an act entitled, "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith." approved May 27, 1919," as amended.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Morrison: Assembly Bill No 339—An act to amend section 2778 of the Civil Code, relating to rules of interpretation of contracts of indemnity.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 340—An act to amend section 379 of the Code of Civil Procedure, relating to defendants.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyons: Assembly Bill No 341—An act amending the Code of Civil Procedure by amending section 99 thereof to provide for justice's courts having a population of 400,000 or more.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Morris: Assembly Bill No. 342—An act entitled an act appropriating money to pay the claim of R. E. Collins against the State of California.
Bill read first time, and referred to Committee on Claims

Also: Assembly Bill No. 343—An act entitled an act appropriating money to pay the claim of John C Corbett against the State of California.
Bill read first time, and referred to Committee on Claims

Also: Assembly Bill No. 344—An act entitled an act appropriating money to pay the claim of John Mitchell against the State of California.
Bill read first time, and referred to Committee on Claims.

By Mrs Woodbridge: Assembly Bill No 345—An act entitled an act to add a new section to the Political Code to be numbered 1741*a*, relating to the powers and duties of high school boards
Bill read first time, and referred to Committee on Education.

By Mr Clarke: Assembly Bill No 346—An act entitled an act to recognize and declare valid all proceedings in Owens Valley Irrigation District.
Bill read first time, and referred to Committee on Irrigation.

By Mr. Reindollar: Assembly Bill No. 347—An act to add four new sections to the Civil Code, to be numbered 1166, 1167, 1168 and 1168*a*, relating to the recording of lists of delinquent taxes of municipalities and other public corporations and of street improvement and other assessment liens, in the office of the county recorder and prescribing the manner of such recordation and the manner of evidencing the payment thereof, and the removal of such liens, and prescribing that such liens shall not be effective against third persons unless so recorded.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyman: Assembly Bill No 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 349—An act to amend section 2889 of the Civil Code relating to void contracts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Smith: Assembly Bill No. 350—An act to amend section 4029 of the Political Code, relating to boards of supervisors
Bill read first time, and referred to Committee on County Government.

By Mr Kline: Assembly Bill No 351—An act to amend section 4252 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class.

Bill read first time, and referred to Committee on County Government

By Mr. Crittenden: Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident

Bill read first time, and referred to Committee on Judiciary.

By Mr Badham Assembly Bill No. 353—An act to amend an act entitled "An act repealing sections 1, 2 and 3 of an act entitled 'An act to establish a branch State normal school' approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing the regular normal school training courses, and providing an appropriation for the support and maintenance thereof," approved May 23, 1919

Bill read first time, and referred to Committee on Universities.

By Mr. Spalding. Assembly Bill No 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913.

Bill read first time, and referred to Committee on Education.

By Mr. Whitacre: Assembly Bill No. 355—An act to amend section 1365 of the Code of Civil Procedure, relating to order of administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 356—An act to amend section 1920 of the Civil Code, relating to interest on judgments

Bill read first time, and referred to Committee on Judiciary

By Mr. Fulwider: Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read first time, and referred to Committee on County Government

MOTION.

Mr Fulwider moved that the Committee on County Government be instructed to report back Assembly Bill No 357 on the next legislative day.

Motion carried

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs Fulwider and Donohue: Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of

county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read first time, and referred to Committee on County Government.

By Mr McMillan: Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor", approved March 8, 1901.

Bill read first time, and referred to Committee on Education.

By Mr. Cleveland: Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read first time, and referred to Committee on County Government.

By Messrs Burns and Hornblower: Assembly Constitutional Amendment No. 15—Proposed amendment to article XIII of the constitution, relative to homesteads.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Badham: Assembly Constitutional Amendment No. 16—Proposed amendment to article XIII of the constitution, relative to taxpayers' statements of property.

Introduced, and referred to Committee on Constitutional Amendments.

By Miss Miller: Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662*a*, relating to the registration of minors

Bill read first time, and referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleary asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THREE.

Assembly Concurrent Resolution No 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923.

Assembly Concurent Resolution No 3 read and considered engrossed. The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 3 ordered to engrossment.

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleary asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FOUR.

Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922.

Assembly Concurrent Resolution No. 4 read and considered engrossed.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 4 ordered to engrossment.

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922.

THIRD READING OF SENATE BILLS.

Senate Bill No. 17—An act to amend section 4 of an act entitled "An act concerning tunnels, tubes and subways under navigable streams and bodies of water in the State of California," approved March 23, 1911.

Senate Bill No. 17 read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean,

Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 17 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Baker, Edwin, asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 6, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIX.

Senate Concurrent Resolution No. 6—Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922.

Senate Concurrent Resolution No. 6 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 6 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 6 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 6.

Approving six certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the seventh day of November, 1922.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Davis asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 3, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact.

Assembly Joint Resolution No. 3 read, and considered engrossed.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C. Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Douglas, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 3 ordered to engrossment.

ASSEMBLY JOINT RESOLUTION No. 3,

Relative to approving the Colorado River Compact.

WHEREAS, Pursuant to appropriate action of their respective legislatures the states of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming did heretofore appoint commissioners to negotiate and enter into a compact or agreement providing for an equitable distribution and apportionment among the said states of the waters of the Colorado River and of streams tributary thereto; and

WHEREAS, The Congress of the United States did by an act approved August 19, 1921 (42 Statutes at Large, page 171) grant its consent to the making of such compact or agreement, upon condition that a suitable person, to be appointed by the President of the United States, should participate in said negotiations as the representative of and for the protection of the interests of the United States, and upon the further condition that any such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislature of each of said states and by the Congress of the United States; and

WHEREAS, The commissioners representing the said states, after negotiations participated in by Herbert Hoover appointed by the President as the representative of the United States, did, on the twenty-fourth day of November, 1922, at the city of Santa Fe, New Mexico, agree upon and sign a compact, which was then and there approved by the representative appointed by the President of the United States, and which is in the words and figures following, to wit:

COLORADO RIVER COMPACT

The states of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming, having resolved to enter into a compact under the act of the Congress of the United States of America approved August 19, 1921 (42 Statutes at Large, page 171) and the acts of the legislatures of the said states, have through their governors appointed as their commissioners

W. S. Norviel	for the State of Arizona
W. F. McClure	for the State of California
Delph E. Carpenter	for the State of Colorado
J. G. Scrugham	for the State of Nevada
Stephen B. Davis, Jr.	for the State of New Mexico
R. E. Caldwell	for the State of Utah
Frank C. Emerson	for the State of Wyoming

who, after negotiations participated in by Herbert Hoover appointed by the President as the representative of the United States of America, have agreed upon the following articles:

Article I.

The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River System; to establish the relative importance of different beneficial uses of water; to promote interstate comity; to remove causes of present and future controversies; and to secure the expeditious agricultural and industrial development of the Colorado River Basin, the storage of its waters and the protection of life and property from floods. To these ends the Colorado River Basin is divided into two basins, and an apportionment of the use of part of the water of the Colorado River System is made to each of them with the provision that further equitable apportionments may be made.

Article II.

As used in this compact

(a) The term "Colorado River System" means that portion of the Colorado River and its tributaries within the United States of America.

(b) The term "Colorado River Basin" means all of the drainage area of the Colorado River System and all other territory within the United States of America to which the waters of the Colorado River System shall be beneficially applied.

(c) The term "states of the upper division" means the states of Colorado, New Mexico, Utah and Wyoming.

(d) The term "states of the lower division" means the states of Arizona, California and Nevada.

(e) The term "Lee Ferry" means a point in the main stream of the Colorado River one mile below the mouth of the Paria River

(f) The term "upper basin" means those parts of the states of Arizona, Colorado, New Mexico, Utah and Wyoming within and from which waters naturally drain into the Colorado River System above Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the system above Lee Ferry.

(g) The term "lower basin" means those parts of the states of Arizona, California, Nevada, New Mexico and Utah within and from which waters naturally drain into the Colorado River System below Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the system below Lee Ferry.

(h) The term "domestic use" shall include the use of water for household, stock, municipal, mining, milling, industrial and other like purposes, but shall exclude the generation of electrical power.

Article III.

(a) There is hereby apportioned from the Colorado River System in perpetuity to the upper basin and to the lower basin respectively the exclusive beneficial consumptive use of 7,500,000 acre feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

(b) In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by one million acre feet per annum.

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River System, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b); and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the upper basin and the lower basin, and whenever necessary the states of the upper division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

(d) The states of the upper division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact.

(e) The states of the upper division shall not withhold water, and the states of the lower division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses

(f) Further equitable apportionment of the beneficial uses of the waters of the Colorado River System unapportioned by paragraphs (a), (b) and (c) may be made in the manner provided in paragraph (g) at any time after October 1, 1963, if and when either basin shall have reached its total beneficial consumptive use as set out in paragraphs (a) and (b).

(g) In the event of a desire for a further apportionment as provided in paragraph (f) any two signatory states, acting through their governors, may give joint notice of such desire to the governors of the other signatory states and to the President of the United States of America, and it shall be the duty of the governors of the signatory states and of the President of the United States of America forthwith to appoint representatives, whose duty it shall be to divide and apportion equitably between the upper basin and lower basin the beneficial use of the unapportioned water of the Colorado River System as mentioned in paragraph (f), subject to the legislative ratification of the signatory states and the Congress of the United States of America.

Article IV.

(a) Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural and power purposes. If the Congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding.

(*b*) Subject to the provisions of this compact, water of the Colorado River System may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

(*c*) The provisions of this article shall not apply to or interfere with the regulation and control by any state within its boundaries of the appropriation, use and distribution of water

Article V.

The chief official of each signatory state charged with the administration of water rights, together with the director of the United States Reclamation Service and the director of the United States Geological Survey shall cooperate, ex officio

(*a*) To promote the systematic determination and coordination of the facts as to flow, appropriation, consumption and use of water in the Colorado River Basin, and the interchange of available information in such matters

(*b*) To secure the ascertainment and publication of the annual flow of the Colorado River at Lee Ferry.

(*c*) To perform such other duties as may be assigned by mutual consent of the signatories from time to time.

Article VI.

Should any claim or controversy arise between any two or more of the signatory states, (*a*) with respect to the waters of the Colorado River System not covered by the terms of this compact; (*b*) over the meaning or performance of any of the terms of this compact; (*c*) as to the allocation of the burdens incident to the performance of any article of this compact or the delivery of waters as herein provided; (*d*) as to the construction or operation of works within the Colorado River Basin to be situated in two or more states, or to be constructed in one state for the benefit of another state, or (*e*) as to the diversion of water in one state for the benefit of another state; the governors of the states affected, upon the request of one of them, shall forthwith appoint commissioners with power to consider and adjust such claim or controversy, subject to ratification by the legislatures of the states so affected.

Nothing herein contained shall prevent the adjustment of any such claim or controversy by any present method or by direct future legislative action of the interested states

Article VII.

Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes.

Article VIII.

Present perfected rights to the beneficial use of waters of the Colorado River System are unimpaired by this compact. Whenever storage capacity of 5,000,000 acre feet shall have been provided on the main Colorado River within or for the benefit of the lower basin, then claims of such rights, if any, by appropriators or users of water in the lower basin against appropriators or users of water in the upper basin shall attach to and be satisfied from water that may be stored not in conflict with Article III.

All other rights to beneficial use of waters of the Colorado River System shall be satisfied solely from the water apportioned to that basin in which they are situate

Article IX.

Nothing in this compact shall be construed to limit or prevent any state from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under this compact or the enforcement of any of its provisions.

Article X.

This compact may be terminated at any time by the unanimous agreeemnt of the signatory states. In the event of such termination all rights established under it shall continue unimpaired.

Article XI.

This compact shall become binding and obligatory when it shall have been approved by the legislatures of each of the signatory states and by the Congress of the United States. Notice of approval by the legislatures shall be given by the governor of each signatory state to the governors of the other signatory states and to the President of the United States, and the President of the United States is requested to give notice to the governors of the signatory states of approval by the Congress of the United States.

In witness whereof, the commissioners have signed this compact in a single original, which shall be deposited in the archives of the Department of State of the United States of America and of which a duly certified copy shall be forwarded to the governor of each of the signatory states.

Done at the city of Santa Fe, New Mexico, this twenty-fourth day of November, A. D. one thousand nine hundred and twenty-two.

(Signed)

W. S. NORVIEL
W. F. McCLURE
DELPH E. CARPENTER
J. G. SCRUGHAM
STEPHEN B. DAVIS, JR.
R. E. CALDWELL
FRANK C. EMERSON

APPROVED:
(Signed) HERBERT HOOVER

Now, therefore, be it

Resolved by the Assembly and the Senate of the Legislature of the State of California jointly, at its forty-fifth session, commencing on the eighth day of January 1923, a majority of all the members elected to each house of said Legislature voting in favor thereof That the said Colorado River Compact be and the same is hereby approved by the Legislature of the State of California, and be it further

Resolved, That the Governor of California be and he is hereby authorized and requested to give notice of the foregoing approval to the governor of each of the other signatory states and to the President of the United States.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Assembly Joint Resolution No 6, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Assembly Joint Resolution No 6—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system

Assembly Joint Resolution No. 6 read, and considered engrossed.

The question being on the adoption of the resolution

The roll was called, and Assembly Joint Resolution No. 6 adopted by the following vote.

AYES—Anderson, Badham, Baker, Edwin, Ball, Bromley, Broughton Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue Dorris, Douglas Emmet Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston Jones, Kline, Lyman Lyons, McMillan, McPherson, Miller Mitchell, A G Mitchell, T A, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti Pomeroy, Prendergast, Reindollar Roberts, Rosenshine, Saylor Schmidt, Scott, Snyder, Spalding Spence, Stevenot, Stow, Weller West, Whitacre, Williams Woodbridge, Wright, and Mr Speaker—69

NOES—None.

Title read and approved

Assembly Joint Resolution No. 6 ordered to engrossment.

ASSEMBLY JOINT RESOLUTION No. 6.

Relative to memorializing Congress to adopt bill introduced by Hon John E. Raker for the establishment of a Pacific Coast national highway system.

WHEREAS, Hon. John E Raker, member of Congress from the State of California, has introduced a bill in the House of Representatives for the establishment of a Pacific Coast national highway system authorizing examination survey and report to the War Department, as a preliminary to the improvement, construction and maintenance of a system of motor truck highways to meet the transportation requirements of heavy commerce in time of peace and of heavy ordnance in time of war, and to serve as post roads with proper and sufficient laterals, in the states of California, Oregon and Washington, and

WHEREAS, This bill is of vital interest to the State of California and, if adopted, will assist in the agricultural and commercial development of this State and the entire Pacific Coast in times of peace, and

WHEREAS, The system of highways provided for in this bill will be absolutely necessary to a proper defense of the Pacific Coast in times of war, and

WHEREAS, It is apparent that many of the world problems of the future will be decided on the Pacific Coast, now, therefore, be it

Resolved, That the Legislature of the State of California, through its Assembly and Senate, memorializes the Congress of the United States to adopt the aforesaid bill at the earliest possible date in order that the project shall suffer no delay, and, be it further

Resolved, That the Speaker of the Assembly be authorized to transmit copies of this resolution by telegraph, to the governors of the states of Washington and Oregon, with the request that similar action be taken by their respective legislatures, and, be it further

Resolved, That the Speaker of the Assembly be authorized to transmit copies of this resolution, by mail, to all the members of Congress and the Senate of the United States

RESOLUTIONS

The following resolutions were offered

By Mr Fellom:

WHEREAS, The electorate of the Fifth Congressional District on Tuesday, January 23, 1923 honored California by electing the first woman to represent this State in Washington, D C by the selection of Congresswoman-elect Mae Hunt Nolan and

WHEREAS, Her election to this high office is a tribute by the voters to the womanhood of California, and is an expression of confidence in and justification of the principle of equal suffrage, therefore be it

Resolved, That the Assembly of the State of California extend to Congresswoman-elect Mae Hunt Nolan its sincere wishes for success in the national legislative duties which she is about to assume, and be it further

Resolved, That the Assembly extend to Congresswoman-elect Mae Hunt Nolan an invitation to visit this Assembly and address its membership while the Legislature is in session

Resolution read

Mr Fellom moved the adoption of the resolution.

MOTION TO REFER.

Mr. Hornblower moved that Mr. Fellom's resolution be referred to the Committee on Rules

Motion carried.

MOTION

Mr Fellom moved that the Committee on Rules be instructed to report back his resolution on the next legislative day.

Motion carried

By Mr Dawson:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $2073 08 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same

Bancroft-Whitney Co., 84 sets Deering's Codes & Suppl. 1921, 6 volumes	$1,974 60
Pacific Telephone & Telegraph Co, January 7th to 31st	23 07
Parnell Stationery Co 1 Webster's dictionary	4 75
Carithers Sign Co, painting on book "Assembly"	1.00
Parnell Stationery Co, 6 clip files	3 63
Division of Printing for printing	63 65
American Railway Express Co expressage	1 73
Parnell Stationery Co, 1 book	75
Sleeper Stamp Co, repairing numbering machine	50
	$2,073 08

The speaker referred the above resolution to the Committee on Contingent Expenses.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Kline, Assembly Bill No 363—An act to amend section 9 of an act entitled "An act to define and regulate the business of

banking," approved March 1, 1909, as amended, relating to the establishment of branch offices.

Bill read first time, and referred to Committee on Banking.

By Mr. Carter: Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 365—An act amending the Political Code by amending sections 4041, 4041*a*, 4041*b*, 4041*c*, 4041*d*, 4041*e* and 4041*f*, and by adding new sections numbered 4041*g*, to 4041*z*, inclusive, all relating to the powers and duties of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 366—An act to repeal sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887 and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Schmidt: Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Rosenshine: Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Donohue: Assembly Bill No. 370—An act to amend section 2653 of the Political Code, relating to the property highway tax.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Dawson: Assembly Bill No. 371—An act amending the Political Code by adding a new section to be numbered 4221*a*, relating to the right of the county surveyor to enter upon private property in the performance of his duties.

Bill read first time, and referred to Committee on County Government

Also: Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings

Bill read first time, and referred to Committee on County Government

Also: Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code relating to sheriff's fees.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 374—An act to amend sections 3356 and 3357 and to repeal section 3358 of the Political Code, relating to licenses.

Bill read first time, and referred to Committee on County Government

By Mr. Wright: Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

Bill read first time, and referred to Committee on Education.

By Mr Coombs: Assembly Bill No. 376—An act to provide for and regulate general elections, and to provide a method for choosing United State Senators, United States Representatives, State officers, members of the Legislature, electors of President and Vice President of the United States and delegates for political parties to State conventions, by a system of preferential voting, and to repeal all other acts or parts of acts inconsistent or in conflict with the provisions of this act, and to preserve the features of "The Direct Primary Law" approved

June 16, 1913 as amended and to harmonize the same with the provisions of this act.

Bill read first time, and referred to Committee on Elections

By Mr. Smith: Assembly Bill No. 377—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties.

Bill read first time, and referred to Committee on Judiciary.

By Mrs. Saylor: Assembly Constitutional Amendment No. 17—Proposed amendment to article IX of the constitution, relative to an amendment to section 2 relating to the election of a Superintendent of Public Instruction.

Introduced, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No 18—Proposed amendment to article IX of the constitution, relative to the election of a Superintendent of Schools in each county

Introduced, and referred to Committee on Constitutional Amendments.

By Mr Wright: Assembly Constitutional Amendment No. 19—Proposed amendment to article XX of the constitution, relative to the addition of a new section thereunto to be numbered section 22 and relating to the establishment of a State insurance system

Introduced, and referred to Committee on Constitutional Amendments

Also Assembly Constitutional Amendment No 20—Proposed amendment to article XX of the constitution, relative to an amendment of section 21, relating to workmen's compensation

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Graves: Assembly Bill No. 378—An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission, defining the rights, remedies, powers and duties of transportation companies, and the rights and remedies of patrons of same, declaring all automobiles, jitney busses, auto trucks, stages and auto stages, used in violation of the terms and provisions of this act, nuisances, and providing for the abatement and prevention of such nuisances by injunction and otherwise, providing for the enforcement of the provisions of this act, and for the punishment of violations thereof, repealing chapter 213 of the Laws of 1917 and amendments thereto, and all acts and parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr Mitchell, T. A : Assembly Bill No. 379—An act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

Bill read first time, and referred to Committee on Manufactures.

By Mr. McPherson · Assembly Bill No 380—An act to provide for the investigation and report by the State of California of the conservation of water resources of this State

Bill read first time, and referred to Committee on Conservation.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER SACRAMENTO, January 24, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 8—Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922

J A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Rosenshine, on behalf of Mr Eksward, asked for and was granted unanimous consent to take up Senate Concurrent Resolution No 8, at this time, without reference to committee.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER EIGHT.

Senate Concurrent Resolution No 8—Approving the charter of the city of San Mateo State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922.

Senate Concurrent Resolution No 8 read

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No 8 finally adopted by the following vote·

AYES—Anderson, Baker Elwin Ball Broughton Burns, Carlson Carter, Clarke, Cleary, Cleveland Coombs, Crittenden Davis Dean Donohue, Dorris Douglas, Duval, Emme, Erb, Fellom, Foster Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, McDowell McMillan McPherson Miller, Moore Morris, Morrison, Mueller, Noyes, Pedrotti Pomeroy, Prendergast, Reindollar Rosenshine, Saylor, Schmidt Scott, Smith, Snyder Spalding Spence, Stevenot, Stow, Weller West, Whitacre, Williams, Woodbridge Wright, and Mr Speaker—60.

NOES—None

Title read and approved.

Senate Concurrent Resolution No 8 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 8,

Approving the charter of the city of San Mateo, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1922.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. SPEAKER· Your Committee on Judiciary, to which was referred Assembly Bill No. 31—An act to amend section 1910 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of

such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on County Government.

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on County Government.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 2—Approving the charter of the City of Chico, State of California, voted for and ratified by the qualified voters of the said City of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported resolution ordered transmitted to the Senate.

REQUEST FOR LEAVE OF ABSENCE.

Mr. Coombs requested and was granted leave of absence for Friday, January 26, 1923.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 26, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 26, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith,

Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Erb, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Hawes, Mr. Hornblower was granted leave of absence for the day.

On motion of Mr. Weller, Mr. Badham was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Erb, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1923

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund;

Also Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane;

Also Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens;

Also: Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees;

Also: Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BROMLEY, Vice Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact;

Also Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E Raker for the establishment of a Pacific Coast national highway system,

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported resolutions ordered transmitted to the Senate.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923;

Also Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said

city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported resolutions ordered transmitted to the Senate.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1923

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred resolution by Mr. Weller, has had the same under consideration and begs leave to report back as a substitute a concurrent resolution to be introduced by the committee, and recommends that it be adopted.

FULWIDER, Chairman.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

The following Concurrent Resolution was introduced:

By Committee on Governmental Efficiency and Economy: Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes.

Introduced, without reference to committee, ordered to print, engrossment, and on file for adoption.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as a case of urgency, Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr Bromley: Assembly Bill No. 381—An act to add a new section to the Political Code, to be numbered 3779, relating to certain unclaimed tax sale moneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 382—An act to amend section 10 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory approved June 11, 1913, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 383—An act to amend section 1160 of the Political Code, relating to the conduct of elections.

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 384—An act to authorize the use by a city of the county jail.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyons: Assembly Bill No. 385—An act to prohibit contracts and agreements for the sale and future delivery of stock, bonds and other securities upon margin, commonly known as dealing in futures; to declare such transactions unlawful, and to constitute a felony on the part of any person, association of persons or corporation participating therein, whether directly or indirectly; to prohibit the establishment, maintenance, or operation of any office or other place where such contracts are made or offered; to define what shall constitute prima facie evidence of guilt; to compel all persons participating in such transactions to testify concerning their connections therewith; to provide that no discovery made by any witness which would tend to subject him to conviction or punishment under this act shall be used against such witness in any penal or criminal proceedings, and that he shall be altogether pardoned therefor; to provide that regular commercial exchanges and other bona fide trade organizations may post quotations of market prices, and for other purposes.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 386—An act to amend section 8 of an act entitled, "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Pedrotti: Assembly Bill No. 387—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for or with the sale of goods, wares, merchandise, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fox: Assembly Bill No. 388—An act to add a new section to the Political Code to be numbered 1764c, relating to powers and duties of high school boards.

Bill read first time, and referred to Committee on Education

By Mr. Roberts: Assembly Bill No. 389—An act to amend section 689 of the Code of Civil Procedure, relating to third party claim.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Weller: Assembly Bill 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 391—An act to amend section 4085*a* of the Political Code, relating to the use of appropriations instead of funds.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 392—An act to amend section 4305 of the Political Code, relating to salary fund.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 393—An act amending "An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 15, 1915, as amended, by amending sections 1, 28 and ——— thereof, and by adding a new section thereto, to be numbered section 56.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 394—An act to amend "An act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations limiting the amount of public moneys that may be deposited therein and providing for a penalty for the illegal deposit and use thereof," approved March 23, 1907, as amended

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 395—An act authorizing the preparation and adoption, as an official map, of the plat of any piece or parcel of land which has not been subdivided and platted.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 396—An act to amend section 2645 of the Political Code, relating to the duties of road commissioners.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Pomeroy: Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof and by adding section 18*c* thereto to provide for the dissolution of lighting districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 399—An act to amend section 4225*a* of the Political Code, relating to health officers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No 400—An act to add a new article to chapter IV of title VII of part —— of the Code of Civil Procedure, to be numbered article 542*b*, relating to attached property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 401—An act to amend sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as the same was revised by chapter 232 of the Statutes of 1921.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Williams: Assembly Bill No 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Snyder: Assembly Bill No. 403—An act to amend section 4225 of the Political Code, relating to the appointment, powers, duties and compensation of health officers in counties and unincorporated towns.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, C. C.: Assembly Bill No. 405—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment against persons convicted of the commission of crime.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 406—An act to amend sections 2, 3, 12 and 13 of an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Cleveland: Assembly Bill No. 408—An act to add a new section to be numbered 1753 of the Political Code, relating to a State convention of boards of high school trustees.

Bill read first time, and referred to Committee on Education.

By Mr. Morrison: Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties and to repeal all acts or parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Crittenden: Assembly Bill No 410—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Assembly Bill No. 411—An act making an appropriation for the construction, reconstruction and improvement of all State highways in San Joaquin County.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Eksward and Noyes: Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education

By Mr. Duval: Assembly Bill No. 413—An act to amend section 15 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere: to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act,"

approved May 10, 1915, as amended, relating to penalties for overloading vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Dozier: Assembly Bill No. 414—An act to amend section 4284 of the Political Code, relating to salaries of officers of counties of the fifty-fifth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 415—An act to amend section 10 of the Political Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

By Mr Reindollar: Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts and disbursements of taxes therein; the issuance, the assessment, levying, collection, custody, and disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Carlson: Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 418—An act to repeal section 3897*a* of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 419—An act to amend section 3897 of the Political Code, relating to the sale of property for delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Badaracco: Assembly Bill No. 420—An act to add a new section, to be numbered section 8*g*, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No 421—An act appropriating money for the construction and equipment of a building or buildings at the North Beach training school of the State Teachers College of San Francisco.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Carter: Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Mathews: Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class

Bill read first time, and referred to Committee on County Government.

By Mr. Roberts: Assembly Bill No 424—An act to add a new section to the Penal Code, to be numbered 1599*a*, and relating to prisoners in city and county jails.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 425—An act to amend an act entitled "An act declaring the existence of inflammable vegetable matter constituting a fire menace to be a public nuisance; providing for its abatement, and prescribing the manner of collecting the expense thereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. West: Assembly Bill No. 426—An act to provide for retirement of employees of the State of California on account of permanent physical or mental disability after twenty-five years of continuous service, and for retirement after twenty-five years of continuous service of employees who may then be more than seventy years of age, with one-half pay thereafter during life; to provide means and methods for the payment of retired salaries, and for the filling of vacancies caused by such retirements, and creating a Board of Retirement regarding the same.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Ball: Assembly Bill No 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Bill read first time, and referred to Committee on Medical and Dental Laws

By Miss Broughton: Assembly Bill No. 428—An act to add a new section to the Political Code, to be numbered 247*a*, relating to the appointment of the employees of the Legislature

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as Sorghum Halepense, otherwise known as Johnson Grass, approved March 20, 1903," and all acts amending or supplementing said act.

Bill read first time, and referred to Committee on Agriculture

By Mrs. Dorris: Assembly Bill No 431—An act to amend section 30*a* of an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, as amended.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Also: Assembly Bill No. 432—An act to add a new section to the Penal Code to be numbered 654*c*, relating to cooperative business corporations or associations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code to be numbered 1617½, relating to the sale or lease of school property upon which no public school is being maintained.

Bill read first time, and referred to Committee on Education.

By Mr. McPherson: Assembly Bill No 435—An act making an appropriation to pay the claim of Joseph M. Raines against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, (heirs of R. D. Robbins).

Bill read first time, and referred to Committee on Claims.

By Miss Miller: Assembly Bill No 438—An act to amend section 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 439—An act amendment to County Water District Act. Amends section 2 so that lands in district need not be contiguous.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 440—An act to amend the Code of Civil Procedure by amending section 927 and 927*p*, relating to small claims court

Bill read first time, and referred to Committee on Judiciary

By Mr. Bernard: Assembly Bill No 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California

Bill read first time, and referred to Committee on Claims.

By Mr. Bromley: Assembly Bill No. 442—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*g*, embracing sections 365 to 365*c*, both inclusive, relating to a department of professinal standards.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 443—An act to repeal section 366*d*, of the Political Code, relating to the boards of directors, managers and trustees of the several State hospitals and the Sonoma State Home.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 444—An act to repeal an act entitled "An act to be known as 'the California Irrigation Act' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an irrigation board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, dramage districts and other political subdivision of the State organized for the purpose of promoting irrigation,

reclamation and drainage, into irrigation districts under this act; and empowering said irrigation board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenue therefor; and repealing the California Irrigation Act approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 445—An act to repeal an act entitled "An act making an appropriation for the construction of a suitable memorial commemorating the Battle of San Pasqual.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 446—An act to amend the title and sections 2 and 2½ and to repeal sections 1 and 4 of an act entitled "An act providing for the management of the California Redwood Park and creating a board of five commissioners with power to manage said California Redwood Park.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Heisinger: Assembly Bill No. 447—An act providing for an investigation of certain corporations, individuals, or associations engaged in the production, manufacture, refinement, transmission, delivery, or furnishing of petroleum and petroleum products.

Bill read first time, and referred to Committee on Oil Industries.

Also: Assembly Bill No. 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno and the floor of the Kings River Canyon, at or near Cedar Grove hotel in said county.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Graves: Assembly Bill No. 449—An act to add a new section to the Political Code to be numbered 754*a*, relating to the salaries of the justices of the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 450—An act to add a new section to the Political Code, to be numbered 757*b*, relating to the salaries of the justices of the District Court of Appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California.
Bill read first time, and referred to Committee on Claims.

By Mr Stevenot: Assembly Bill No. 452—An act to amend section 4287 of the Political Code, relating to salaries and fees of officers in counties of the fifty-eighth class.
Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 453—An act to amend section 4274 of the Political Code, relating to salaries and fees of officers in counties of the forty-fifth class.
Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 454—An act to amend section 4278 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the forty-ninth class.
Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 455—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.
Bill read first time, and referred to Committee on County Government.

By Mr. Bromley: Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California.
Bill read first time, and referred to Committee on Claims.

By Mr. Crittenden: Assembly Bill No. 457—An act to require all railroad companies to construct and maintain on or along side of every railroad bridge within the State of California a gangway or sidewalk along each railroad track along such bridge for the use of train and enginemen and other employees in cases of exigency and emergency, and providing penalties for the violation of its provisions.
Bill read first time, and referred to Committee on Public Utilities.

By Mr Lyman: Assembly Bill No. 458—An act to regulate the occupation of barbering, to create a state board of examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Duval and Stow: Assembly Bill No. 459—An act to amend section 24 of an act approved June 16, 1913, entitled "An act to provide for and regulate primary elections, and providing a method

of choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; as amended by an act approved May 29, 1917; as amended by an act approved April 8, 1919.

Bill read first time, and referred to Committee on Elections.

By Miss Broughton: Assembly Constitutional Amendment No. 21—Proposed amendment to article XI of the constitution, relative to compensation of municipal officers and deputies.

Introduced, and referred to Committee on Constitutional Amendments.

By Mrs. Dorris: Assembly Constitutional Amendment No. 22—Proposed amendment to article IV of the constitution, relative to veto.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Cleary and Stevenot: Assembly Constitutional Amendment No. 23—Proposed amendment to article IV of the constitution, relative to reapportionments.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dozier: Assembly Constitutional Amendment No. 24—Proposed amendment to article II of the constitution, relative to the right of suffrage.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyons: Assembly Constitutional Amendment No. 25—Proposed amendment to article IV of the constitution, relative to members of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

RE-REFERENCE OF BILLS.

On motion of Mr. Scott, Assembly Bill No. 329 was recalled from the Committee on Labor and Capital and referred to Committee on Mines and Mining.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Kline: Assembly Bill No. 460—An act to amend section 3 of section 626c of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Stow: Assembly Bill No. 461—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages on personal property.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 464—An act to amend sections 4130, 4140 and 4300c of the Political Code, relating to recorders and fees.

Bill read first time, and referred to Committee on Banking.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Cleveland:

Be it resolved by the Assembly, That the Chief Clerk be, and hereby is, instructed to purchase eighty calendar pads with the necessary stands for the use of the Assembly and the Controller is authorized to draw his warrant and the Treasurer is authorized to pay the same out of the contingent fund of the Assembly.

The Speaker referred the above resolution to the Committee on Contingent Expenses.

By Mr. Connolly:

WHEREAS, There is considerable public criticism uttered against the manner in which the construction of those certain State highways known as "McDonald's to the mouth of the Navarro River" and located in Mendocino County and the highway known as State highway "Ukiah to Tahoe City," has been carried out, and

WHEREAS, There has been very little of the contemplated highways which have been completed; and

WHEREAS, There does not seem to be at the present time any prospect of carrying out and completing the improvement of said highways; now therefore be it

Resolved by the Assembly, That the State Highway Commission be, and is hereby instructed to investigate and to report to the Legislature

First, the number of surveys which have been made on said highways and the cost thereof.

Second the cost of inspection by the highway engineers of the portions of said highways which have been completed and accepted to date

Third, the amount that is now available of the original appropriations for the completion of said highways and a report of all expenditures made to date on said highways.

REQUEST FOR UNANIMOUS CONSENT.

Mr Connolly asked for and was granted unanimous consent to take up his resolution, at this time, without reference to committee.

Resolution read.

Mr. Connolly moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

By Mr. Cleveland:

WHEREAS, Barney Ferguson has shown himself a useful and efficient attache of this Assembly, therefore, be it

Resolved, That Barney Ferguson be, and is hereby, appointed as an Assistant Sergeant-at-Arms Said employment to date from and include January 22, 1923.

The Speaker referred the above resolution to the Committee on Attaches.

By Mr Bernard:

WHEREAS, Many of the farmers of California for the past few years have been compelled to sell their crops at prices less than the actual cost of production and that many of them have been forced out of business, in many cases mortgages have been foreclosed and they have lost their homes and their life savings, through no fault of their own, and,

WHEREAS, Statistics reveal the fact that over $700,000,000 worth of products have been marketed during the past year and as but a fraction of this vast sum has been received by the farmers, in many instances, not sufficient to pay the cost of production, taxes, interest, etc., and,

WHEREAS, The State of California is particularly an agricultural state and the foundation of all of the prosperity of the State depends upon the success of the producer, and,

WHEREAS, The consumer in the city as well as the farmer consumer has been compelled to pay as much or in some cases, more than in the war period, and, now therefore be it

Resolved, That a committee of five be appointed by the Speaker of the Assembly to make an exhaustive investigation of the causes which are bringing about these conditions which must eventually undermine the very foundation of our government, and to report back to this body as to what in their opinion could be done to more equalize the cost as between the producer and consumer, and, be it further

Resolved, That $1,000 be appropriated and the same is hereby made available for the purpose of defraying the expenses of such a committee in said investigation, and to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said committee, for such expenditure, not to exceed $1,000, as he may be advised by the chairman of said Committee, and the State Treasurer is hereby authorized and directed to pay the same.

The Speaker referred the above resolution to the Committee on Agriculture.

By Mr. Badaracco:

WHEREAS, In the death of John A. Mathews father of the Honorable A. J. Mathews, the State of California has lost an upright and honorable citizen; therefore be it

Resolved, That the Assembly, State of California, does hereby extend to the family of the late John A. Mathews its sincere sympathy, and be it further

Resolved, That when the Assembly adjourn this day, it adjourn out of respect to the memory of the late John A. Mathews, and be it further

Resolved, That a copy of this resolution, duly certified by the Clerk of the Assembly, be sent to the family of the deceased.

Resolution read, and on motion of Mr. Badaracco, unanimously adopted by a rising vote.

By Mr. Scott:

WHEREAS, The Industrial Farm for Women in Sonoma County, authorized by the Legislature of 1919, opened in January, 1922, has been attacked as an extravagant and useless burden on the taxpayers, usurpation a function that properly belongs to corrective and penal institutions of the State, therefore be it

Resolved, That the Speaker be empowered to appoint a committee of three to investigate the cost of maintenance, the manner in which it is conducted, the good it is accomplishing, and all facts pertinent looking toward the continuance of its existence, the committee to report at the next session succeeding the recess.

Resolved, That not to exceed $500 be and the same is hereby made available for the purpose of defraying the expenses of such committee in said investigation, to be paid from the Contingent Fund of the Assembly, and the Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

The Speaker referred the above resolution to the Committee on Contingent Expenses with instructions to report back on the next legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 73—An act to amend an act entitled, "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On line 7, page 1, of the printed bill, after the words "Angels Camp," insert "Carson Hill, Melones."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

Bill read second time, ordered to engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1923.

MR. SPEAKER: Your Committee on Rules, to which was referred the resolution by Mr. Fellom—Relative to Congresswoman-elect Mae Hunt Nolan—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted as amended.

CARTER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fellom asked for and was granted unanimous consent to take up his resolution, at this time

Resolution read.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the following words in the next to the last line, and all of the last line: "and address its membership while the Legislature is in session," and insert in lieu thereof the following: "and the privilege of the floor be extended to her."

Amendment adopted.

Mr. Fellom moved the adoption of the resolution as amended.

The question being on the adoption of the resolution, as amended.

Resolution unanimously adopted.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and

the fixing the date for said adjournment and said reassembling—has had the same under consideration, and respectfully reports the same back, and recommends it be adopted as amended.

CARTER, Chairman.

The above reported resolution ordered on file for adoption.

MOTION TO APPOINT SELECT COMMITTEE.

Mr. Fellom moved that the Speaker appoint a Select Committee of three to wait on the Governor and the Board of Control for the purpose of ascertaining, if possible, the exact day and hour the budget would be submitted to the Assembly, and to report back the above information to this body on the next legislative day.

Motion carried.

The Speaker appointed Messrs. Fellom, Fulwider and Emme as such Select Committee.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20*a*, providing for the alteration of the boundaries of drainage districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Weller: Assembly Bill No. 465—An act to appropriate the unexpended balance of the moneys heretofore appropriated under an act entitled "An act appropriating money for the erection of additional buildings at Norwalk State Hospital and equipping the same," approved May 26, 1921.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Baker, Edwin: Assembly Bill No. 466—An act creating a game reserve in Los Angeles County.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 467—An act providing for the acquisition of land for public parks, the creation of assessment districts to pay the expense thereof, and the issuance of bonds

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 468—An act revising an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the condition on which such maps be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Burns: Assembly Bill No. 469—An act to repeal section 7 of an act entitled "An act to amend the Vehicle Act approved May 10, 1915, as amended by an act entitled 'An act to amend the Vehicle Act, approved May 10, 1915, by repealing sections 10, 18, 23, 33 and 42 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35 and 37 thereof said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, and for the payment of registration fees therefor; to prohibit the operation of any motor vehicle without the consent of the owner thereof, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matter embraced within the provisions of this act; to provide for the organization and conduct of the Motor Vehicle Department created by this act, and to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for carrying out the objects of said act and of said amendments thereto, and to make appropriation therefor; to provide for the printing and distribution of said act as amended, and to provide for the time that said amendments shall go into effect,' approved May 10, 1917, by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 28, 32, 34, 36, and 37 thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise and for the regulation of traffic and travel over such highways; for the registration and identification of motor and other vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, and for the payment of license fees therefor; to prohibit the operation or use of any vehicle by any person under the influence of intoxicating liquor and the use of any motor vehicle without the consent of the owner thereof; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to any of the matters embraced within the provisions of this act; to provide for the organization and conduct of the Motor Vehicle Department created by this act and the salaries of the officers and employees thereof; to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for the carrying out of the object of said act as amended as aforesaid and of these amendments thereto, and to make appropriation therefor; to provide for the printing and distribution of said act as amended as aforesaid and as hereby amended, and to provide for the time that said amendments shall go into effect, and repealing all acts or parts of acts in conflict herewith." approved May 2, 1919, in so far as it relates to the fee to be paid for chauffeur's licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Morrison: Assembly Bill No. 470—An act to amend sections 1, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. McDowell: Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 473—An act to amend sections 1589, 1589*a*, 1590, 1591, 1591*a* of the Political Code and to repeal section 1589*b* of the Political Code, relating to union elementary school districts.

Bill read first time, and referred to Committee on Education.

By Mesdames Woodbridge and Dorris: Assembly Bill No. 474—An act to add a new section, with subsections, to the California Civil Code, to provide for farm laborers' liens and the method of their enforcement.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 475—An act to add a new subsection to section 1191 of the Code of Civil Procedure, to provide a lien for clearing, leveling and breaking land.

Bill read first time, and referred to Committee on Agriculture.

By Baker, Edwin: Assembly Bill No. 476—An act to amend section 7 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At twelve o'clock and ten minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, January 29, 1923, out of respect to the memory of the late John A. Mathews, father of Assemblyman A. J. Mathews.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 29, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor,

Schmidt, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Ball, Mr. Stevenot was granted leave of absence for the day.

On motion of Mr. Lyman, Mr. Spence was granted leave of absence for the day.

On motion of Mr. Baker, Edwin, Mr. Graves was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day.

On motion of Mr. Stow, Mr. Duval was granted leave of absence for the day.

On motion of Mr. Hornblower, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Smith, Mr. Croter was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Foster, Mr. R. O Burton of Selma was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal

Through the courtesy of Mr. Cleary, Mr. Frederick J. Heid, Jr. of Tulare was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal

Through the courtesy of Mrs. Woodbridge, Mr. P. B. Goss of the Placer County Chamber of Commerce, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Davis, Mr. John Stewart Ross of El Centro was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Weller, Mr. W. A. Roberts, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his named orderd printed in the Journal.

Through the courtesy of Mr. Erb, Mr. Harry C. Wilson of Selma was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McPherson, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr Mitchell, A. G :

The following resolution relating to this subject, signed by Assessors Hopkins and Pazour, was unanimously adopted

Resolved, That the County Assessors' Association of the State of California favors an amendment to the Motor Vehicle Act, changing the date of registration

of autos from January 15th to the first Monday in March of each year, and that the Motor Vehicle Department be required to forward the auto plates to the several county assessors for owners in their respective counties, that the county assessor issue the certificate of registration; that the law in relation to the issuance of the motor vehicle license be so amended that the owner of such vehicle be required to pay the taxes on it or have it assessed with his real estate for the next fiscal year before the license can be issued

I hereby certify that the foregoing resolution was adopted at the convention of the County Assessors' Association of California held in the city of Bakersfield, December 14 to 16, inclusive, 1922, by unanimous vote of those present.

G. P. CUMMINGS,
Secretary County Assessors' Association of California.

By Mr. Kline:

Resolution passed by grand jury of Riverside County:

WHEREAS, In the $40,000,000 State highway issue voted by the people of the State of California, $300,000 were voted to be spent on the Mecca-Blythe highway, and

WHEREAS, Only the sum of $15,000 or thereabouts was spent in survey work on this road, and the remainder of this fund is still unexpended, and

WHEREAS, The Mecca-Blythe road is the most direct and logical route from the eastern states to Los Angeles and

WHEREAS, On account of the poor condition of said road a major part of the tourist travel in southern California is being diverted over longer routes through Imperial, San Diego and San Bernardino counties; and

WHEREAS, The construction of said highway in the immediate future is of paramount importance to the county of Riverside and to the State of California, and

WHEREAS, It is our understanding that there is now a movement on foot to divert this unused balance of said $300,000 to other State highways, be it

Resolved, That this grand jury duly assembled vigorously protest against any diversion of said fund to any other highway, and emphatically demand that said moneys be used at the earliest possible date toward the construction of the Mecca-Blythe road along the survey already completed, and be it further

Resolved, That a copy of this resolution be sent to the Assemblyman and Senator from this district, and to the State Highway Commission and His Excellency the Governor of the State of California.

Dated January 23, 1923 FRANK D. TROTH, Chairman.
Attest E. V. DALES, Secretary

By Mr. Speaker:

Resolutions passed by the Alhambra Federation of Parent-Teacher Associations.

WHEREAS, The Regents of the State University of California now hold office for a term of sixteen (16) years, a term too long to cause the appointees to be truly representative of the people of the State who support the university; and

WHEREAS, The regents as now appointed are appointed without reference to their place of residence and without any idea of effecting sectional representation, now, therefore, be it

Resolved, That regents should be appointed for a term not to exceed six (6) years instead of sixteen (16) years; be it further

Resolved, That all regents should be appointed with reference to their place of residence so that every part of the State may be represented on the Board of Regents, and be it further

Resolved, That the laws of the State of California be so amended that these proposed changes may be effected.

GERTRUDE C. DURRELL,
Corresponding Secretary Alhambra Federation of Parent-Teacher Associations.

By Mr. Weller:

Resolution passed at a meeting of the chairmen of various Republican county central committees, and their interested constituents, held at the Clark Hotel, Los Angeles January 24, 1923:

WHEREAS, Conditions have arisen which seem to require prompt and immediate action on the part of representatives of southern California in the State Legislature, in order to secure proper reapportionment of the Assembly and Senatorial districts of the State, in accordance with the provisions of the constitution, and

WHEREAS, There appears to be a disposition on the part of representatives of some districts within the State to utterly disregard their duties and obligations under the constitution and to delay unnecessarily and unjustifiably such reapportionment, now, therefore, be it

Resolved, By this committee, representing Republican county central committees of certain counties of southern California, namely, Orange, Los Angeles, Imperial, Ventura, Inyo and Santa Barbara counties, that we urge upon our representatives

in the State Legislature that steps be taken immediately to secure such constitutional reapportionment.

Resolved, That a copy of this resolution be sent to each representative from southern California in the State Legislature

W. F. MENTON, Chairman, Orange County.
And 6 others.

By Mr. Baker, Edwin:

Resolution passed by Los Angeles Chamber of Commerce:

WHEREAS, All sections of California are justly entitled to reapportionment from the showing made by the United States census; therefore be it

Resolved, By the Board of Directors of the Los Angeles Chamber of Commerce, that we earnestly request and urge that the members of the present legislative session discharge their full and unquestioned duty to the State and their respective districts by the adoption of a reapportionment act in accordance with the constitution and laws of the State of California.

I hereby certify that the above is a true and correct copy of resolution adopted by the Board of Directors of the Los Angeles Chamber of Commerce, at the regular meeting on Thursday, January 18, 1923.

W. T. BISHOP, President.

Attest: FRANK WIGGINS, Secretary.
[SEAL]

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons heretofore employed for the positions at the per diem set opposite their respective names be stricken from the roll, to date from and including the twenty-eighth day of January, 1923.

Mrs. Mary Abbott, Committee Clerk	$4 00
Ford A. Chatters, Committee Clerk	4 00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1923

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 177—An act to appropriate money to control the flood waters of the Pajaro River—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Ways and Means.

NOYES, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Dawson:

Resolved, That the State Controller be, and he is hereby, directed and ordered to draw his warrant upon the Contingent Fund of the Assembly in favor of the Secretary of the Senate for eighty-four dollars ninety-five cents ($84 95), being one-half of the expenses incurred by the Joint Committee on Inaugural Ceremonies as itemized below:

Noack's Orchestra	$50 00
Gertrude Barry	20 00
Rudolph Caffaro	20 00
Printing program	79 85
	$169 85

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

DAWSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dawson asked for and was granted unanimous consent to take up the above resolution at this time.

Resolution read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pomeroy, Prendergast, Remdollar, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR SPEAKER Your Committee on Contingent Expenses, to which was referred the following resolution by Mr Cleveland

Resolved, That the Chief Clerk be and he is hereby authorized and instructed to purchase eighty (80) calendar pads, with the necessary stands, for the use of the Assembly, and the Controller is authorized to draw his warrant, and the Treasurer is authorized to pay the same out of the Contingent Fund of the Assembly

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted

DAWSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dawson asked for and was granted unanimous consent to take up the above resolution at this time.

Resolution read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Badham moved a call of the House.

Motion carried.

Time, ten o'clock and thirty-one minutes a m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—62.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and thirty-three minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Mr. Cleveland's resolution adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Clarke, Crittenden, Davis, Dawson, Dean, Douglas, Emme, Fellom, Foster, Hawes, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Scott, Snyder, Stow, Weller, Williams, and Woodbridge—41.

NOES—Broughton, Cleary, Connolly, Donohue, Dorris, Dozier, Fulwider, Heisinger, Johnson, Lyman, Miller, Moore, Prendergast, Schmidt, Smith, Spalding, Whitacre, Wright, and Mr. Speaker—20.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Scott:

WHEREAS, The Industrial Farm for Women in Sonoma County, authorized by the Legislature of 1919, opened in January, 1922, has been attacked as an extravagant and useless burden on the taxpayers, usurping a function that properly belongs to corrective and penal institutions of the State; therefore be it

Resolved, That the Speaker be empowered to appoint a committee of three to investigate the cost of maintenance, the manner in which it is conducted, the good it is accomplishing, and all facts pertinent looking toward the continuance of its existence. The committee to report at the next session succeeding the recess.

Resolved, That not to exceed $500 be, and the same is hereby, made available for the purpose of defraying the expenses of such committee in said investigation, to be paid from the contingent fund of the Assembly, and the Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same:

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DAWSON, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scott asked for and was granted unanimous consent to take up the above resolution at this time.

Resolution read.

Mr. Scott moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Ball, Broughton, Christian, Connolly, Dawson, Dean, Dorris, Emme, Erb, Foster, Hawes, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Scott, Stow, and Mr. Speaker—28.

NOES—Badaracco, Baker, Edwin; Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Donohue, Dozier, Fellom, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Morrison, Noyes, Prendergast, Schmidt, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, and Wright—35.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County and making an appropriation therefor—has

had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 200—An act to provide for the survey, location and estimate of cost of a State highway known as the Pinto Pass Road from a point on South Fork of the San Joaquin River at Florence Lake, Fresno County, to North Lake on the North Fork of Bishop Creek, Inyo County—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway;

Also: Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District;

Also: Assembly Bill No. 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922;

Also: Senate Concurrent Resolution No. 9—Relative to joint rules of Senate and Assembly;

Also: Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 10 read, and referred to Committee on Municipal Corporations.

Senate Concurrent Resolution No. 9 read, and referred to Committee on Rules.

Senate Concurrent Resolution No. 7 read, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 1—Relative to the insufficiency of transportation.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 1 read, and referred to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Kline: Assembly Bill No 477—An act to amend sections 1, 2, 3, 5, 7 and 27 of an act entitled: "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' approved May 1, 1911, and all acts or parts of acts herewith approved May 15, 1915," approved May 5, 1917, as amended, as approved May —, 1919, as amended, approved May 20, 1921, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hornblower: Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Bill read first time, and referred to Committee on Medical and Dental Laws

By Mr. Lyons: Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Emme: Assembly Bill No 481—An act to amend section 1609 of the Political Code, relating to the powers and duties of boards of school trustees and city and city and county boards of education.

Bill read first time, and referred to Committee on Education.

By Mr Foster (by request): Assembly Bill No. 482—An act to amend the Vehicle Act approved May 10, 1915, as amended by Statutes of 1917, page 382, and by Statutes of 1919, page 191, by adding a new section thereto, to be numbered "section 37*a*," providing for the appointment of chief traffic officer and traffic officers in each county of the State of California and providing that the sheriff may be made ex officio chief traffic officer.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Snyder: Assembly Bill No. 483—An act to amend section 1734c of the Political Code, relating to boards of supervisors.

Bill read first time, and referred to Committee on Education.

By Mr. Cleary: Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and appropriating the sum of $10,000 therefor.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 1, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act

Bill read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No. 486—An act to provide for the safety of men employed in mines by requiring inter-communication of adjacent mines at or near working levels, providing for supplementing the provisions of this act by special safety orders of the Industrial Accident Commission, and providing a penalty for violation of the provisions of this act.

Bill read first time, and referred to Committee on Mines and Mining.

By Mrs. Dorris: Assembly Bill No 487—An act to declare a certain road between Bakersfield and Mojave, a State highway and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 488—An act to amend sections 1 and 2 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a Probation Committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston, J. W.: Assembly Bill No. 489—An act to amend section 5 of an act entitled, "An act providing for the incorporation of public utility districts in unincorporated territory authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying

on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Noyes: Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Douglas: Assembly Bill No. 492—An act to amend section 634 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 493—An act authorizing boards of supervisors of the several counties in this State to employ expert and competent persons to furnish maps, plats and any and all other data for the use of the board of supervisors while sitting as a board of equalization

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Rosenshine: Assembly Bill No. 495—An act to amend section 927*c*, of the Code of Civil Procedure, relating to the small claims court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 496—An act to amend section 927*a*, of the Code of Civil Procedure, relating to the small claims court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Carlson: Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Clarke: Assembly Bill No. 498—An act to add a new section to the Political Code to be numbered 738*e*, relating to the salary of superior judges of counties of the forty-sixth class.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 500—An act making an appropriation for the construction and improvement of the State highway extending from Mojave in Kern County to Independence in Inyo County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Dean: Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts, authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Reindollar: Assembly Bill No. 503—An act to amend section 685 of the Code of Civil Procedure, relating to the enforcement of judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 504—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Morrison: Assembly Bill No. 505—An act to add a new section, to be numbered 9*a* to an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled, 'An act to prevent

deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, as amended, relating to the manufacture of oleomargarine.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr Williams: Assembly Bill No. 506—An act to amend sections 7, 8*a*, and 8*c*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr Pomeroy: Assembly Bill No 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

Bill read first time, and referred to Committee on Roads and Highways

Also: Assembly Constitutional Amendment No. 26—Proposed amendment to article XI of the constitution, relative to authorizing the State, or any county, city and county, or municipal corporation, taking or appropriating property for public in laying out, opening, widening, or extending any public street, highway, or other public way, to take and appropriate, under the power of eminent domain, adjacent property in addition to that actually to be devoted to such public use.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Mitchell, A G.: Assembly Bill No. 508—An act to amend sections 2653 and 2656 and repealing sections 2652 and 2671 of the Political Code relating to highway taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 510—An act to amend section 2656 of the Political Code, relating to the division of district funds, upon the incorporation of municipalities, or annexation to municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton watersheds between San Dimas and San Gabriel canyons in the San Gabriel Mountains and to make an appropriation therefor.
Bill read first time, and referred to Committee on Conservation.

By Mr. Davis: Assembly Bill No. 513—An act to appropriate the sum of $4000 for the purchase of additional land and equipment for the experimental station of the University of California, located in Imperial County.
Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 514—An act to validate bonds of Brawley Union High School District.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to salaries of county officers in counties of the seventeenth class.
Bill read first time, and referred to Committee on County Government.

By Mr. Ball: Assembly Bill No. 516—An act to add a new section to the Political Code, to be numbered 4041*g*, relating to the powers of boards of supervisors.
Bill read first time, and referred to Committee on County Government.

By Mr. Roberts: Assembly Bill No. 517—An act to add a new section to the Political Code to be numbered 1616*a*, relating to the powers and duties of the boards of school trustees and city boards of education.
Bill read first time, and referred to Committee on Education.

By Mr. Morris: Assembly Bill No. 518—An act to add a new section to the Political Code of the State of California, relating to group insurance by life insurance companies and valuation of group insurance policies.
Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.
Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.
Bill read first time, and referred to Committee on Insurance.

By Mr. Baker, Edwin: Assembly Bill No. 521—An act to amend chapter XI of title XIII of part I of the Penal Code, relating to crimes against insured property and insurance carriers.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 522—An act to amend section 626*f* of the Penal Code and to repeal section 626*i* thereof, relating to the killing of deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Cleveland: Assembly Bill No. 523—An act to prohibit pharmacists or druggists from overcharging for liquors prescribed by physicians; to prevent adulteration of such liquors and providing a penalty for any violation of this act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 524—An act to add a new section to the Penal Code, to be numbered 637½*a*, relating to wild birds and animals.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Dawson: Assembly Bill No. 525—An act to add two new sections to the Penal Code of the State of California, to be numbered 384*b* and 384*a*, relating to keeping perishable foods in cold storage, marking the date thereof, and providing a penalty therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Lyman: Assembly Bill No. 526—An act to repeal section 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to fines and forfeitures.

Bill read first time, and referred to Committee on Motor Vehicles

Also: Assembly Bill No. 527—An act to amend section 22 "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the pur-

chase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to the operation and equipment and use of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Assembly Bill No. 528—An act requiring the labeling of articles of household furniture offered for sale within the State of California, and manufactured in State penitentiaries, reform schools, or other institutions, supported at public expense, and requiring that notice that such articles of household furniture are on sale, shall be conspicuously posted in places where such articles or household furniture are offered for sale.

Bill read first time, and referred to Committee on Manufactures.

Also: Assembly Bill No. 529—An act to regulate the amount of license or regulatory tax which any county, city and county, or incorporated cities or towns, or chartered cities or towns in the State of California may fix or impose upon persons, firms or individuals manufacturing their products in the State of California and having a fixed place of business therein where such goods or products are manufactured.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 530—An act to amend section 34 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act, approved May 10, 1915, as amended, relating to registration certifi-

cates and relating to the disposition of receipts for transfer and operators licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Badham: Assembly Bill No. 531—An act to amend section 1576 of the Political Code, relating to separate school districts in cities except cities of the sixth class, and additional contiguous territory.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 532—An act to enable the regents of the University of California to establish special courses in agriculture or horticulture where funds or property therefor are provided by private endowment, donation, bequest or devise.

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 533—An act to amend sections 9, 28, 31, 31*a*, 31*b*, 120 and 132 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Mr. Dozier: Assembly Bill No. 534—An act to amend section 1609 of the Political Code, relating to the duties of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 535—An act to regulate the pollution with human excreta of rights of way and other property by common carriers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 536—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by adding thereto two new sections to be numbered 47*a* and 47*b*, relating to redemption for delinquent assessments.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Fulwider: Assembly Bill No. 537—An act appropriating money for an addition to the sewer system at the Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 538—An act appropriating money for the purchase of equipment for the new cottage for employees at the Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 539—An act appropriating money for the erection of a cottage for employees at the Sonoma State Home.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 540—An act appropriating money for the improvement to electric system at the Sonoma State Home.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fox: Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 542—An act to fix and determine titles to real property held subject to rights of way not definitely located.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.
Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 544—An act declaring the highway extending between Susanville and Bieber, via Willow Creek Valley in Lassen County, to be a State highway and making an appropriation therefor.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Hornblower: Assembly Bill No 545—An act to add a new section to the Penal Code to be numbered 1112, relating to evidence.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 546—An act to amend section 607*e* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals.
Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mrs. Woodbridge: Assembly Bill No. 547—An act to amend section 19*x*32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

By Mr. McDowell: Assembly Bill No. 549—An act to amend section 857a of the Code of Civil Procedure, relating to judgments in justice courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including the State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Government Efficiency and Economy.

Also: Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bromley: Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a director of civil aeronautics, to define his powers and duties and to provide to the creation and organization of an aircraft department under his jurisdiction, to carry into effect the provisions of this act and to provide penalties for the violation of the provisions of this act and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 553—An act to add a new section to the Code of Civil Procedure, to be numbered 1274b, relating to escheat.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 554—An act to add a new section to the Civil Code to be numbered 1714*a*, relating to vehicles and persons being carried therein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cleveland: Assembly Bill No. 555—An act to appropriate money to carry out the provisions of an act entitled "An act to repeal an act entitled 'An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor,'" approved May 3, 1919, and providing for the application of property and funds thereof for the benefit of shell-shocked veterans of the World War, enacted at the forty-fifth session of the Legislature, and providing for the disposition of the inmates of the California Industrial Farm for Women.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Schmidt: Assembly Bill No. 556—An act to amend section 4649 of the Political Code, relating to the assessment of escaped property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Weller: Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359*a*, relating to the time within which actions must be commenced against directors and stockholders of corporation.

Bill read first time, and referred to Committee on Corporations.

By Mr. Morris: Assembly Bill No 558—An act to amend sections 3 and 7 of an act entitled, "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language, and to enforce attendance upon such part-time classes where established, and providing penalties for violation of the provisions of this act," approved May 27, 1919.

Bill read first time, and referred to Committee on Education

By Mrs. Saylor: Assembly Bill No. 559—An act to amend section 1 of an act entitled "An act limiting the hours or labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph, or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this

act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 560—An act to amend section 1687 of the Political Code, relating to public school teachers.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 561—An act to amend section 1062 of the Political Code, relating to elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 562—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Dozier: Assembly Constitutional Amendment No. 27—Proposed amendment to article XXIV of the constitution, relative to the operation of public utilities.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. McPherson: Assembly Constitutional Amendment No 28—Proposed amendment to article VI of the constitution, relative to water courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Baker, Edwin: Assembly Constitutional Amendment No. 29—Proposed amendment to article XIII of the constitution, relative to taxpayers' statements of property.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Douglas: Assembly Joint Resolution No. 10—Relative to asking federal aid to build roads in federal forest.

Introduced, and referred to Committee on Federal Relations.

Also: Assembly Joint Resolution No. 11—Relative to establishing National Redwood Park.

Introduced, and referred to Committee on Federal Relations.

By Mrs. Saylor: Assembly Concurrent Resolution No 7—Relative to amendments to the charter of the City of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

Introduced, and referred to Committee on Municipal Corporations

RESOLUTION.

The following resolution was offered:

By Messrs. Morris and West:

WHEREAS, It is sixty-nine years ago today that the State of Ohio, long known as the president producing state, brought forth and presented to this country one John W. Johnston, and

WHEREAS, Shortly thereafter he emigrated to the great State of California, and ever since that time has taken an extremely active part in its affairs, and

WHEREAS, We who have had the honor and pleasure of serving with him in the forty-second, forty-third, forty-fourth and forty-fifth sessions of the Legislature of this State have grown to know him extremely well, and knowing him, have grown to love, honor and respect him; therefore, be it

Resolved, That the members of the Assembly extend their hearty congratulations to the Hon John W. Johnston and his good wife, on this, his sixty-ninth birthday; and be it further

Resolved, That it is our sincere wish that the gray-haired giant from Sacramento shall have many, many happy returns of this day.

Resolution read, and on motion unanimously adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fulwider asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIX.

Assembly Concurrent Resolution No 6—Relative to investigation of Norwalk State Hospital property for oil purposes.

Resolution read.

Mr. Fulwider moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badham, Baker, C. C., Baker, Edwin; Bernard, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61

NOES—Ball—1.

Title read and approved

Assembly Concurrent Resolution No 6 ordered to engrossment.

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Relative to investigation of Norwalk State Hospital property for oil purposes.

WHEREAS, The property now occupied by the State Hospital at Norwalk has become and is conceded to be practically proven oil territory by reason of oil development in what is known as the Santa Fe Springs oil district in Los Angeles County, California; and

WHEREAS, All of said property may be much more valuable for oil development than for hospital purposes; and

WHEREAS, It may be advisable to sell, lease or develop said property for oil purposes; and

WHEREAS, It may also be advisable to remove or establish said hospital on some other site in Los Angeles County; and

WHEREAS, The Legislature will undoubtedly be called upon to take some action in regard to the aforesaid property, now therefore,

Be it resolved by the Assembly, the Senate concurring, That a committee be appointed consisting of three members, two to be appointed by the Speaker of the Assembly and one by the President of the Senate, and the Speaker of the Assembly and the President of the Senate shall be ex officio members of said committee, which committee shall investigate the matters set forth in this resolution and report back and furnish recommendations to the Assembly and Senate immediately upon reconvening after the constitutional recess as to any appropriate legislative action relating to the matters contained herein, and such matters as may appertain thereto; and be it further

Resolved, That said committee shall serve without compensation, but all the necessary expenses of said committee in making said investigation, not exceeding the sum of $1,000 shall be paid equally from the contingent funds of the Assembly and Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fellom asked for and was granted unanimous consent to deliver orally the report of the Select Committee that waited upon Governor Friend W. Richardson the State Printer and the State Board of Control, with reference to receipt of the budget by this Assembly.

REPORT OF SELECT COMMITTEE.

Governor Richardson assured the committee that he expected to have the budget delivered to this Assembly Wednesday, January 31

The State Printer assured the committee that if the budget was received Wednesday, it would be printed and presented to each member of the Assembly on Thursday morning.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 141—An act making an appropriation to defray the expenses of legislative mailing handled by the Chief of the Division of Printing of the Department of Finance for the forty-fifth session of the Legislature of the State of California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of January, 1923, at eleven o'clock and fifteen minutes a m

ROBERTS, Chairman.

MOTION TO ADJOURN.

At eleven o'clock and fifty-four minutes a m, Mr. Carter moved that the Assembly do now adjourn until the hour of ten o'clock a.m., Tuesday, January 30, 1923.

Motion lost.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Bill read second time, ordered to engrossment, and third reading.

ADJOURNMENT.

At eleven o'clock and fifty-seven minutes a.m., on motion of Mr. Morris, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 30, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 30, 1923.

At ten o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Doughts Dozier Duval, Emine, Erb, Fellom, Foster Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones Kline, Lyman, Lyons, Mathews, McDowell,

McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Reindollar, Mr. Carlson was granted leave of absence for the day.

On motion of Mr. Baker, Edwin, Mr. Graves was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Pedrotti, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Weller:

WHEREAS, All sections of California are justly entitled to reapportionment from the showing made by the United States census, therefore, be it

Resolved, By the Board of Directors of the Glendale Chamber of Commerce: That we earnestly request and urge that the members of the present legislative session discharge their full and unquestioned duty to the State and their respective districts by the adoption of a reapportionment act in accordance with the constitution and laws of the State of California.

THE GLENDALE CHAMBER OF COMMERCE.
JESSE E. SMITH, President.

JAS. M. RHOADES, Secretary.

By Mr. West:

WHEREAS, The people of the city of Sacramento in adopting the present charter by a vote of eight to one, showed their approval of the system of election known as proportional representation, contained in said charter, and

WHEREAS, The Supreme Court of the State of California has declared said system as set forth in said charter to be unconstitutional, and

WHEREAS, We believe that it should be within the power of the people of every municipality to select any system of election which they deem best; therefore, be it

Resolved, By the City Council of the city of Sacramento: That we heartily endorse the efforts being made to secure an amendment to the constitution of the State of California, which will permit municipalities to embody in their charters the system of election known as proportional representation.

Resolution No. 520, City Council, adopted January 25th, 1923.

By Mr. Snyder:

At a meeting of the trustees of Shasta Union Elementary School District, lately annexed to the Chico High School District under section 1734*b* of the Political Code, it was unanimously voted to request the passage of an amendment to be added, at the end of the first paragraph of said section 1734*b*, in words following:

> * * * *and provided, further*: that whenever common school districts have been annexed to a city high school district under this section, such common school districts or any of them may at any time unite together or with other common school districts not in any high school district to form a union high school district in the manner provided by section one thousand seven hundred twenty-seven, and upon the formation of such union high school district such common school districts as may have become annexed under this section to such city high school district shall no longer be deemed to be a part of such city high school district, *and*

provided, further, that whenever common school districts have been annexed to city high school districts under this section, the boards of education in such city high school districts shall have all the powers vested in the boards of trustees of union high school districts * * *

It is our wish that you introduce and further the passage of the above amendment, or in lieu thereof, provide some other form of legislation that will secure the same rights to this section

Respectfully submitted

FRANK R PARKER, President.

SHELBY C CARMACK, Clerk

COMMUNICATIONS

The following communications were filed.

By the Chief Clerk:

CALIFORNIA HIGHWAY COMMISSION,
SACRAMENTO, January 29, 1923.

Mr Arthur A. Ohnimus,
Chief Clerk, Assembly,
Sacramento, California

DEAR SIR Your communication, relative to resolution adopted by the Assembly on the twenty-sixth day of January, has been referred to Engineer Morton, who will compile the information required.

Yours very truly,

CALIFORNIA HIGHWAY COMMISSION.
By W. F. MIXON, Secretary.

By Mr. Speaker:

CALIFORNIA ALUMNI ASSOCIATION,
BERKELEY, CALIFORNIA, January 29, 1923

Mr. Frank F. Merriam,
Speaker, House of Representatives,
Sacramento, California.

MY DEAR MR. MERRIAM: The California Alumni Association, which as you know represents twenty-five thousand leading men and women of California, is extremely desirous that the Senate and Assembly of the California Legislature visit the university campus again this year as it did two years ago, in order that our Senators and Assemblymen may get first hand knowledge on the needs of this great institution.

This letter is as a consequence written to you to ask you to issue to the members of the California Assembly an invitation to be the guest of the California Alumni Association on March 16, spending the forenoon and afternoon upon the university campus in inspection and being the guest of honor at our Henry Morse Stephens Memorial banquet to be held in the Court room of the Palace Hotel on the evening of March 16

This invitation includes also the wives and families of the legislators and provision is being made for their special entertainment by the ladies of the Alumni Association and the women students of the university on the afternoon and evening of March 16

Very sincerely yours,

ROBERT SIBLEY, Executive Manager

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1923

MR SPEAKER Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 9—Relative to Joint Rules of Senate and Assembly—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

CARTER, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Carter asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINE

Senate Concurrent Resolution No 9—Relative to Joint Rules of Senate and Assembly.

Senate Concurrent Resolution No. 9 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 9 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 9 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 9.

Relative to Joint Rules of Senate and Assembly.

Resolved by the Senate, the Assembly concurring, That the following be adopted as the Joint Rules of the two houses of the Legislature for its forty-fifth session:

JOINT RULES OF SENATE AND ASSEMBLY.

COMMITTEES AND COMMITTEE MEETINGS.

STANDING COMMITTEES.

1. Subject to the right of either House to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each House.

(1) Agriculture.
(2) Banking.
(3) Commerce and Navigation.
(4) Corporations.
(5) County Government.
(6) Drainage, Swamp and Overflowed Lands.
(7) Education.
(8) Elections.
(9) Federal Relations.
(10) Finance in the Senate and Ways and Means in the Assembly.
(11) Fish and Game.
(12) Hospitals and Asylums.
(13) Insurance.
(14) Irrigation.
(15) Judiciary.
(16) Labor and Capital.
(17) Military Affairs.
(18) Mines and Mining.
(19) Municipal Corporations.
(20) Oil Industries.
(21) Prisons and Reformatories.
(22) Public Health and Quarantine.
(23) Public Morals.
(24) Public Utilities.
(25) Revenue and Taxation.
(26) Roads and Highways.
(27) Rules.

JOINT COMMITTEES.

2. Joint standing committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing, to consist of three (3) members from the Senate and five (5) from the Assembly.

(2) Committee on Joint Rules, to consist of the members of the rules committee of each House.

JOINT MEETING OF COMMITTEES.

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

BILLS AND RESOLUTIONS.

SCOPE OF WORD "BILL."

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

JOINT AND CONCURRENT RESOLUTIONS.

5. Joint resolutions are those which relate to matters connected with the federal government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

RESOLUTIONS TREATED AS BILLS.

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills, except that they shall be read but one time in each house, and that they shall not be deemed bills within the meaning of section 2 of article IV of the constitution and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the House in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS.

TITLE OF BILL.

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

DIVISION OF BILL INTO SECTIONS.

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

CHANGES FROM EXISTING LAWS TO BE MARKED BY AUTHOR.

9. In case of a bill amending a code section, or general law, all omissions must be shown by the insertion of heavy parentheses or brackets without including the omitted matter; all additions must be shown by underlining the new matter. When printed the new matter so underlined shall be enclosed in heavy brackets in the printed bill and also heavy brackets shall be retained to show omissions.

COMMITTEE ON REVISION AND PRINTING TO EXAMINE BILLS WHEN INTRODUCED.

10. Unless otherwise ordered by the House in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing, which shall examine the bill, with the aid of the Legislative Counsel Bureau. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill; *provided*, that no bill which bears the stamp of the Legislative Counsel Bureau showing that before introduction it has been examined as to form, shall be sent to the Committee on Revision and Printing.

NOTE.—The submission of bill copy to Legislative Counsel Bureau for approval of form before introduction will expedite its course.

BILLS INTRODUCED TO INDICATE CHANGES IN EXISTING LAWS.

11. The Committee on Revision and Printing shall see to it that rules seven and nine of these Joint Rules are observed by the author, and that the bill shall not be sent to the printer until the provisions of these rules have been carried out.

REPORTS OF COMMITTEE ON REVISION AND PRINTING.

12. The Committee on Revision and Printing shall return to the Secretary of the Senate or Chief Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

ENDORSEMENT OF DATE OF INTRODUCTION.

13. Bills introduced in either House shall be endorsed with the date of introduction.

PRINTING AND DISTRIBUTION OF BILLS.

MANNER OF PRINTING BILLS, ETC.

14. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(*a*) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(*b*) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the bills shall not exceed that of the body of the bill.

(*c*) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only, *provided, however*, that concurrent resolutions approving city or county or city and county charters or amendments thereto may be set in smaller type and without line numbers.

(*d*) Enrolled bills may be inclosed in stock cover.

PRINTING OF AMENDMENTS.

15. All bills amended by either House shall be immediately reprinted; in the case new matter is added by the amendments, such new matter shall be inclosed in heavy parentheses in the printed bill, and in the case of matter being omitted, the omission shall also be indicated by heavy parentheses. When a bill is amended in either House, the first or previous markings, except that showing change from code provision or former law, shall be omitted. When a bill amendatory of a code section is engrossed, all figures or symbols shall be removed.

DISTRIBUTION OF BILLS DURING CONSTITUTIONAL RECESS.

16. All requests for mailing or distribution by the members shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly, who shall compile the same with the elimination of duplication as a general mailing list. The distribution of bills, constitutional amendments, joint and concurrent resolutions shall be systematized as follows: Members' desks and legislative officers' files 150 full sets; to authors 50 copies of their own bills; accredited newspaper representatives 25; to public and law libraries, newspapers, county officials, and other civic, commercial, fraternal or industrial organizations as the Secretary of the Senate and Chief Clerk of the Assembly may compile from the recommendations of the members of both houses, 1200 copies; to State officers, State Library and Secretary of State, 200 copies; to legislative committees, bill room files and public requests—confined to single copies of bills designated, 1000 copies. The State Printer shall cause to be printed in the standard form adopted by the Senate and the Assembly as many copies of all bills, constitutional amendments and joint or concurrent resolutions as may be necessary to conform to the provisions of this rule.

A similar number and distribution shall be made of the Semi-final History and Final Calendar.

DISTRIBUTION OF BILLS AFTER CONSTITUTIONAL RECESS.

17. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly Histories and Journals shall be distributed generally, following the recess, upon such schedule as the Secretary of the Senate and Chief Clerk of the Assembly may designate.

OTHER LEGISLATIVE PRINTING.

PRINTING OF THE DAILY JOURNAL.

18. The State Printer shall print 1000 copies of the Journal of each day's proceedings of each house; at the end of the session he shall also print a sufficient number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

WHAT SHALL BE PRINTED IN THE JOURNAL.

19. The following shall always be printed in the Journal for each House:

(*a*) Messages from the Governor and messages from the other House, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the House, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the House, *provided*, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(*b*) Every vote taken in the House, and a statement of the contents of each petition, memorial, or paper presented to the House.

(*c*) A true and accurate account of the proceedings of the House, when not acting as a Committee of the Whole.

PRINTING OF THE DAILY FILE.

20. A Daily File of bills ready for consideration shall be printed each day for each House, and copies of the File of each House shall be distributed each day to all of the members of both Houses.

PRINTING OF HISTORY.

21. Each House shall cause to be printed on Monday of each week, during the session, a complete History of all bills, joint or concurrent resolutions and constitutional amendments originating in, or acted upon by the respective Houses.

Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance.

For each legislative day intervening there shall be printed a supplementary History showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

AUTHORITY FOR PRINTING ORDERS.

22. The Superintendent of State Printing shall not print for use of either House any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

RECORD OF BILLS.

SECRETARY AND CHIEF CLERK TO KEEP REGISTER.

23. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

SECRETARY AND CHIEF CLERK SHALL ENDORSE BILLS.

24. The Secretary of the Senate and Chief Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER.

BILLS READ AND REFERRED TO COMMITTEE

25. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or the Chief Clerk and referred to a standing committee by the presiding officer, unless otherwise ordered by the House.

AFTER A BILL HAS BEEN PASSED BY THE SENATE OR ASSEMBLY.

26. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the House, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule

SPECIAL FILE.

27. On the second day after the close of the recess provided for in section 2, article IV of the Constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed In the Senate, only Assembly bills that have passed the Assembly, and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m of each day in the Assembly and at two o'clock and thirty minutes p.m of each day in the Senate and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either House except by a three-fourths vote of such House.

REPORTS FROM ONE HOUSE TO THE OTHER AS TO ACTION ON BILL

BILL OR RESOLUTION IN ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

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

EACH HOUSE TO TRANSMIT PAPERS.

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

NOTICES TO BE IN WRITING UNDER PROPER SIGNATURES.

30. Notice of the action of either House to the other shall be in writing, and under the signature of the Secretary of the Senate or the Chief Clerk of the House from which such notice is to be conveyed.

SECRETARY, CHIEF CLERK, ETC., TO DISPATCH MESSAGES

31. Messages shall be sent to the other House by an officer or attache to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk if it be an Assembly message.

MESSAGES MUST BE ANNOUNCED BY THE SERGEANT-AT-ARMS.

32 When a message shall be sent from either House it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent

PASSAGE AND ENROLLING OF BILLS

PASSAGE OF BILLS TAKING EFFECT IMMEDIATELY.

33. Each House shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, article IV of the constitution.

PASSAGE OF URGENCY PROVISIONS IN BILLS

34. Upon the third reading of an act which is an urgency measure within the meaning of section 1, article IV of the State constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated "Shall this section setting forth the urgency features of this bill be passed?" If upon such final vote two-thirds of all the members elected to the House in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill, but, in case an identical bill without such an emergency clause be again introduced into such House, such bill shall be placed on file without reference to any committee

PASSAGE OF BILLS PRECEDING FINAL ADJOURNMENT

35 No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two houses of the Legislature, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

ENROLLMENT OF BILL AFTER PASSAGE

36. After a bill shall have passed both Houses, it shall be duly enrolled after being carefully compared, by the Engrossing and Enrolling Clerk and committee of the House in which it originated, with the engrossed bill, as passed in the two Houses It shall then receive the signatures provided for in Joint Rule 37, and be presented to the Governor of the State.

ENROLLING COMMITTEE TO PRESENT BILLS TO GOVERNOR.

37. After a bill shall have been thus passed in each House, it shall be presented by the Engrossing and Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first endorsed by the presiding officers of the two Houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

AMENDMENTS AND CONFERENCES.

AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

38. Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, it shall immediately be reprinted as amended by the House making such amendment or amendments Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; *provided, however*, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the House in which such bill originated.

TO CONCUR OR REFUSE TO CONCUR IN AMENDMENTS.

39. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the House making the amendments and the bill shall be ordered to enrollment

WHEN SENATE OR ASSEMBLY REFUSE TO CONCUR

40. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the House making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other House of the action taken and request the appoint-

ment of a like committee. Two of the members comprising such committee from each House shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each House of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

COMMITTEE ON CONFERENCE.

41. In every case of an amendment of a bill agreed to in one House and dissented from in the other if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

COMMITTEE ON FREE CONFERENCE.

42. If the conference fail to agree or either House refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed, which shall consist of three members from each House, to be constituted and appointed in the same manner as a Committee on Conference. The Committee on Free Conference is hereby directed to include in its report any amendments which it may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either House refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill.

WHEN CONFERENCE COMMITTEE REPORT IS IN ORDER.

43. The presentation of the report of a Committee on Conference or Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS.

44. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

PRESS RULES.

45. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(*a*) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(*b*) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the Press Room. The Press Room shall be under the control of the Superintendent of the Capitol Building and Grounds, *provided*, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

ADJOURNMENT.

46. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both Houses at least twenty-eight days before the date of such adjournment.

JOINT ADDRESS TO GOVERNOR.

47. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a Select Committee of six members from each House appointed by the respective presiding officers.

DISPENSING WITH JOINT RULES.

48. No Joint Rule shall be dispensed with except by a vote of two-thirds of each House; and Joint Rules 27 and 35 can be dispensed with only in the manner provided for in said Joint Rules. If either House shall violate a Joint Rule a question of order may be raised in the other House and decided in the same manner as in the case of the violation of the rules of such House, and if it shall be decided that the Joint Rules have been violated, the bill involving such violation shall be returned to the House in which it originated, without further action. Or, at the option of such House, the President or Speaker may direct the Secretary or the Chief Clerk to mark the section or sections in conflict with the rules as nonconcurred in or negatived.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 68—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan" including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

McPHERSON, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 73—An act to amend an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County;

Also: Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts—has had the same under consideration and respectfully reports the same back, and recommends that it do pass.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 476—An act to amend section 7 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1923.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Joint Resolution No. 7—Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out.)

SCOTT, Chairman.
CLARKE.
FOSTER.
WOODBRIDGE.
WHITACRE.
STEVENOT.

The above reported resolution ordered on file for adoption.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Williams: Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No 565—An act to amend section 59 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to special assessments.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No 566—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38*a*, relating to the assessment of land irrigated by means of water pumped from underground sources.

Bill read first time, and referred to Committee on Irrigation

Also: Assembly Bill No. 567—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 36 thereof, relating to the allowance of deputies for the Assessor.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*a* thereof, relating to the issuing of refunding bonds of such districts.

Bill read first time, and referred to Committee on Irrigation

Also: Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and to dispose of same.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No 570—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 571—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 44 thereof, relating to the sale of land for non-payment of assessments.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27*a*, relating to the appointment of deputies.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a

new section to said act to be numbered 40*a*, relating to the refunding and correction of assessments.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 574—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended by amending section 15 thereof, relating to the general powers of the board of directors of irrigation districts and providing for the creation of a revolving fund.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owner; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits of for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of any county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended by amending sections 1, 2, 7 and 13 thereof, relating to the organization of such districts, the powers of the board of directors and the issuance of bonds.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 576—An act to amend section 1241 of the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No 578—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 30*a* thereof, relating to the submission of the report of the

board of directors of irrigation districts to the Bond Certification Commission.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*b*, relating to the creation of an irrigation district bond security fund.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3*b* thereof, relating to consent of commission for expenditure of funds.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 581—An act to amend an act entitled "An act to permit boards of directors of irrigation districts organized and existing under and by virtue of an act of the Legislature, entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such district, and also to provide for the distribution of water for irrigation purposes' approved March 31, 1897; to provide for the payment in two installments of the assessments levied under and in accordance with the provisions of said act," approved March 19, 1909, by amending sections 2 and 4 of said act, relating to the amounts of such installments.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Baker, Edwin: Assembly Bill No. 582—An act to provide for the preparation, printing and distribution of road maps and maps of portions and parts of the State highway and making an appropriation for the establishment of a revolving fund to defray the expenses thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No 583—An act to prohibit the use on any sign, sign post or sign board upon any public road, street, highway, avenue, lane or alley any advertising matter or the name or address of any person, copartnership, association or corporation.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 584—An act to provide for the licensing of dealers in motor vehicle tires, the payment of a license fee therefor and to provide a fund to maintain the highways, roads and streets in municipal corporations.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scott: Assembly Bill No. 585—An act to amend an act known as the "Motor Vehicle" approved May 10, 1915, as amended
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Baker, Edwin: Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State.
Bill read first time, and referred to Committee on Insurance.

By Mr. Fellom: Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as seawall lot No 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.
Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Stow: Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.
Bill read first time, and referred to Committee on County Government.

By Mr. Dawson: Assembly Bill No. 589—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said act, to be numbered 6*a*, relating to doing of public work by municipalities.
Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Davis: Assembly Bill No 590—An act to amend an act entitled "An act to promote the California fruit, nut and vegetable industry in State and interestate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith," approved May 27, 1919, approved June 3, 1921
Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No 591—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.
Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 593—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No 594—An act to amend an act known as the "Motor Vehicle," approved May 10, 1915, as amended.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Davis: Assembly Bill No. 595—An act to amend section 15*c* of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes", approved March 31, 1897, as amended.
Bill read first time, and referred to Committee on Irrigation.

By Mr Jones: Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the superintendent of schools.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the Public Domain' and setting aside the funds received by the State under the provisions of said act of Congress." Approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State, relating to the promotion of agricultural education in the junior colleges of the State.
Bill read first time, and referred to Committee on Education

By Mr. Whitacre: Assembly Bill No. 598—An act to amend section 626*j* of the Penal Code, relating to the protection of game.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 599—An act to amend section 626*o* of the Penal Code, relating to the protection of game.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 600—An act to amend section 626*d* (1) of the Penal Code, relating to the protection of fish and game.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 602—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 604—An act appropriating money for the construction and equipment of a building or buildings for training school and shops at the State Teachers College of San Diego
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 605—An act appropriating money for improvements at the State Teachers College of San Diego.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No 606—An act appropriating money for the purchase of land for the State Teachers College of San Diego.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Williams and Erb: Assembly Bill No. 608—An act to create the office of State Narcotic Director; to make an appropriation, repeal all acts and parts of acts in conflict herewith.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mitchell, A. G.: Assembly Bill No. 609—An act making an appropriation to pay the claim of the city of Sacramento against the State of California.
Bill read first time, and referred to Committee on Claims.

By Mr. Johnston, J. W.: Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.
Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Smith: Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board.
Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 612—An act to amend section 1263 of the Political Code, relating to delivery of returns and ballots to a member of the Board.
Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 613—An act to amend section 1264 of the Political Code, relating to delivery and sealing of ballots.
Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 614—An act to amend section 1268 of the Political Code, relating to filing of returned register by county clerk.
Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.
Bill read first time, and referred to Committee on Corporations

Also: Assembly Bill No. 616—An act to amend section 3669*c*, of the Political Code, relating to delinquencies; duty of State Controller; suspension of corporate powers; how restored.
Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 617—An act to amend section 4024 of the Political Code, relating to appointment of deputies.
Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 619—An act to amend section 1808 of the Political Code, relating to the entry of order appointing guardian.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 621—An act to amend section 4178 of the Political Code, relating to the duties of the county clerk.
Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 622—An act to amend section 927*n*, of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 624—An act to amend section 1246, of the Penal Code, relating to appeals in criminal cases.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 625—An act amending section 1373 of the Code of Civil Procedure, relating to day set for hearing by clerk of court
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 626—An act to amend section 653*d* of the Civil Code, relating to articles of association
Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 628—An act to amend section 4294 of the Political Code, relating to statement of fees

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for, warrant of arrest, certificate of service.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No 630—An act to amend section 2171 of the Political Code, relating to judgment, commitment, form of.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Snyder: Assembly Bill No 633—An act appropriating money for the construction and equipment of a gymnasium for the State Teachers College of Chico.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 634—An act appropriating money for improvements at the State Teachers College of Chico

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No 635—An act appropriating money for the purchase of land for the State Teachers College of Chico.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No 636—An act to amend chapter II of title III of part III of the Political Code, embracing sections 1487, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1503, 1505, and 1507, relating to the State Normal Schools or Teachers Colleges.

Bill read first time, and referred to Committee on Normal Schools.

By Mr. Mueller: Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation

By Mr. Roberts: Assembly Bill No 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California.

Bill read first time, and referred to Committee on Claims

By Mr. Weller: Assembly Bill No. 639—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled, "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham: Assembly Bill No 641—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read first time, and referred to Committee on Universities

Also: Assembly Bill No. 644—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental ruling; creating a fund for the purposes of this act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act." approved June 10, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dozier: Assembly Bill No. 646—An act to amend sections 1, 2, 4, 5, 6, 8, 9, 10, 10½, 11, 12½, 13, 14, 15, 17, 18, 22, 23, and 24 of an act entitled "An act to regulate the examination of applications for licenses, and the practise of these licenses, treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners to provide for their appointment and prescribe their powers and duties and to repeal an act entitled "An act for the regulation of the practise of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 647—An act to amend section 8 of "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 648—An act to repeal an act entitled "An act authorizing the State Board of Medical Examiners to refund taxes, fees and penalties collected by mistake, error or inadvertence and providing an appropriation therefor," approved May 6, 1919.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 649—An act to amend section 862 of an act entitled "An act to provide for the organization and incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the powers of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 650—An act to amend section 46 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read first time, and referred to Committee on Irrigation.

By Miss Miller: Assembly Bill No. 651—An act to provide for the celebration of the National Encampment of the Grand Army of the Republic in the city of Pasadena, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California.
Bill read first time, and referred to Committee on Claims.

By Mrs. Woodbridge: Assembly Bill No. 653—An act to add a new section to be numbered section 15*a* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the uses of said funds," approved June 16, 1913, relating to retirement of attendance officers.
Bill read first time, and referred to Committee on Education.

By Mr. Donohue: Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041*a*, relating to boards of supervisors.
Bill read first time, and referred to Committee on County Government.

By Mr. Moore: Assembly Bill No. 655—An act appropriating money for the completion of buildings of the Humboldt State Teachers College.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 656—An act appropriating money for the purchase of additional land for the Humboldt State Teachers College.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 657—An act appropriating money for improvements at the Humboldt State Teachers College.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 658—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911," and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended.
Bill read first time, and referred to Committee on Fish and Game.

By Mrs. Saylor: Assembly Bill No. 659—An act to add a chapter to title V of part III of the Political Code, to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No 661—An act appropriating money for the construction and equipment of a kindergarten and entering building for the California School for the Deaf at Berkeley, California.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 662—An act to provide readers for blind students in the University of California and other colleges and to assist deaf students attending the National College for the Deaf at Washington, D. C., and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also. Assembly Bill No. 663—An act appropriating money for the construction and equipment of buildings for the California School for the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 664—An act appropriating money for the construction and equipment of a hospital building for the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 665—An act appropriating money for the construction and equipment of a residence for the business manager of the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 666—An act appropriating money for improvements at the California Schools for the Deaf and the Blind at Berkeley, California.

Bill read first time, and referred to Committee on Education.

By Mr. Coombs: Assembly Bill No. 667—An act to add a new section to the Code of Civil Procedure to be numbered 1319, providing that certain forfeiture clauses in wills be held (as to contests) contrary to public policy and void.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kline: Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act," creating a consolidated irrigation, protection and reclamation district, subject to the approval of the property owners within the district to be known as "Palo Verde Irrigation District," for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties; the properties and functions of the Palo Verde drainage district; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands and protecting all the lands within the district and the water system from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all

such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S Fry against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California.

Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 672—An act appropriating money to pay the claim of E A. Wheeler against the State of California.

Bill read first time, and referred to Committee on Claims

Also: Assembly Bill No 673—An act appropriating money to pay the claim of the Clark and Henery Construction Company against the State of California.

Bill read first time, and referred to Committee on Claims.

By Messrs West and Johnston, J. W: Assembly Bill No 674—An act appropriating the sum of _____ dollars for the erection and equipment of State buildings in the city of Sacramento for State purposes.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Dean: Assembly Bill No. 675—An act to add a new section to be numbered 2768 to the Civil Code, relating to life insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Crittenden: Assembly Bill No 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Duval: Assembly Bill No 677—An act to amend section 653*sb* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations

Bill read first time, and referred to Committee on Agriculture

By Mr. Connolly: Assembly Bill No. 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158*a*, both relating to the recording of instruments by county recorder.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 679—An act to amend sections 4130 and 4131 of the Political Code, both relative to duties of county recorders.
Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 680—An act to amend section 3823 of the Political Code, relating to taxation.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Clarke: Assembly Bill No. 681—An act to amend section 3746 of the Political Code, relating to the publication of notice that taxes are due.
Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 682—An act to amend section 928 of the Penal Code, relating to the duty of grand juries relative to examination of books.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Noyes: Assembly Bill No 683—An act to amend sections 12, 14, and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917
Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 684—An act to amend sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, and to add new sections to be numbered 13 and 14 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended
Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands

By Mr. Reindollar: Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts; the construction, acquisition, maintenance, control and use of county toll roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon on bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund

derived in part from the county road fund and in part by special assessment upon a district and for the establishment of such districts.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Schmidt and Hornblower: Assembly Bill No. 686—An act to amend section 920 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr Erb (by request): Assembly Bill No 687—An act to amend section 66 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking

By Mr. Morrison: Assembly Bill No 688—An act appropriating money for the purchase of additional land for the State Teachers College of San Francisco.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 689—An act appropriating money for the construction of buildings for the State Teachers College of San Francisco.

Bill read first time, and referred to Committee on Normal Schools

Also: Assembly Bill No. 690—An act appropriating money for the equipment of buildings for the State Teachers College of San Francisco.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 691—An act giving additional protection to human beings and imposing penalties upon those who may shoot at or wound or kill a human being in mistake for either game or other wild creatures or objects.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 692—An act to amend section 626*m* of the Penal Code, relating to the killing of game, birds and fish.

Bill read first time, and referred to Committee on Fish and Game

Also Assembly Bill No. 693—An act to establish public shooting ground by purchase, rental, or gift, and to regulate the use of same, and to provide funds for such purchase or rental.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 694—An act to amend section 344 of the Political Code, relating to the interpretation of various terms and titles used in relation to the fish and game commissions and commissioners, and creating the office of fish and game commissioners and providing for the employment and appointment by the commissioners of necessary deputies, assistants and employees and providing for their compensation and defining their qualifications, and repealing all acts in conflict herewith.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 695—An act to amend section 631a of the Penal Code, relating to penalty for violation of fish and game laws.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Mathews. Assembly Bill No. 696—An act relating to banks, providing for the security of deposits thereof, including certain deposits of public funds, creating a depositors' guaranty fund, providing for the administration thereof, prescribing the powers and duties of certain officers with reference thereto, providing penalties for violations thereof, and making an appropriation
Bill read first time, and referred to Committee on Banking.

By Mr. Stow: Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury.
Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 698—An act appropriating money for the construction and equipment of a main building for the State Teachers College of Santa Barbara.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No 699—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of Santa Barbara.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No 700—An act appropriating money for the purchase of additional land for the State Teachers College at Santa Barbara.
Bill read first time, and referred to Committee on Normal Schools

Also: Assembly Bill No. 701—An act appropriating money for improvements for the State Teachers College of Santa Barbara
Bill read first time, and referred to Committee on Normal Schools.

By Mr. Badaracco: Assembly Bill No. 702—An act appropriating money for furnishing an observatory in the city and county of San Francisco, arranging for its upkeep by said city and county.
Bill read first time, and referred to Committee on Ways and Means

Also: Assembly Bill No. 703—An act to regulate the erection, construction and alteration of schools and to provide penalties for the violation thereof.
Bill read first time, and referred to Committee on Education.

By Mr. Wright: Assembly Bill No. 704—An act appropriating money for the construction and equipment of a gymnasium building for the State Teachers College of San Jose.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 705—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of San Jose.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No 706—An act appropriating money for improvements at the State Teachers College at San Jose.
Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 707—An act appropriating money for the construction and equipment of a dormitory and cafeteria building for the State Teachers College of San Jose.
Bill read first time, and referred to Committee on Normal Schools.

By Mr. Spalding: Assembly Bill No. 708—An act appropriating money for the erection and equipment of an industrial building at the Agnews State Hospital.
Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 709—An act appropriating money for the erection and equipment of quarters for employees at the Agnews State Hospital.
Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Badaracco: Assembly Bill No. 710—An act to add a new section to the Penal Code, to be numbered 211*a*, relating to robbery committed on persons in vehicles on public highways.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 711—An act to add a new section to the Penal Code, to be numbered 207*a*, relating to punishment for kidnapping when committed by the use of an automobile.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 712—An act to amend sections 211 and 213, relating to robbery and punishment therefor.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 713—An act to add a new section to the Penal Code, to be numbered 211*b*, relating to punishment for robbery when committed by the use of an automobile or other vehicle
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 714—An act to amend section 213 of the Penal Code, relating to the punishment of the crime of robbery.
Bill read first time, and referred to Committee on Judiciary.

By Miss Broughton: Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.
Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 716—An act to amend an act entitled "An act relating to bonds of irrigation districts, provided under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act

may be authorized," approved June 13, 1913, as amended, is hereby amended by repealing section 3b, relating to expenditures

Bill read first time, and referred to Committee on Irrigation.

By Mr. Smith: Assembly Bill No. 717—An act to amend an act known as the "Motor Vehicle," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scott: Assembly Constitutional Amendment No. 30—Proposed amendment to article XIII of the constitution, relative to revenue and taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Williams: Assembly Constitutional Amendment No. 31—Proposed amendment to article XII of the constitution, relative to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Dozier: Assembly Constitutional Amendment No 32—Proposed amendment to article XII of the constitution, relative to corporations.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Pomeroy: Assembly Constitutional Amendment No. 33—Proposed amendment to article VI of the constitution, relative to justices of the District Courts of Appeal.

Introduced, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 34 — Proposed amendment to article VI of the constitution, relative to judges of the Supreme Court.

Introduced, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 35 — Proposed amendment to article VI of the constitution, relative to judges of the superior court.

Introduced, and referred to Committee on Constitutional Amendments.

By Miss Miller Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the National Encampment of the Grand Army of the Republic, to hold the session of 1924 of the National Encampment in the city of Pasadena, California.

Introduced, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Snyder: Assembly Joint Resolution No. 12—Relative to selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

Introduced, and referred to Committee on Federal Relations.

By Mr. Lyons: Assembly Bill No. 718—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates, providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates, providing for inspection of risks rated by rating bureaus, providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative, repealing all laws in conflict with this act

Bill read first time, and referred to Committee on Insurance

By Mr Kline: Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds, to provide for the levying and collection of taxes to pay the annual installment of principal and interest of said bonds, to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof, and to provide a method of dissolving such districts," approved May 16, 1919.

Bill read first time, and referred to Committee on Conservation.

REQUEST FOR UNANIMOUS CONSENT

Mr. Fulwider asked for and was granted unanimous consent to take up Assembly Bill No 357, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED FIFTY-SEVEN.

Assembly Bill No 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

RESOLUTION.

The following resolution was offered:

By Mr. Fulwider:

Resolved, That Assembly Bill No 357 presents a case of urgency as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Mr. Fulwider moved the adoption of the resolution

The question being on the adoption of the resolution

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox,

Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FIFTY-SEVEN.

Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read second time and considered engrossed.

Urgency clause read.

The question being: Shall this section setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED FIFTY-SEVEN.

Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 357 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered to engrossment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anderson asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TEN.

Senate Concurrent Resolution No. 10—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified

electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922.

Senate Concurrent Resolution No. 10 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No 10 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly Coombs, Croter, Davis, Dawson, Dean, Donohue Dorris, Douglas, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noves, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder Spalding, Spence, Stevenot Stow, Weller, West Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—69.

NOES—None.

Title read and approved

Senate Concurrent Resolution No. 10 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No 10

Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of August, 1922

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto, to be numbered 20*a*, providing for the alteration of the boundaries of drainage districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Page 2, line 10, the words "in the district, and" should be left out

Page 4 line 20, after the word "acknowledgment" the following words should be inserted "Shall have the same force and effect as the acknowledgment"

Page 4 line 23, the words, "in the district, and" should be omitted

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr Coombs: Assembly Bill No. 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyman: Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stow: Assembly Bill No. 723—An act to add a new section to the Political Code to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Morris: Assembly Bill No 724—An act to repeal an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto and to make an appropriation therefor," approved May 3, 1919.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 726—An act to provide for the transfer of the duties, powers, purposes, responsibilities and jurisdiction of the Immigration and Housing Commission to the Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 727—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor and the length of term thereof

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Hawes, Mitchell, T. A., Burns, Schmidt, Hornblower, Fellom, Erb, Scott, Morrison, Morris, Rosenshine, Rock, Badaracco and Eksward: Assembly Bill No. 729—An act authorizing the creation of development district between the counties of this State or parts thereof: providing a method for the creation, enlargement and dissolution thereof: providing for the government of such districts and prescribing the powers and functions thereof: authorizing the levy of taxes, the issuance and sale of bonds and the payment of the cost and expense of works and improvement by special assessment: providing a method of letting contracts: declaring the bonds issued by such districts to be legal investment.

Bill read first time, and referred to Committee on County Government.

By Mr. Hornblower: Assembly Bill No. 730—An act to repeal an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods, in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dozier: Assembly Constitutional Amendment No. 36—Proposed amendment to article XIII of the constitution, relative to revenues and taxation

Introduced, and referred to Committee on Constitutional Amendments

Also: Assembly Constitutional Amendment No 37—Proposed amendment to article IV of the constitution, relative to senatorial and assembly districts.

Introduced, and referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At eleven o'clock and forty-five minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 31, 1923.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 31, 1923

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly

LEAVES OF ABSENCE

On motion of Mr Baker, Edwin, Mr Graves was granted leave of absence for the day.

On motion of Mr. Noyes, Mr Eksward was granted leave of absence for the day.

On motion of Mr. Hornblower, Mr. Burns was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY

Through the courtesy of Mr Jones, Mr Geo H. Johnson, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Fellom, Mr N J Malville of San Francisco was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Croter, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Pomeroy:

LOS ANGELES CALIFORNIA, January 30, 1923.

Hugh R. Pomeroy Assemblyman
Sacramento, California

The Hollywood Chamber of Commerce respectfully urges the Legislature to approve the Colorado River Pact, also requests and urges the Southern California delegation to make the strongest possible fight for the reapportionment in accordance with the definite terms of the State Constitution Will you be kind enough to convey our sentiments to the proper parties? Kindest personal regards

HOLLYWOOD CHAMBER OF COMMERCE.
By CARL BUSH.

By Mr Kline:

CAMP RESOLUTION OPPOSING THE SO-CALLED AMENDED RICHMOND BILL OR ANY SIMILAR MEASURE

WHEREAS It has come to the notice of Camp No 16614 of the Modern Woodmen of America, located at Elsinore, State of California, that there is a movement on foot throughout the insurance field in America to have introduced into the Legislature of our State during its approaching session, legislation affecting fraternal societies and particularly a bill commonly known as the "Richmond Bill" or some modification of that measure as proposed two years ago involving the principle of forcing within a specified time the Modern Woodmen of America and all other fraternal societies, to segregate their mortuary funds, wholly or in part, contributed by members written and new business obtained after a prescribed date, thus destroying the mutuality and violating vested rights of present members, enjoyed by them under their present certificate of membership, and

WHEREAS, There is at the present time provisions in the laws of most, if not all, of the states permitting fraternal societies which desire to do so, to thus voluntarily segregate their funds or classify their members and

WHEREAS, It is against the interests of the Modern Woodmen of America in this State to thus segregate its membership into classes or to divide its mortuary fund by segregation and thus weaken if indeed not destroy the stability and value of present certificates in our society therefore

Resolved, By Camp No 16614 of the Modern Woodmen of America located at Elsinore, in the State of California that this Camp is unalterably opposed to this, or to any other legislation in this State which forces or compels the Modern Wood-

men of America or any fraternal society, to segregate or divide any part of its mortuary contributions made by its members at any time, or to classify its members in any way, shape or form, or that will destroy the present mutuality of interest and benefits by our certificates, or that will impair or violate the vested right or interest which the present members have in the society and its assets as unfair, unjust and in violation of that great principle upon which fraternal societies are based—the right of self-determination and the privilege of solving its own problems, whatever they may be—without this proposed interference, direction or compulsion of these outside influences.

Resolved, further, That the Consul of this Camp is hereby authorized and directed to appoint a committee from the membership thereof, consisting of five members, who shall be known and act as the legislative committee of this Camp to see that a copy of this resolution is sent to every member of the Legislature from this district, as well as a copy to the presiding officers of both the Senate and the House of Representatives when the Legislature convenes, and that this committee shall have full power and authority and is hereby directed to prepare and have signed, petitions to the members of our Legislature from this district and to the Committees on Insurance in the House and Senate in this State during the session of the Legislature, protesting against the passage of this or any like measure, to the end that the certificates of the members of this Camp, as well as the certificates of our Neighbors through the State, shall not be weakened or destroyed by this uncalled for, unnecessary and unjust legislative action proposed.

Adopted by Camp No 16614 this third day of November, 1922.

C FRED B. KLARER, Clerk

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 7—Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported resolution ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties—and reports that the same has been correctly engrossed.

ROBERTS, Chairman

The above reported bill ordered transmitted to the Senate.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following,

Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane;

Also Assembly Bill No 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens;

Also Assembly Bill No 130—An act to amend section 4300*d* of the Political Code, relating to constables' and marshals' fees;

Also Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges;

And reports that the same have been correctly engrossed

ROBERTS, Chairman

The above reported bills ordered on file for third reading

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Fellom: Assembly Bill No 731—An act to amend sections 3664*a*, 3664*b*, 3664*c*, and 3664*d* of the Political Code, all relating to tax-

ation of public service and other corporations, banks and insurance companies for the benefit of the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Kline: Assembly Bill No. 732—An act authorizing and empowering the directors of the Southern California Fair Association to hold annually a State industrial, horticultural, agricultural, and live stock fair at the city of Riverside, county of Riverside, State of California at such time during the year as they may appoint

Bill read first time, and referred to Committee on Agriculture

By Mr Bernard: Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921.

Bill read first time, and referred to Committee on Agriculture

Also: Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Bill read first time, and referred to Committee on Agriculture

Also: Assembly Bill No. 735—An act making an appropriation to be used for the completion of the equipment and the elevator in the dairy building at Davis Farm.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Stow: Assembly Bill No. 736—An act to add a new section to be numbered 7*a* to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, providing for the seizure and holding of agricultural seed not labeled according to provisions of said act and providing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Agriculture

Also: Assembly Bill No. 737—An act to add a new section to be numbered 4*a* to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violation of the provisions thereof," approved June 3, 1921

Bill read first time, and referred to Committee on Agriculture

By Mr. Duval: Assembly Bill No 738—An act to require every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any automobile, jitney bus, auto truck, stage or auto stage used in the business of transportation of persons or property or as a common carrier for compensation over any public highway in this State, to procure licenses to permit them to continue to so operate for any distance whatsoever along any public highway; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses; and fixing penalties for violations of this act, and

authorizing certain proceedings by and before the Railroad Commission in connection therewith

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Baker, Edwin: Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

By Mr. Mitchell, A. G.: Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Bill read first time, and referred to Committee on Education.

By Mr. Reindollar: Assembly Bill No. 743—An act to amend section 1608 of the Political Code, relating to the powers and duties of boards of school trustees and boards of education in the matter of managing school property, purchasing of furniture, repairs, employing architects and building school buildings.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 744—An act to abandon and relinquish any and all claims to portions of streets designated as Railroad avenue, Humboldt avenue, B, C, D and E streets in the town of Sausalito and providing for the reversions or recession thereof to the abutting property owners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 745—An act to ratify and confirm the following ordinances of the town of Sausalito: Ordinance or resolution declaring certain streets and avenues in said town of Sausalito vacated, abandoned and closed, dated December 8, 1902; and ordinance "granting to North Shore Railroad Company right to occupy a portion of Railroad avenue," dated January 12, 1903.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Baker, C. C: Assembly Bill No. 747—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

Bill read first time, and referred to Committee on County Government.

By Mr. Crittenden: Assembly Bill No. 748—An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act" Approved April 23, 1915, by amending section 52 thereof

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 749—An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act." approved May 10, 1917, by amending section 5 thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Wright: Assembly Bill No. 750—An act to amend section 2653 of the Political Code, relating to property highway tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No 751—An act to amend section 4043 of the Political Code, relating to the protection of highways from damage by floods.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 752—An act to amend section 2646 of the Political Code, relating to highways in charge of supervisors.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 753—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 754—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr McPherson Assembly Bill No 755—An act directing the Department of Public Works to construct and maintain the uncompleted portions of the State highway extending from Rio Vista to Fairfield, Solano County, California, and making an appropriation for the same.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Whitacre: Assembly Bill No 756—An act to amend an act entitled "An act to define real estate brokers and salesmen, to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision and licensing thereof, to create the office of Real Estate Commissioner and making an appropriation therefor; approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 28, 1919, as amended, by repealing section 9 thereof and adding nine new sections thereto to be numbered sections 9, 9*a*, 9*b*, 9*c*, 9*d*, 9*e*, 9*f*, 9*g*, and 9*h*, relating to the creation of a board of examiners and providing for their appointment, prescribing their duties and fixing their compensation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Davis: Assembly Bill No 757—An act to amend the title of the act and to amend the act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobile, jitney busses, auto trucks, stages and auto stages, providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts and parts of acts inconsistent with the provisions of this act, approved May 10, 1917, as amended.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to amend sections 2 and 8*a* of an act entitled 'An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations,' approved March 27, 1895, as

amended," all relating to the levy and collection of taxes by and for the use of municipal corporations and to the consolidation of certain municipal offices; and to add a new section, to be numbered 8*b*, thereto, defining the term "municipal corporations" for the purposes of this act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Miss Miller: Assembly Bill No 759—An act to amend "An act authorizing the board of trustees of the Whittier State School to maintain a department for the clinical diagnosis of inmates of the school and other State institutions, and to inquire into the causes and consequences of delinquency and mental deficiency, and related problems," approved May 11, 1917.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 760—An act to provide for the transfer of the duties, powers, purposes, responsibilities and jurisdiction of the board of trustees of the Whittier State School and of the State Department of Institutions, relating to the California Bureau of Juvenile Research, to the State Department of Education and to change the name of said bureau to the Bureau of Research of the State Department of Education.

Bill read first time, and referred to Committee on Education

Also: Assembly Bill No. 761—An act to amend sections 366*c* and 366*d*, of the Political Code, relating to the Department of Institutions

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 762—An act to amend sections 362*a*, 362*b*, and 362*c*, relating to the Department of Education.

Bill read first time, and referred to Committee on Education.

By Mr. Donohue: Assembly Bill No. 763—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 765—An act to amend an act entitled "An act to create a Fish Game Preservation Fund and to unite the "Fish Commission Fund" and "the Game Preservation Fund", approved March 15, 1909, as amended by adding a new section thereto to be numbered 4 creating a new fund, to be known as the "Game Bounty Fund."

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No 766—An act to amend section 1 of an act entitled "An act to provide for the protection of fur bearing mammals, defining fur bearing mammals, providing a license for hunting or trapping such fur bearing mammals and requiring reports to be filed with the Fish and Game Commission, approved May 16, 1917, as amended

Bill read first time, and referred to Committee on Fish and Game

Also: Assembly Bill No. 767—An act to amend section 626*f* of the Penal Code, relating to the protection of deer.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 768—An act to add a new section to the Penal Code, to be numbered 636*d*, relating to fish and game.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Morris: Assembly Bill No. 769—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907 as amended, by amending sections 3, 4, 15 and 16 thereof.
Bill read first time, and referred to Committee on Public Health and Quarantine

By Mr. Donohue: Assembly Bill No. 770—An act to encourage the destruction of predatory wild animals; to provide bounties for the killing thereof; making an appropriation for the payment of such bounties; providing a penalty for making a false affidavit under the provisions of this act; and repealing acts inconsistent herewith.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Fulwider: Assembly Bill No 771—An act appropriating money for the erection of a new garage at the Sonoma State Home.
Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No 772—An act appropriating money for alteration of second floor Madron Building for industrial building.
Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No 773—An act appropriating money for improvement to roads and grounds at the Sonoma State Home
Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Burns, Carlson, Christian, Cleveland, Dawson, Donohue, Dozier, Emme, Fox, Lyman, McDowell, McPherson, Mitchell, Mueller, Pomeroy, Schmidt, Snyder, Spence, Weller, Whitacre, Williams: Assembly Bill No 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Dean: Assembly Bill No. 775—An act to amend sections 327, 1328, 1333, 1491, 1658 and 1664, all relating to procedure in probate matters.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Spalding: Assembly Bill No. 776—An act to amend sections 830 and 1880 of the Political Code, relating to school taxes and public land bonds.
Bill read first time, and referred to Committee on Education

By Mr. Moore. Assembly Bill No. 777—An act to amend section 634 of the Penal Code, relating to fish and game

Bill read first time, and referred to Committee on Fish and Game.

By Messrs Burns, Carlson, Christian, Cleveland, Dawson, Donohue, Dozier, Emine, Fox, Lyman, McDowell, McPherson, Mitchell, Mueller, Pomeroy, Schmidt, Snyder, Spence, Weller, Whitacre, Williams: Assembly Bill No. 778—An act to amend section 3366 of the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 779—An act to amend section 1 of an act entitled "An act to provide educational opportunities for persons who served in the Army, Navy or Marine Corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 780—An act to amend sections 26 and 27 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provision of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Civil Service

Also: Assembly Bill No. 781—An act to amend section 1 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No 782—An act to amend section 4041*f* of the Political Code, relating to meeting places for veterans and associations of veterans

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs

Also: Assembly Bill No 783—An act to amend section 7 of the Civil Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No 784—An act to amend an act entitled "An act to authorize the creation of debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry on the operations of the Veterans' Welfare Board in accordance with the provisions of the California Veterans' Welfare Act enacted at the forty-fourth session of the Legislature of the State of California, and also in accordance with the provisions of the Veterans' Farm and Home Purchase Act enacted at the forty-

fourth session of the Legislature of the State of California, or either of them enacted at the forty-fourth session of the Legislature of the State of California, and of any and all acts amendatory or supplemental to said acts, or either of them, to provide ways and means, exclusive of loans, for the payment of the interest on such debt or debts, liability or liabilities, as such principal matures, to create a Veterans' Welfare Finance Committee the members of which are to serve without compensation, to define the powers and duties of said Veterans' Welfare Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to vote of the people at the general election to be held in the month of November, 1922." approved May 30, 1921.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 785—An act to add a new title to part IV of division I of the Civil Code to be numbered title XI*b*, consisting of sections, numbered 592*m* to 592__, inclusive, relating to the organization, incorporation and management of patriotic societies.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 786—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 787—An act to amend section 2 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 788—An act to amend section 3898*a* of the Political Code, relating to the education of dependents of veterans.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Eksward and Noyes: Assembly Bill No. 790—An act to amend sections 4249*a* and 4250 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-first class.

Bill read first time, and referred to Committee on County Government.

By Mr. Noyes: Assembly Bill No 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of Joint Highway District No 3 composing two or more counties of the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Moore: Assembly Bill No. 792—An act to amend section 626*o* of the Penal Code, relating to the shooting from moving boats

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 793—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Schmidt: Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Smith: Assembly Bill No. 796—An act to amend section 4300*a*, of the Political Code, relating to the fees of the county clerk.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation thereof."

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act." approved_____.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems of modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical

Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act,'' as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 800—An act to amend section 9 of an act entitled ''An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy,'' as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Rosenshine: Assembly Bill No. 801—An act to amend section 9 of an act entitled ''An act to promote the comfort, health, safety, and general welfare of the people of this State as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation; and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial injuries; and providing penalties for offenses, as defined herein, by employers, their officers and agents, and by employers and other persons and corporations; and defining the powers and duties of the Industrial Accident Commission under this act, and providing for a review of its orders, decisions and awards; and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75*a*, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87 of chapter CLXXVI, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88, and 90 of said chapter CLXXVI, Statutes of 1913'' approved May 23, 1917, as amended, by providing that compensation shall be payable from the day of the injury where the injury results in disability lasting more than seven days.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No 802—An act to appropriate money to pay the claim of Schwabacher-Frey Stationery Co. against the State of California

Bill read first time, and referred to Committee on Claims.

By Mr. Bernard: Assembly Bill No. 803—An act to amend an act entitled ''An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments

levied by the Reclamation Board upon lands in said district," approved May 27, 1919.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Scott: Assembly Bill No. 804—An act to provide for an ad valorem tax on all motor vehicle tires sold in California.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr Bernard: Assembly Bill No. 805—An act making an appropriation to be used for improvements at Davis Farm.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Rosenshine: Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention.

Bill read first time, and referred to Committee on Education.

By Mr. Lyons: Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses

Bill read first time, and referred to Committee on Judiciary.

By Mr. Erb: Assembly Bill No 808—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Erb (by request): Assembly Bill No. 809—An act to amend section 9 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

By Mr. Hawes: Assembly Bill No 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Emme: Assembly Bill No 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 812—An act confirming and validating the organization of school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 814—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanics' liens.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to include references to industrial institutions

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 816—An act to amend section 6 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement," approved March 24, 1903.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 817—An act to provide for the formation, management, maintenance and dissolution of county fire protection districts.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No 818—An act to amend section 671*a* of the Code of Civil Procedure, relating to judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 819—An act to amend section 869 of the Civil Code, relating to conveyances.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 820—An act to amend section 1373 of the Code of Civil Procedure, relating to notice of petitions for letters of administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 825—An act defining and regulating the business of dry cleaning and dyeing, and providing for the construction, maintenance and inspection by the State of dry cleaning and dyeing buildings and establishments, and providing ways and means for enforcing this act, and penalties for the violation thereof.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Dawson: Assembly Bill No. 826—An act to prevent all persons not eligible to citizenship in the State of California, or in the United States of America, from catching or taking fish or shell fish in the waters of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 827—An act to amend the Penal Code by adding thereto a new section to be numbered 337*b*, relating to the publication, distribution, selling or giving away of tips or other information concerning horse races, or betting upon horse races.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Smith: Assembly Bill No 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of habitual criminals and persons convicted of rape or carnal abuse of females under the age of ten years.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 830—An act to amend section 4021 of the Political Code, relative to elective county and township officers.

Bill read first time, and referred to Committee on County Government.

By Mr. Weller: Assembly Bill No 831—An act to preserve the public health, prevent the spread of contagious, infectious or communicable diseases; to establish quarantine or isolation of persons suffering or afflicted with such diseases; to provide for the enforcement of such quarantine and isolation and to prescribe penalties for violation of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Badham (by request): Assembly Bill No 833—An act to amend section 1566 of the Political Code, relating to trustees' meetings

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 834—An act to amend sections 1560 and 1564 of the Political Code, relating to teachers' institutes

Bill read first time, and referred to Committee on Education

Also: Assembly Bill No. 835—An act to amend sections 1700 and 1701 of the Political Code of the State of California, relating to paying salaries of teachers.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No 836—An act to amend section 1552 of the Political Code of the State of California, relating to traveling expenses of county superintendents of schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 837—An act to add a new section to the Political Code relating to the powers and duties of city superintendents of schools and of district superintendents of schools and to be numbered section 1609*a*.

Bill read first time, and referred to Committee on Education.

By Mr. Cleary: Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.

Bill read first time, and referred to Committee on Agriculture

By Mr. Cleary (by request): Assembly Bill No 839—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed, providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds,

thereby, providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that hereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Williams: Assembly Bill No. 840—An act to provide protection to turkey growers from theft; to provide regulation for sale of same and to provide penalties for the violations thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Prendergast: Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Pomeroy: Assembly Bill No 842—An act to add three new sections to the Political Code, to be numbered 1519*c*, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read first time, and referred to Committee on Education.

By Mr Schmidt: Assembly Bill No. 843—An act to repeal an act entitled "An act authorizing and providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either in incorporated cities, cities and counties or towns having a population of not less than 100,000 persons, by cemetery corporations, associations, corporation sole or other persons owning or controlling such cemeteries, and authorizing and providing for the removal of the human remains therefrom and the reinterment of such remains or the depositing of the same in a mausoleum or columbarium, and repealing all acts in conflict therewith," approved May 20, 1921.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 844—An act to amend section 611 of the Civil Code, relating to cemetery bonds.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 845—An act to amend section 609 of the Civil Code, relating to elections held by cemetery corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr West: Assembly Bill No. 846—An act to add a new section to the Penal Code to be numbered 392*a*, relating to mail and express trains.

Bill read first time, and referred to Committee on Public Utilities

By Messrs. Connolly and Bernard: Assembly Bill No 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscom to Westport, all located in Mendocino County, to be a State highway.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bromley: Assembly Bill No. 848—An act to confer and impose upon the Superintendent of Banks of the State of California all the authority, powers, jurisdiction, duties and responsibilities conferred and imposed by law upon the Building and Loan Commissioner.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cleveland: Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks
Bill read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 850—An act to add a new section to the Political Code to be numbered 594*b*, relating to form of liability insurance policies.
Bill read first time, and referred to Committee on Insurance.

By Mr Lyman: Assembly Bill No. 851—An act to amend section 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policy holders of recourse against stockholders of such corporations." approved May 31, 1917, (and to add a new section to said act to be known as section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations)
Bill read first time, and referred to Committee on Insurance.

By Mr Moore: Assembly Bill No. 852—An act to amend section 626 of the Penal Code, relating to the protection of game.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Donohue: Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.
Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 854—An act to amend section 626 of the Penal Code, relating to the protection of game
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kline: Assembly Bill No 855—An act making an appropriation to pay the claim of Director General of Railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code.
Bill read first time, and referred to Committee on Claims

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3661*a* of the Political Code.
Bill read first time, and referred to Committee on Claims.

By Mr. Lyons: Assembly Bill No. 857—An act relating to outdoor advertising as in this act defined, and granting to municipalities the power to regulate or prohibit such advertising.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Morrison: Assembly Bill No. 858—An act to add a new section to an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909, as amended.

Bill read first time, and referred to Committee on Fish and Game

Also: Assembly Bill No. 859—An act to add a new section to an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909, as amended.

Bill read first time, and referred to Committee on Fish and Game

Also: Assembly Bill No 860—An act to add a new section to the Code of Civil Procedure to be numbered 542*b*, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, Edwin: Assembly Bill No 861—An act to transfer the duties, powers, purposes and responsibilities and jurisdiction of the Bureau of Building and Loan Supervision and the Building and Loan Commissioner to the State Banking Department

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mathews: Assembly Bill No 862—An act to amend section 626*e* of the Penal Code, relating to protection of deer

Bill read first time, and referred to Committee on Fish and Game.

By Mr. West: Assembly Bill No 863—An act to amend section 1202*a* of the Penal Code, relating to persons sentenced to state penitentiaries.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Williams: Assembly Bill No. 864—An act to amend section 1533 of the Political Code relating to the annual convention of county and city superintendents

Bill read first time, and referred to Committee on Education.

By Mr. Hornblower: Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 866—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process.

Bill read first time and referred to Committee on Judiciary.

Also: Assembly Bill No 867—An act to add a new section to be numbered 1540*a* of the Penal Code, relating to search and seizures and evidence in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to persons from whom it was taken.

Bill read first time, and referred to Committee on Judiciary.

Also. Assembly Bill No. 869—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911

Bill read first time, and referred to Committee on Insurance

By Mr Cleveland: Assembly Bill No. 870—An act to amend an act entitled "An act creating a Veterans Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1921.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs

By Mr. Bernard: Assembly Bill No. 871—An act creating the office of Highway Tree Inspector, placing such office under the jurisdiction of the State Forester, and providing a salary therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Smith: Assembly Bill No. 872—An act to amend section 36 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended, said amendment to provide for record by the court of cases in which a person is charged with violation of the act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Baker, C. C.: Assembly Bill No 873—An act to amend section 1253 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Morris: Assembly Joint Resolution No. 13—Relative to the indorsement of House Resolution 13298 and Senate Bill 4142; to amend the War Risk Insurance and the Vocational Rehabilitation Act so as to include disabled veterans, of all the wars of the United States, and their dependents.

Introduced, and referred to Committee on Federal Relations.

By Mr. Fox: Assembly Constitutional Amendment No. 38—Proposed amendment to article 1 of the constitution, relative to indictment, information and grand jury.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Hawes and Morris: Assembly Constitutional Amendment No. 39—Proposed amendment to add article XXIV of the constitution, relative to boxing exhibitions

Introduced, and referred to Committee on Constitutional Amendments.

RE-REFERENCE OF BILLS.

On motion of Mr. Fellom, Assembly Bill No. 729 was recalled from the Committee on County Government and re-referred to Committee on Commerce and Navigation.

On motion of Mr. Lyman, Assembly Bill No. 458 was recalled from the Committee on Governmental Efficiency and Economy and re-referred to Committee on Public Health and Quarantine

On motion of Mr. Cleary, Assembly Bill No. 5 was recalled from the Committee on County Government and re-referred to Committee on Judiciary.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Christian: Assembly Bill No. 874—An act to amend section 4131 of the Political Code, relating to instruments to be recorded by county recorders.

Bill read first time, and referred to Committee on County Government.

By Miss Broughton: Assembly Bill No. 875—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 876—An act to amend an act entitled "An act to provide for the development of electric power by irrigation districts," approved May 21, 1919, as amended, is hereby amended by adding a new section to be designated section 4, prescribing the method of sale.

Bill read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No 877—An act to amend an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No 878—An act providing for the branding of all cattle affected with tuberculosis, requiring a report of all cases of tuberculosis in cattle and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Live Stock and Dairies

Also: Assembly Bill No 879—An act to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to provide for the grading of market milk and cream and prevent the manufacture and sale of products from unhealthy cows, to prevent deception or fraud in the production and sale of dairy products and in the manufacture, advertising and sale of renovated butter and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the licensing of dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof; and to repeal all acts or parts of acts in conflict herewith

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Mathews: Assembly Bill No 880—An act to provide for the county boards of supervisors paying indemnities for breeding dairy cattle branded as tubercular reactors by representatives of the United States Department of Animal Industry or the State Division of Animal Industry in the counties where bovine tuberculosis eradication and control work is being carried on under the provisions of an act entitled "An act to prevent, control and eradicate tuberculosis in cattle in the State of California; to empower the Director of Agriculture to establish tuberculosis eradication or free areas; providing penalties for the violation hereof," approved June 3, 1921

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs. Reindollar and Rosenshine: Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Rock: Assembly Bill No. 882—An act to amend an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages, and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the

Railroad Commission, providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act," which said act was approved May 10, 1917, and amended and approved May 13, 1919.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cleveland: Assembly Joint Resolution No. 14—Relative to the indorsement of the "Capper-French Truth in Fabric Bill", to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics.

Introduced, and referred to Committee on Federal Relations.

By Mr. Christian: Assembly Constitutional Amendment No. 40—Proposed amendment to article II of the constitution, relative to the right of suffrage.

Introduced, and referred to Committee on Constitutional Amendments.

MOTION TO WITHDRAW.

Mrs. Saylor moved that Assembly Concurrent Resolution No. 7 be withdrawn from Committee on Municipal Corporations.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mrs. Saylor asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No 7, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SEVEN.

Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

Assembly Concurrent Resolution No. 7 read, and considered engrossed.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 7 ordered to engrossment.

ASSEMBLY CONCURRENT RESOLUTION No. 7.

Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleveland asked for unanimous consent to suspend the rules and take up Assembly Joint Resolution No. 14, at this time, without reference to printer, and that same be considered engrossed.

The question being on the motion to suspend the rules

The roll was called, and the rules were suspended by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOURTEEN.

Assembly Joint Resolution No. 14—Relative to the indorsement of the "Capper-French Truth in Fabric Bill"; to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics.

Assembly Joint Resolution No. 14 read, and considered engrossed.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 14 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None

Title read and approved.

Assembly Joint Resolution No. 14 ordered to print, and engrossment.

ASSEMBLY JOINT RESOLUTION No. 14

Relative to the indorsement of the "Capper-French Truth in Fabric Bill"; to require *woolen manufacturers to indicate by labels the percentage of virgin wool in* fabrics.

WHEREAS, There has been introduced in the Senate of the United States a bill known as the "Capper-French Truth in Fabric Bill", Senate Bill No. 799, and

WHEREAS, A similar bill has been introduced in the House of Representatives, H. R. "Bill No. 64"; and

WHEREAS, The purpose of said bill is to require that manufacturers of woolen goods attach to the manufactured fabrics labels indicating the percentage of virgin wool and the percentage of re-worked wool, or shoddy, contained in said manufactured fabric; and

WHEREAS, The sheep and wool industry is a large industry in the State of California, and continually growing in importance, now, therefore, be it

Resolved by the Assembly and the Senate jointly, That the Legislature of the State of California at its forty-fifth regular session does respectfully urge upon the Senate of the United States and the House of Representatives the adoption of said "Capper-French Truth in Fabric Bill" and the imperative need for the immediate enactment of the same, and be it further

Resolved, That a copy of this joint resolution be sent, by the Chief Clerk of the Assembly, to the President of the United States and to each member of the Congress of the United States from the State of California.

WITHDRAWAL OF CONSTITUTIONAL AMENDMENT.

Mr. Williams asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 31.

Assembly Constitutional Amendment No. 31 withdrawn and stricken from file.

RESOLUTION.

The following resolution was offered:

By Mr. Carter:

WHEREAS, Section 19 of the Civil Service Law of the State of California provides:

"No officer, agent, clerk or employee, under the government of the State shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, contribution or political service, whether voluntary or involuntary, for any political purpose whatever from any one on the eligible list or holding any position under the provisions of this act," and

WHEREAS, Said act further provides that

"Any person wiltully violating any of the provisions of this act shall be guilty of a misdemeanor," and

WHEREAS, It appears that the Civil Service Act of this State was flagrantly violated and ignored by officers of the State preceding the primary election on August 29, 1922, in this, to wit: collections of varying sums of money were made, or contributions demanded, for political purposes from civil service employees of the State, and

WHEREAS, The civil service system should be kept free from corrupt political influences and civil service employees protected from extortion and intimidation by fellow workers or officers or department heads, and

WHEREAS, If such practice is countenanced and the perpetrators thereof go unpunished, public service will be demoralized and the army of civil service employees will be used to advance the selfish interests of unscrupulous persons, the whole being manifestly a menace to the purity of elections and the welfare of the people, and

WHEREAS, His Excellency Governor Friend W. Richardson, in his inaugural address delivered to the members of the Legislature in joint session on the ninth day of January, 1923, said:

"In the recent primary election the law against collecting political assessments from civil service employees was violated. This should be investigated and the offenders brought to justice"

now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Committee consisting of five members of the Assembly be appointed by the Speaker to investigate any violations of the Civil Service Law by any officer, agent, clerk or employee of the State and upon the conclusion of such investigation to report to the Assembly the results thereof together with such recommendations as the committee shall deem proper, to the end that any such person found to have violated the law may be prosecuted.

Resolved further, That said committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subject hereinbefore enumerated or recited, and for that purpose to employ all necessary assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are and each of them is hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof; that said committee be given leave to sit during sessions of the Assembly; that it report as speedily as possible the results of its investigation to the Assembly with such recommendations as it may deem proper relative to abuse or wilful violation of any of said Civil Service Law. Be it further

Resolved, That the sum of $2,500 be and the same hereby is made available for the purpose of defraying expenses of said committee in said investigation, to be paid from the Contingent Fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

REQUEST FOR UNANIMOUS CONSENT

Mr. Carter asked for unanimous consent to take up the above resolution, at this time, without reference to committee.

MOTION TO REFER

Mr Fellom moved that Mr. Carter's resolution be referred to the Committee on Elections.

MOTION TO AMEND.

Mr. Carter offered the following amendment:

"That the resolution be referred to the Committee on Contingent Expenses, with instructions to report back on the next legislative day."

Mr. Fellom accepted the amendment offered by Mr. Carter.

The question being on the adoption of Mr. Fellom's motion, as amended.

Motion carried.

The Speaker referred Mr. Carter's resolution to the Committee on Contingent Expenses, with instructions to report back on the next legislative day.

SPECIAL ORDER SET

On motion of Mr. Carter the consideration of his resolution relative to the violation of the Civil Service Act, was made a special order for Thursday, February 1, 1923, at eleven o'clock a.m.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIVE.

Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling

Assembly Concurrent Resolution No. 5 read, and considered engrossed.

MOTION.

Mr. Carter moved that the amendments submitted by the committee be withdrawn, and offered the following amendments:

Amendments by Mr. Carter:

AMENDMENT NUMBER ONE.

On the second line from the bottom, strike out the words and figure "Tuesday, January 30", and insert in lieu thereof the following: "Friday, February 2".

AMENDMENT NUMBER TWO.

On the last line, strike out the words and figures "Thursday, March 1", and insert in lieu thereof the words and figures "Monday, March 5".

Amendments read.

MOTION TO POSTPONE.

Mr. Fellom moved that further consideration of Assembly Concurrent Resolution No. 5 be postponed until Friday, February 2, 1923

The question being on the motion to postpone.

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

AYES—Bernard, Broughton, Cleary, Cleveland, Crittenden, Croter, Dean, Dorris, Douglas, Fellom, Fox, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Saylor, Schmidt, Spence, Stevenot, Stow, and Wright—28.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Davis, Dawson, Donohue,

Dozier, Duval, Emme, Erb, Foster, Fulwider, Hornblower, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

The question being on the adoption of the amendments offered by Mr. Carter.

Amendments adopted.

Assembly Concurrent Resolution No. 5 read

The question being on the adoption of the resolution, as amended.

The roll was called and Assembly Concurrent Resolution No. 5 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Donohue, Douglas, Dozier, Duval, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—Bernard, Broughton, Cleary, Cleveland, Crittenden, Dean, Dorris, Fellom, Fox, Jones, McDowell, Mueller, Prendergast, Schmidt, Spence, and West—16.

Title read and approved.

Assembly Concurrent Resolution No. 5 ordered to reprint and engrossment.

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of article IV of the constitution of the State of California requires that, after the Legislature has been in session for a period not exceeding thirty days, a recess must be taken by both houses for a period of not less than thirty days; therefore, be it

Resolved by the Assembly, the Senate concurring, That the forty-fifth session of the Legislature of the State of California shall adjourn for said recess at 12 o'clock noon on Friday, February 2, 1923, and shall reassemble at the hour of 12 o'clock noon on Monday, March 5, 1923

MOTION TO REFER.

Mr. Dawson moved that his resolution printed on page 5 of the Journal of January 24, 1923, be referred to the Committee on Contingent Expenses.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Kline: Assembly Bill No 883—An act appropriating certain moneys for the improvement of the State highway between the present State highway at or near Mecca, Riverside County, and the Colorado River at Blythe, Riverside County.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Morris: Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed.

Bill read first time, and referred to Committee on Revision of Criminal Procedure.

By Mr. Bromley: Assembly Bill No. 885—An act to regulate the validation of district bonds and providing for the supervision thereof by the Superintendent of Banks.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Carlson: Assembly Bill No. 886—An act to amend an act known as the "Motor Vehicle Act," approved May 10, 1917, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Morris (by request): Assembly Bill No. 887—An act providing for the formation and incorporation of rural credit unions or cooperative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest.

Bill read first time, and referred to Committee on Agriculture.

ADJOURNMENT.

At one o'clock p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, February 1, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, February 1, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heimger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present

PRAYER

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Baker, Edwin, Messrs. Graves and Lyons were granted leave of absence for the day

On motion of Mr. Noyes, Mr. Eksward was granted leave of absence for the day

On motion of Mr. Bromley, Mr. Pedrotti was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Snyder, Mr W. J. Costar, a former member of the Assembly, and his daughter, Mrs. E. H. Kunze, of Davis, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Mr. Thomas Maxwell, a member of the board of supervisors of Napa County, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal

Through the courtesy of Mr Coombs, Mr David Cavagnero of Napa was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Badham, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

CITIZENS NATIONAL BANK,
RIVERSIDE, CAL., January 27, 1923.

On motion duly seconded and carried unanimously, the Riverside County Bankers Association went on record as favoring and approving the Assembly bill introduced by the Honorable Chester M Kline, Assemblyman from Riverside County, being a bill to prohibit the further expansion of branch banks in said State by taking away the power of the Superintendent of Banks, of the State of California, from granting other branches, other than in cities, towns or precincts wherein the parent institution is located

RIVERSIDE COUNTY BANKERS ASSOCIATION
R. L HAGLUND, Secretary.

By Mr Baker, Edwin:

THE REPUBLICAN STUDY CLUB OF LOS ANGELES,
LOS ANGELES, CALIFORNIA, January 27, 1923.

To the Members of the California State Senate and the Assembly,
Sacramento, California

We beg to advise you that at the regular semi monthly meeting of the Women's Republican Study Club of Los Angeles held in the Union League Club, 255 South Hill street, Los Angeles, January 26, 1923, the following resolution was adopted:

Resolved, That the Republican Study Club of Los Angeles endorse the demand for reapportionment in strict conformity with the State constitution.

FLORENCE COLLINS PORTER, President.
IDA R KOVERMAN, Secretary.

By Mr. Wright:

550 SOUTH SIXTH STREET,
SAN JOSE, CALIFORNIA, January 31, 1923

To the Members of the Assembly of the State of California, Sacramento, California.

You are cordially invited to be the guests of the Child Welfare Research Station organization at a luncheon to be given on Saturday, February 17, at 12 30 o'clock at the Hotel Bellevue, San Francisco.

A fine luncheon and splendid program with nationally famous speakers have been arranged and the honor of your presence is earnestly desired

Will those who can accept kindly notify the undersigned before the date of the luncheon, Saturday, February 17.

(MRS) JOSEPHINE RAND ROGERS,
San Jose, California

By Mr Carter:

WHEREAS, The number of automobile accidents in the State of California, and in Los Angeles County in particular, is becoming appalling, and

WHEREAS, The present methods employed to control the number of said accidents does not seem to have the desired effect, as is shown by their steady monthly increase, and

WHEREAS, The situation has now reached a stage where life and limb are in constant hazard, and drastic measure seems absolutely necessary, therefore, be it

Resolved, That the Chamber of Commerce and Civic Association of Pasadena hereby favors the passage of a law requiring a rigid examination of all applicants for drivers' licenses as to knowledge of State and county traffic laws, and physical as regards eye-sight, hearing, general health, combined with a driving demonstration to be given under the auspices of the police departments of the various cities. Be it further

Resolved, That a copy of these resolutions be sent to our representatives in the Legislature and to the Chambers of Commerce throughout the State of California, soliciting cooperation and aid in this movement to minimize automobile accidents and safeguard life and limb.

[SEAL] CHAMBER OF COMMERCE OF SAN PEDRO.
R. H. BLATON, Secretary. C. J. COLDEN, President.
January 10, 1923.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 205—An act to amend section 1739a of the Political Code relating to high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported resolution ordered transmitted to the Senate.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of reclamation district No. 2056 and also all the acts and proceedings of said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District;

Also Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district,

Also Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District, Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WILLIAMS, Chairman.

The above reported bills ordered on file for second reading

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury who may be present and recording of testimony—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 238—An act to authorize and provide for a bond issue by the people of the State of California in the sum of ——— million dollars for the purpose of completing the construction of State highway of said State; providing for the submission of said proposition to the voters of said State at the general election to be held November ———, 1925, providing for the appropriation and sale of said bonds, payment of interest thereon, for a sinking fund to pay the principal, and for the apportionment and distribution of the monies received and for their use by the State highway—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DOUGLAS, Chairman.

RE-REFERENCE OF BILL.

Mr. Foster asked for and received unanimous consent to have Assembly Bill No. 238 re-referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 16—An act declaring that portion of the public highway, in Sutter County, California, extending from the east and west public highway at the quarter section corner between sections 5 and 6, in township 13 north, range 3 east, Mount Diablo meridian, southerly and southwesterly and across the Sutter By-pass, to a point in the southeast quarter of section 19, in township 13 north, range 3 east, and

being a portion of the public highway, connecting the county seat of Yolo County with the county seat of Sutter County, to be a State highway and making an appropriation for the construction thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission, fixing the terms of office and compensation of the members of said commission, fixing the power, duties and authority of said commission and its members, providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission, specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation, declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights, providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

DOUGLAS, Chairman.

The above reported bill ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais Forest Fire District—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

McMILLAN, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Conservation, to which was referred Assembly Bill No. 188—An act to provide for the reforestation constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REINDOLLAR, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 14—Relative to the indorsement of the "Capper-French Truth in Fabric Bill" to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported resolution ordered transmitted to the Senate

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr Carter

WHEREAS, Section 19 of the Civil Service Law of the State of California provides

> "No officer, agent, clerk or employee, under the government of the State shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, contribution or political service, whether voluntary or involutary, for any political purpose whatever from any one on the eligible list or holding any position under the provisions of this act,"

and

WHEREAS, Said act further provides that

> "Any person wilfully violating any of the provisions of this act shall be guilty of a misdemeanor,"

and

WHEREAS, It appears that the Civil Service Act of this State was flagrantly violated and ignored by officers of the State preceding the primary election on August 29, 1922, in this, to wit collections of varying sums of money were made, or contributions demanded, for political purposes from civil service employees of the State, and

WHEREAS, The civil service system should be kept free from corrupt political influences and civil service employees protected from extortion and intimidation by fellow workers or officers or department heads, and

WHEREAS, If such practice is countenanced and the perpetrators thereof go unpunished, public service will be demoralized and the army of civil service employees will be used to advance the selfish interests of unscrupulous persons, the whole being manifestly a menace to the purity of elections and the welfare of the people and

WHEREAS, His Excellency, Governor Friend W. Richardson, in his inaugural address delivered to the members of the Legislature in joint session on the ninth day of January, 1923 said

> "In the recent primary election the law against collecting political assessments from civil service employees was violated This should be investigated and the offenders brought to justice",

now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Committee consisting of five members of the Assembly be appointed by the Speaker to investigate any violations of the Civil Service Law by any officer, agent, clerk or

employee of the State and upon the conclusion of such investigation to report to the Assembly the results thereof together with such recommendations as the committee shall deem proper, to the end that any such person found to have violated the law may be prosecuted.

Resolved, further, That said committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subject hereinbefore enumerated or recited, and for that purpose to employ all necessary assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpœnas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are, and each of them is hereby authorized to administer oaths and all the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpœnas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, that said committee be given leave to sit during sessions of the Assembly that it report as speedily as possible the results of its investigation to the Assembly with such recommendations as it may deem proper relative to abuse or wilful violation if any of said Civil Service Law. Be it further

Resolved, That the sum of $2500 be and the same hereby is made available for the purpose of defraying expenses of said committee in said investigation, to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committees, and the State Treasurer is hereby authorized and directed to pay the same.

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

(Signed out)

DAWSON, Chairman
ROCK,
PEDROTTI,
MITCHELL, A. G.,
LYONS.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 31, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 385 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 4—Relative to the establishment of a forest experiment station in California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 4 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 12—Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles,

State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 12 read, and referred to Committee on Municipal Corporations

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the following

Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923;

Also Assembly Concurrent Resolution No 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922.

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolutions ordered to enrollment.

MOTION TO RESCIND ACTION.

Mr. Williams moved that the action of the Assembly withdrawing and striking from the file of Assembly Constitutional Amendment No. 31 on Wednesday, January 31, 1923, be rescinded

Motion carried

MOTION TO CORRECT JOURNAL.

Mr Coombs moved that the Journal of Thursday, January 11, 1923, be corrected so as to include his request for leave of absence for Friday, January 12, 1923.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Bernard: Assembly Bill No. 888—An act appropriating money to be used for malaria control by the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine

By Mr. Dozier: Assembly Bill No 889—An act to amend section 925 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Baker, C. C.: Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Duval: Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, and providing for filing of license fee.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crittenden: Assembly Bill No. 892—An act to amend sections 2, 3, 4 and 5 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third and fourth classes, and cities operating under a charter framed under section 8, article XI, of the constitution," approved March 2, 1891.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Dozier: Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation proposed March 1, 1887," by adding a new section thereto, to be numbered section 64.

Bill read first time, and referred to Committee on Irrigation.

By Mr. West: Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Dozier: Assembly Bill No. 895—An act to amend an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917" approved May 23, 1917, as amended, by providing for the continuation of compensation payments during the period of rehabilitation and vocation re-education of an employee permanently disabled in industry in this State, and by providing for the payment of tuition fees, and the furnishing of such text books and equipment as may be necessary for instruction in the vocational education and rehabilitation of such disabled persons.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 896—An act to provide for the organization and government of public park districts.

Bill read first time, and referred to Committee on County Government.

By Mr. Wright: Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cleveland: Assembly Bill No. 898—An act to add a new section to the Penal Code, to be numbered 347*b*, relating to selling or giving away poisons.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. McMillan: Assembly Bill No. 899—An act to add a new section to the Penal Code, to be numbered 402*g*, relative to the use of soiled or unlaundered table linen or napkins for the purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating-house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No 902—An act appropriating money for the construction and equipment of buildings for the California Polytechnic School at San Luis Obispo, California.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 903—An act appropriating money for improvements at the California Polytechnic School at San Luis Obispo, California.

Bill read first time, and referred to Committee on Normal Schools.

By Messrs. Heisinger and Foster: Assembly Bill No. 904—An act to add a new section to be known as 9*a*4 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, said section relating to salaries of county librarians.

Bill read first time, and referred to Committee on County Government.

By Mr. Heisinger: Assembly Bill No. 905—An act to amend section 4233 of the Political Code, relating to counties of the fourth class

Bill read first time, and referred to Committee on County Government.

By Mr. Johnston, J. W: Assembly Bill No. 906—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties upon certain county officers," approved June, 1921

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Rock: Assembly Bill No. 907—An act to amend section 1729 of the Civil Code, relating to agreements to sell and buy

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 908—An act creating a Department of Law Enforcement, providing for the appointment of a Commissioner of Law Enforcement, one Deputy Commissioner of Law Enforcement, and an enforcement force not to exceed two hundred, prescribing their powers and duties, fixing their compensation, and repealing all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 909—An act to add a new section to the Civil Code, to be numbered 54*a*, relating to admissions to places of amusement

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 910—An act to repeal section 4085½ of the Political Code, relating to innavigable streams which may be declared highways for fishing

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Douglas (by request): Assembly Bill No. 911—An act to provide for the construction of parks and boulevards in municipalities within the State containing a population of 10,000 or over

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Douglas: Assembly Bill No. 912—An act to empower the State Highway Commission to acquire redwood forests along the State highways to aid in the maintenace and preservation of the attractions and scenic beauties thereof

Bill read first time, and referred to Committee on Conservation.

By Mr. Spalding: Assembly Bill No. 913—An act appropriating money for the erection of a building for male patients at Agnews State Hospital

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Assembly Bill No. 914—An act appropriating money to be used in the improvement of the heating system at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Reindollar: Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 916—An act making an appropriation to pay the cost of making surveys and preparing plans and estimates for the construction of a highway beginning at the town of Mill Valley, Marin County, and extending through said county of Marin, through Steep Ravine in said county and thence to Bolinas in said Marin County.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Eksward and Noyes: Assembly Bill No. 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Noyes: Assembly Bill No. 918—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 919—An act to permit the killing of bear at any time in Fish and Game District No. 1.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 920—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for fish and game preservation and restoration," approved March 27, 1909, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Douglas: Assembly Bill No. 921—An act to amend section 158 of the Political Code, relating to legal distances.

Bill read first time, and referred to Committee on Mileage.

By Mr. Jones: Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 923—An act making an appropriation for the construction and improvement of the State highway now under construction between Holtville and Yuma, from a point at the "east high line canal" to the "new county well".

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Whitacre: Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'The local improvement act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Pomeroy: Assembly Bill No. 925—An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man

their trains," approved February 20, 1911, as amended by an act approved May 24, 1913, and as further amended by an act approved May 25, 1915, by amending section 2 thereof, and by adding a new section thereto to be numbered section 8, relating to the powers of the Railroad Commission in certain cases to relieve such common carriers by railroad from the provisions of said act.

Bill read first time, and referred to Committee on Public Utilities

By Messrs. Pomeroy and Roberts: Assembly Bill No. 926—An act to repeal section 1553 of the Political Code, which imposes certain restrictions upon the county superintendents of schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 927—An act to add a new section to the Political Code of the State of California, to be numbered 1608*a*, and to authorize a school district to perform school service for another school district and to receive pay for such school service.

Bill read first time, and referred to Committee on Education.

By Mr. Pomeroy: Assembly Bill No. 928—An act authorizing the board of supervisors of any county to appoint a park board, and prescribing the membership, organization, officers, government, powers and duties thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Roberts: Assembly Bill No. 929—An act to amend an act entitled "An act to define and regulate the business of banking approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 930—An act to amend an act entitled "An act to define and regulate the business of banking approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

By Mr. Weller: Assembly Bill No. 931—An act to validate bonds of the city of Burbank, issued for water supply purposes

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 932—An act to validate bonds of the city of Burbank, issued for sewer farm purposes.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Foster: Assembly Bill No. 933—An act to prohibit the use of an automobile or motorcycle in the leading of an animal from one point to another.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Snyder: Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education.

Bill read first time, and referred to Committee on Education.

By Mr. Schmidt: Assembly Bill No. 935—An act prohibiting public utilities furnishing water, gas or electricity, to the inhabitants of any county, city or city and county in this State from making a charge for the use of meters used in the measurement of such commodities.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 937—An act to amend sections 927*e* and 927*l* of the Code of Civil Procedure, relating to the small claims court.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Emme and Crittenden: Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the state or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors, to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith.

Bill read first time and referred to Committee on Elections.

By Messrs. Emme and Graves: Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on county work.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 940—An act to amend section 1243 of the Penal Code, relating to the effect of an appeal by the defendant.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460*a* and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211*a*, regarding the definition of robbery and the degrees thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 946—An act to amend section 487 of the Penal Code, relating to grand larceny.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 948—An act to amend section 1203 of the Penal Code defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 950—An act to amend section 1093 of the Penal Code, relating to the conduct of the trial in criminal cases and the order of proceeding on trial.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Bromley: Assembly Bill No. 951—An act to transfer the duties, powers, purposes and responsibilities and jurisdiction of the Department of Petroleum and Gas of the State Mining Bureau to the Surveyor General.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Weller: Assembly Bill No. 952—An act to repeal an act entitled "An act to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons, to provide for the government and maintenance thereof, and for the study of mental deficiency and related problems, to provide for admission and commitment to such institution, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act; to provide for the sterilization of inmates of such institutions; to prescribe penalties for procuring the escape, or aiding or advising in the escape, of inmates, or concealing inmates thereof; to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917.
Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Baker, Edwin: Assembly Bill No. 953—An act to amend sections 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, and 691 of the Political Code, relating to the Board of Control.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Badham: Assembly Bill No. 954—An act to repeal an act entitled "An act creating a cash revolving fund for the use of the State Water Commission in making determinations of water rights as provided by the 'Water Commission Act,' approved June 16, 1913, making an appropriation therefor," approved June 3, 1921.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Roberts: Assembly Bill No. 955—An act to amend an act entitled "An act for the regulation and control of fraternal benefit societies" approved May 1, 1911, as amended.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 956—An act requiring that railway trains upon which toilets are maintained shall be equipped with septic containers or other devices in connection with said toilets; and prescribing penalties for violations thereof.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 957—An act providing that the duties now performed by the Adjutant General of the State of California be performed by an officer detailed by the United States Army for such purpose, upon request of the Governor of the State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mitchell, A. G.: Assembly Bill No. 958—An act to transfer the mineral museum maintained by the State Mining Bureau to the University of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mrs. Woodbridge: Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Also: Assembly Bill No. 960—An act to add a new section to the Civil Code, to be numbered 3066, relating to nurseryman's lien.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 961—An act to add a new section to the Code of Civil Procedure to be numbered 1191½, relating to nurseryman's lien.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 962—An act to add a new section to the Political Code to be numbered 2319*m*, relating to inspection of nursery stock, trees, plants, shrubs and vines at initial point of shipment.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Lyman: Assembly Bill No 963—An act to amend sections 851 and 854 and to repeal section 858 of the Code of Civil Procedure, relating to pleadings in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 964—An act to add a new section to the Penal Code to be numbered section 531*a*, relating to executions.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 965—An act to amend sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 20, 21, 22, 24, 25, 26, 27, 28, 29, 32, 34, 36 and 37 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Rock, Assembly Bill No. 966—An act to repeal an act entitled "An act to require railroad companies operating within any part of this State to provide and equip certain engine cabs with handrails and footboards for the safety and protection of railroad employees; and providing a penalty for the violation thereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Public Utilities

Also: Assembly Bill No. 967—An act to repeal an act entitled "An act to require railroad companies when operating engines accompanied by tenders of insufficient clearance between the overhang of the roof of the cab and the top of the tender to provide a safe clearance by cutting out an opening in the overhanging roof of the cab so as to enable the engineman safely to go from the cab of the engine to the top of the tender, and providing a penalty for the violation thereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No 968—An act to repeal an act entitled "An act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway in whole or in part in the State of California, and prescribing penalties for violation of this act," approved April 21, 1911; as amended by an act entitled "An act to amend section 1 of an act entitled 'An act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this act' approved April 21, 1911," approved June 4, 1913, and to repeal each of said acts.

Bill read first time, and referred to Committee on Labor and Capital.

Also Assembly Bill No 969—An act to repeal an act entitled "An act to provide for the equipment of steam locomotives with automatic bell-ringing devices," approved June 1, 1917.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 970—An act to repeal an act entitled "An act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this act," approved June 4, 1913

Bill read first time, and referred to Committee on Public Utilities.

Also. Assembly Bill No 971—An act to repeal an act entitled "An act prescribing a certain kind of water glass for use on steam locomotives; providing a penalty for neglect to use such glass," approved May 25, 1915

Bill read first time, and referred to Committee on Public Utilities

By Mr Stevenot: Assembly Bill No. 972—An act declaring the present county road at a point at Angels Camp, in Calaveras County, extending through Murphys and connecting with the Alpine State highway at Calaveras Big Trees in Calaveras County, to be a State highway

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Coombs: Assembly Bill No. 973—An act to amend section 1734 of the Political Code, relating to the formation of high school districts and embracing therein common school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 974—An act to amend section 1931 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses

with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read first time, and referred to Committee on County Government.

By Mr. Baker, Edwin: Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Education.

By Mr. Donohue: Assembly Bill No. 976—An act to amend section 636 of the Penal Code, relating to fish and game

Bill read first time, and referred to Committee on Fish and Game.

Also Assembly Bill No 977—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also. Assembly Bill No. 978—An act to amend section 632 of the Penal Code, relating to fish and game

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Bromley. Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the government.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 981—An act to amend sections 360*a*, 360*b* and 360*d* of the Political Code, relating to a Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No 982—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State, and providing penalties and forfeitures for non-compliance," approved May 10, 1915

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 983—An act to amend sections 6, 16 and 17 of an act entitled "The corporate securities act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Smith: Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 987—An act to amend an act approved April 27, 1911, entitled; "An act relating to lakes and streams the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands and providing for the leasing of lands uncovered by the recession of waters of such lakes and streams." by adding thereto a new section to be numbered 18 relating to the leasing for certain purposes of State lands submerged by salt tidal waters.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Carlson: Assembly Bill No 988—An act to amend section 51 of the Workmen's Compensation, Insurance and Safety Act of 1917 by providing an assessment against employers, based upon the payroll of the employees of such employers, which said assessment shall be paid into the "Accident Prevention Fund" of the State of California, and applied to the support of the work of the Department of Safety of the Industrial Accident Commission.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 989—An act to require the registration of private and public employment agencies where no fee is exacted from applicants for employment, providing for the operation thereof and a permit therefor, providing for forms of registration to be used and kept and reports to be furnished to the Bureau of Labor Statistics and for the refunding of expenses in the event of failure to secure employment and prohibiting misrepresentation of employment.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 990—An act to amend section 2871 of the Political Code, relating to toll bridges.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 991—An act to amend section 2872 of the Political Code, relating to toll bridges.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No 992—An act to amend section 2878 of the Political Code, relating to toll bridges.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No 993—An act to amend section 2873 of the Politial Code, relating to toll bridges

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Donohue: Assembly Bill No. 994—An act to regulate exchanges organized for establishing the market price, and regulating the marketing of perishable agricultural products, providing for the enforcement and prescribing penalties for the violation of this act.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Rosenshine: Assembly Bill No. 995—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 996—An act to make an appropriation to erect a building on a lot of land in the city and county of San Francisco as a branch of the State Library to be known as the Sutro Library.

Bill read first time, and referred to Committee on Libraries.

By Mr. Donohue: Assembly Bill No 997—An act to amend an act entitled, "An act providing for a county engineer for each county in this State, providing for his appointment, manner of removal, qualifications, compensation and duties; transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the board of supervisors; also authorizing the board of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act; to provide said county engineer with an office and necessary assistants; to provide for abolishing the office of county surveyor and for the fixing, and levying of taxes for road purposes," approved May 27, 1919, as amended.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No 998—An act to amend an act entitled, "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard, providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a Boulevard Commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such

commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909;" approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

Bill read first time, and referred to Committee on Roads and Highways.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF MR. CARTER'S RESOLUTION.

Resolution by Mr. Carter:

WHEREAS, Section 19 of the Civil Service Law of the State of California provides:

> "No officer, agent, clerk or employee, under the government of the State shall, directly or indirectly, solicit or receive, or be in any matter concerned in soliciting or receiving, any assessment, subscription, contribution or political service, whether voluntary or involuntary, for any political purpose whatever from any one on the eligible list or holding any position under the provisions of this act."

and

WHEREAS, Said act further provides that

> "Any person wilfully violating any of the provisions of this act shall be guilty of a misdemeanor."

and

WHEREAS, It appears that the Civil Service Act of this State was flagrantly violated and ignored by officers of the State preceding the primary election on August 29, 1922, in this, to wit: collections of varying sums of money were made, or contributions demanded, for political purposes from civil service employees of the State, and

WHEREAS, The civil service system should be kept free from corrupt political influences and civil service employees protected from extortion and intimidation by fellow workers or officers or department heads, and

WHEREAS, If such practice is countenanced and the perpetrators thereof go unpunished, public service will be demoralized and the army of civil service employees will be used to advance the selfish interests of unscrupulous persons, the whole being manifestly a menace to the purity of elections and the welfare of the people, and

WHEREAS, His Excellency Governor Friend W. Richardson, in his inaugural address delivered to the members of the Legislature in joint session on the ninth day of January, 1923, said

> "In the recent primary election the law against collecting political assessments from civil service employees was violated. This should be investigated and the offenders brought to justice."

now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Committee consisting of five members of the Assembly be appointed by the Speaker to investigate any violations of the Civil Service Law by any officer, agent, clerk or employee of the State and upon the conclusion of such investigation to report to the Assembly the results thereof together with such recommendations as the committee shall deem proper, to the end that any such person found to have violated the law may be prosecuted.

Resolved further, That said committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subject hereinbefore enumerated or recited, and for that purpose to employ all necessary assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony; and the members of said committee are, and each of them is hereby authorized to administer oaths, and all the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution, and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof; that said committee be given leave to sit during sessions of the Assem-

bly, that it report as speedily as possible the results of its investigation to the Assembly with such recommendations as it may deem proper relative to abuse or wilful violation if any of said Civil Service Law. Be it further

Resolved, That the sum of $2,500 be and the same hereby is made available for the purpose of defraying expenses of said committee in said investigation, to be paid from the Contingent Fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

MOTION TO AMEND.

Mr. Crittenden offered the following amendment:

Just prior to the word "resolved" as it appears in said resolution, insert the following

WHEREAS, Section 1 of an act, entitled an act to regulate the conduct of election campaigns, and repealing an act entitled "An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1923, provides as follows:

Every candidate who is voted for at any public election held within the State shall, within fifteen days after the day of holding such election, file as hereinafter provided, an itemized statement, showing in detail all moneys paid, loaned, contributed, or otherwise furnished to him, or for his use, directly or indirectly, in aid of his election, and all moneys contributed, loaned, or expended by him, directly or indirectly by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who paid, loaned, contributed or otherwise furnished such moneys in aid of his election, and the names of the various persons to whom such moneys were contributed, loaned or paid, the specific nature of each item, the services performed, and by whom performed, and the purpose for which the money was expended, contributed or loaned. If the candidate seeks to avoid the *responsibility of any illegal payments made by any other person in his behalf*, he shall set out such illegal payment and disclaim responsibility therefor" etc.

WHEREAS, It is notorious and of common knowledge that candidates, who were voted for throughout the entire State, for State offices, during the last primary and general election carried on vigorous and costly campaigns, over the entire State of California, which was obvious to any one and to the candidate, cost thousands and thousands of dollars, and

WHEREAS, Some of the election returns of such candidates filed by them and pursuant to law show only nominal amounts of money spent by them directly or indirectly in their behalf

WHEREAS, Such conduct brings the election law of the State of California into disrepute and open door to corruption and permits special interests to contribute fabulous sums to the campaign in behalf of such campaigns, and shields such contributions from the knowledge of the voter.

WHEREAS, It may be necessary to amend the present law so as to make it more effective in such matters; now, therefore, be it

Resolved, and Hereby Is Resolved, That the committee hereafter provided for, to be appointed shall and it is hereby directed and empowered to investigate all of the expenditures of the candidates for State offices, who were voted for over the entire State of California in the recent primary and general election to ascertain in each instance whether or not the law governing campaign expenditures at primary elections and general elections has been complied with and all of the provisions hereinafter provided shall be and they are hereby made applicable to said committee in the investigation of such campaign expenditures of said candidates.

Amendment read.

WITHDRAWAL OF AMENDMENT.

During the debate, on motion of Mr Crittenden, his amendment was withdrawn.

The question being on the adoption of the resolution by Mr. Carter.

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

AYES—Anderson Badham Baker C. C., Baker Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy,

Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73.

NOES—Cleary, and Spence—2.

MOTION TO RECESS.

At eleven o'clock and fifty-seven minutes a.m., Mr. Carter moved that the Assembly do now recess until two o'clock and thirty minutes p.m., of this day.

MOTION TO AMEND.

Mr. Baker, Edwin, offered the following amendment: "That the Assembly do now recess until two o'clock p.m., of this day."

Amendment adopted.

The question being on the motion to recess by Mr. Carter, as amended.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until two o'clock p.m., of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Hicks reading

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Members of the Senate and Assembly.

In accordance with the requirements of section 34 of article IV of the constitution as amended at the recent general election I submit herewith to you a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing laws or recommended by me, and of all institutions, departments, boards, bureaus, commissions, officers, employees, and other agencies, and of all estimated revenue, for each fiscal year of the ensuing biennial period, being from July 1, 1923, to June 30, 1925, together with a comparison as to each item of revenue and expenditure for the first fiscal year of the present biennial period, being the period from July 1, 1921, to June 30, 1922, and the actual and estimated revenues and expenditures for the second fiscal year of the present biennial period, being the period from July 1, 1922, to June 30, 1923.

The budget herewith submitted does not exceed the estimated revenues for the ensuing biennial period and hence it is unnecessary for me to recommend the source from which additional revenue shall be provided.

The budget presented herewith totals $78,974,628.55, and the estimated revenues are $85,237,000 of which $5,200,000 is not available on account of litigation. In preparing this budget I have been aided by the members of the Board of Control who have worked strenuously to complete it in the very short time allowed by law. The members of the board are entitled to great credit for their efficient service to the State. The new members of the board took office on the tenth instant and have had barely three weeks to complete a task which should have consumed three months. The convening of the Legislature, the induction of a new administration into office, and the going into effect of the new budget amendment, all at the same time, have made it impossible to present a budget sooner. It has not been possible to make as full a survey of the various State departments as desired. The constitution provides that the Governor may at any time amend or supplement the budget, and during your recess the board proposes to make further investigations and recommendations to me. That there should be further cuts will probably be shown on closer examination. Many of the departments are in charge of hostile officials who have handicapped us in every way.

The budget presented is complete in detail giving as many as one hundred items in a department, and is in striking contrast with former unofficial budgets which frequently contained only two items. It also covers all of the so-called self-supporting boards and commissions, not included in previous budgets. While it has been a laborious task to prepare all of this detail, it will provide invaluable information to

you when you come to analyze and consider it. You will undoubtedly find that many other economies can be effected.

In preparing this budget I have used every endeavor to live up to the mandate of the people as expressed at the primary election last August and at the general election in November. The people expressed themselves strongly in favor of economy and efficiency in State government, of eliminating unnecessary expense, of cutting out useless boards and commissions, of taking off the payroll political parasites, and the wrecking of the political machine which in the past few years has squandered millions of dollars of the people's money. I have heeded the voice of the people and made my cuts regardless of any political consequences to myself. I have hewed to the line, letting the political chips fall where they may. The advocates of the "pork barrel" idea in appropriations have been given no consideration, as I have tried to consider the State as a whole and the general needs of the people. My chief purpose has been to relieve the people of their great burden of taxation.

The people ultimately pay every dollar of tax whether it be direct or indirect. While the State derives most of its revenue from a franchise tax on corporations this tax is passed on to the people with an added burden. The Railroad Commission has ruled that taxes are part of the operating expense of corporations and must be added in fixing rates. After the increase of rates on public utility corporations at the last session of the Legislature, the Railroad Commission increased the rates on fares, light, water, gas, telephone, and the people found they did pay the tax. The much heralded and misnamed King Bill not only increased the burden upon the people, but it failed to materially increase the revenue of the State because the railroad corporations appealed to the courts, which permitted them to settle with the State at the old rate of 5¼ per cent instead of the new rate of 7 per cent while the suit is pending. To attempt to still further increase the rates on public utility companies in view of present litigation would be futile.

So while I am faced with the duty of obeying the mandate of the people as expressed in the recent election, I am also faced with the necessity of keeping State expenses below the State income. You are faced with the same mandate and the same necessity. The State should live within its income and limit its needs. Every citizen of California finds himself confronted with the necessity of curbing his financial desires and cutting down his needs. As soon as the boy becomes a man he finds he must spend less than he earns or bankruptcy faces him. The State must practice the same philosophy.

Because a given appropriation has merit is not a sufficient reason for its passage. If this were the guide the budget would exceed all bounds of reason. The total expenses and the total revenue of the State must always be borne in mind. The State must hold itself in check and keep within the bounds of sane economy. Every dollar which has been cut from the demands of the various State departments and reductions made over the former budget will result in benefit to the people. The adoption of this budget will not only save the people many millions of dollars but will afford a wholesome lesson to cities and counties and may save the people many millions more.

The rapid increase of the budget during recent years has resulted in an era of extravagance. In 1915 the budget in round numbers was $35,000,000; in 1917 it reached $47,000,000, in 1919 it rose to $52,000,000, but in 1921 it mounted to $91,000,000. If this rate of increase had been kept up the budget of 1923 would have been $150,000,000, so the present budget not only represents a reduction of $12,000,000 over the total appropriations of 1921, but the stopping of $71,000,000 which might have been piled on the people had the orgy of political extravagance continued.

The budget presented to you takes care of every State need and is liberal in comparison with actual needs and the budgets previous to 1921.

While the net budget total is $78,974,628.55, it contains $700,000 for emergencies, and $1,200,000 for flood control. With these items eliminated the budget would be $77,074,828.55. The great sum of $49,788,415.10 is provided for education, in short more than sixty per cent of the budget is for education. A total of $10,329,670 in the budget is to pay interest and principal on State highway bonds. The fixed charges provided by law total $59,624,226.75 as compared with $44,909,749.15 as submitted in the budget two years ago. The budget has been reduced from 1921 despite the fact that the fixed charges have increased $14,714,477.60.

This budget contains flood control items aggregating $1,200,000 of which $600,000 is for reclamation work in the Sacramento Valley and $600,000 for flood control in Los Angeles County. The Legislatures of 1919 and 1921 appropriated $6,000,000 for these two projects and spread the payments out over ten years. Continuing appropriations of this kind are unfair to future administrations and are of doubtful propriety. Both of these projects are sectional in character and such a policy pursued all over the State would cost many millions. As the credit of the State has been pledged, however, the amount is included in the budget.

If the State taxes were used solely for State purposes the budget could be greatly decreased. The greater part of this budget is for money for county and district purposes. The State will pay to the counties $37,261,860 for elementary and secondary schools for the coming biennial period, $673,914.60 for salaries of

superior judges; $576,983.33 for school books $2,000,000 for aid of county orphans, and this budget shows $10,329,670 to pay interest and principal on bond money used in building roads in the counties. The policy of unloading county functions upon the State has helped increase the budget.

The recommendations made for the schools are undoubtedly greater than they should be, but it has been my purpose to be liberal in the matter of education. Extravagance in educational matters has run riot during the past few years This budget shows an increase of $8,618,627.63 or 23 per cent in the past two years Politicians in the guise of educators have squandered the people's money with a lavish hand and have denounced advocates of thrift as enemies of education.

A great political organization has been built up which has cost the people an immense sum but has added little to the value of education given school children. The laws have been cunningly amended so that supervisors, school boards and boards of education have little control over the expenditures of school money and hence can not check extravagance The people are loud in their protest as indicated by hundreds of complaints received by me, but they are unorganized and unable to cope with the schemes of certain political educators.

The expenditure of school money in this State must be put on a business basis and the schools must not only teach but practice thrift Educators should be left in control of educational matters, but sound business men should be in control of expenditures.

INDUSTRIAL FARM FOR WOMEN

The Director of Institutions has reported that a large percentage of the women committed to the Industrial Farm for Women are narcotic or alcoholic addicts and are the same class as have for years been taken care of in the six State hospitals of this State; that the history of moral delinquency in the inmates of the farm is not more marked than it is in the State hospital inmates; that the State is not justified in maintaining two different departments attempting to meet the same problem: that in the hospitals this class can be cared for at an expense of $21.00 per month per patient, whereas the cost at the farm for the past six months was $80.46 a month per patient. The Board of Control joins with the present Director of Institutions, and the former Director of Institutions, in the belief that this institution should be closed and the property turned over to the Sonoma State Home for the care of epileptics. The Sonoma Home is only a few miles away from this farm

The problem of delinquent women is an age-old one and attempts to solve it have been made throughout the centuries without success That should not discourage us in the attempt to do something for this unfortunate class of women, and I have therefore included an appropriation in the budget for this institution so that it can be conducted for at least two years longer. This institution should be given not only a fair but sympathetic trial. I make this recommendation in spite of the fact that a majority of the people seem to be opposed to its purposes, and that the bill in the first place is reported to have become a law by mistake.

CALIFORNIA POLYTECHNIC SCHOOL

This institution is located at San Luis Obispo and was created in 1901 as an Industrial School before the time when but a very few high schools and elementary schools carried on industrial work Last year there were 183 students enrolled in this school, 92 of whom lived in San Luis Obispo, most of whom were young boys of high school age. The State at the present time is paying to the school districts of the State money with which to educate this very class of students. As the majority of the students are of high school age, it would seem that the many high schools giving manual instruction, would answer the requirements. It is proposed by the Department of Education to build this school up as an agricultural college, to be available for the southern part of the State for students over high school age.

This school seems to be entirely out of joint with the whole educational system of the State, and if the State is to go into the business of educating students of high school age, it would have to establish scores of similar institutions throughout California.

A small appropriation has been included in the budget for the continuance of this school until such time as it can be changed into some other line or used for some other State institution

BOARD OF CHARITIES AND CORRECTIONS.

The principal activities of the State Board of Charities and Corrections and all the activities of the child agents of the Board of Control are concerned with the supervision of orphanages and other homes caring for dependent children, which are required to submit financial and statistical reports, identical in character, to both agencies. Agents and inspectors from both agencies visit the same institutions. Before any money is paid by the State for the aid of orphans, the county must first make an investigation of the particular case and make a recommendation. The institutions located in the counties of Los Angeles, San Francisco and Alameda are under the inspection of county boards of public welfare, boards of health, and in some instances two or more State agencies. So when these same institutions

are also inspected by the child agents of the Board of Control, and by the Board of Charities and Corrections, there is a duplication of effort.

The supervision exercised by the Board of Charities and Corrections over the three State reform schools, the six hospitals, and the Sonoma Home, has proved of value in a number of cases, but is merely advisory. The board has performed some effective work in encouraging various counties to systematize their form of charities and to improve the character of their county hospitals, poor farms and county jails. I believe that the Board of Charities and Corrections has functions which should be maintained and which are of value to the State. Instead of having it a separate and overlapping body, I suggest that it be made a division of the Department of Finance. Provision has been made in the budget of the Department of Finance for this work.

IMMIGRATION AND HOUSING

The functions of the Commission of Immigration and Housing are twofold, consisting of the enforcement of labor laws relative to immigrants and of State housing laws. A large part of the work of this commission is a duplication of the work of the Bureau of Labor Statistics. The housing laws refer for the most part to conditions existing in large cities and labor camps. In the cities there also exist local agencies charged with the duty of enforcing these laws. The State Board of Health has jurisdiction over certain housing laws and inspection of the condition of automobile camps, and has authority to inspect labor camps as well. Both the Commission of Immigration and Housing and the Board of Health inspect factories. This has caused overlapping functions and a conflict of authority. The Americanization work of this commission has been voluntarily surrendered to the Board of Education and is now in that department budget.

In order to prevent duplication and to centralize the work of this department, I recommend that the function of this commission be transferred to the State Bureau of Labor Statistics. Provision has been made in the budget for the bureau for their work.

HUMBOLDT TEACHERS COLLEGE

The per capita cost of this institution for 1921-22 was $964 a year. This cost is greatly in excess of the cost of any other Teachers College in California. The Board of Control has recommended that this college be combined with the Chico School in order to cut down expenses and to afford the pupils of the Arcata School better facilities for training. With the completion of the highway between the Sacramento Valley and Humboldt County the means of communication between Chico and Humboldt will be made much more easy than at present.

I have included in the budget an appropriation for maintaining the Humboldt School, and suggest that you give serious consideration to the recommendation of the State Board of Control.

STATE MINING BUREAU.

This bureau has functions which overlap with other departments. In mining inspection the work of this bureau and the Industrial Accident Commission overlap. The oil work does not properly belong to this bureau. The mining exhibit should be made available for students at the University of California. I recommend that the oil department be turned over to the Surveyor General, that the inspection work be placed in the hands of the Industrial Accident Commission, that the mining exhibit be turned over to the University of California and that the bureau be abolished. Provision has been made in the Surveyor General's and Industrial Accident Commission's budget for these added duties.

ESTIMATED REVENUE

The State Board of Equalization has estimated the net revenue for the ensuing biennial period to be $80,037,000 itemized as follows:

	1923	1924
Corporation Franchise Tax	$34,700,000	$35,400,000
Inheritance Tax	4,800,000	5,400,000
License Tax	990,000	1,000,000
Fees, Secretary of State	260,000	265,000
Interest on deposits in banks	450,000	450,000
Punitive and Reformatory School Collections	500,000	520,000
Fees, Supreme and Appellate courts	11,000	11,000
Miscellaneous receipts	230,000	250,000
	$41,941,000	$43,296,000
		41,941,000
For biennium		$85,237,000
Amount not available (litigation)		5,200,000
Total available revenue		$80,037,000

Respectfully submitted,

F. W. RICHARDSON
Governor of California

February 1, 1923.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bill was introduced, and referred as indicated.

By Mr. Kline: Assembly Bill No. 999—An act making an appropriation for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read first time, and referred to Committee on Ways and Means.

MOTION.

Mr. Coombs moved that the budget be referred to the Committee on Revision and Printing to confer with a like committee of the Senate, relative to the advisability and probable cost of printing the budget.

MOTION TO AMEND.

Mr. Morris moved that the motion by Mr. Coombs be amended to include instructions for the committee to report back on the next legislative day.

Motion to amend carried.

The question being on Mr. Coombs' motion, as amended.

Motion carried.

The Speaker referred the budget to the Committee on Revision and Printing, with instructions to report back on the next legislative day.

MESSAGES FROM THE GOVERNOR—(RESUMED).

The following messages from the Governor were received, read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of the University of California Building and Sinking Fund Act of 1914 I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted

F. W. RICHARDSON, Governor.

REPORT OF UNIVERSITY OF CALIFORNIA BUILDING AND SINKING FUND, ACT OF 1914.

To His Excellency
FRIEND W. RICHARDSON,
Governor

SIR: We submit herewith a report of the proceedings under the said act for the year beginning January 1, 1922, and ending December 31, 1922, according to the provisions of section 7 of said act.

Dated Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF UNIVERSITY OF CALIFORNIA BUILDING AND SINKING FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		$40,000 00
June 8	To transfer from General Fund	$38,700 00	
Dec. 14	To transfer from General Fund	78,700 00	
			117,400 00
			$157,400 00

Disbursements

Jan 16—By redemption of bonds	$40,000 00	
June 12—By payment semi-annual interest	38,700 00	
Dec 19—By payment semi-annual interest	38,700 00	
Dec. 19—By redemption of bonds	40,000 00	
		157,400 00
Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California

Pursuant to the provisions of section 6, chapter 235, Statutes of 1913, I transmit herewith copy of the joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted. F. W. RICHARDSON, Governor.

REPORT OF SACRAMENTO STATE BUILDING FUND AND SACRAMENTO STATE BUILDING SINKING FUND, UNDER THE SACRAMENTO STATE BUILDING ACT OF 1913.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 235, Statutes of 1913, we submit herewith a report of the proceedings under said chapter of Sacramento State Building Fund and Sacramento State Building Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF SACRAMENTO STATE BUILDING FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		$2,863,234 30
June 21	To Department Public Works	$219 60	
Nov. 16	To Department Public Works	233 28	
			452 88
			$2,863,687 18

Disbursements

Jan. —By payments to Department Public Works	$1,032 84	
Mar. —By payments to Department Public Works	1,479 39	
Apr. —By payments to Department Public Works	240 30	
May —By payments to Department Public Works	18,489 68	
June —By payments to Department Public Works	6,672 41	
July —By payments to Department Public Works	24,410 63	
Aug. —By payments to Department Public Works	17,393 47	
Sept. —By payments to Department Public Works	374 95	
Oct. —By payments to Department Public Works	15,392 03	
Nov. —By payments to Department Public Works	33,122 77	
Dec. —By payments to Department Public Works	63,222 47	
		$181,830 94
Balance December 31, 1922		$2,681,856 24

REPORT OF SACRAMENTO STATE BUILDING SINKING FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		$55,348 17
Jan. 9	To State Treasurer interest	$2,415 00	
June 8	To transfer from General Fund	60,000 00	
July 1	To transfer from General Fund	50,000 00	
July 5	To State Treasurer interest	3,635 00	
Dec. 14	To transfer from General Fund	60,000 00	
			176,050 00
			$231,398 17

Disbursements.

Mar.	—By purchase of bonds	$55,764 78	
May 11	—By purchase of bonds	984 10	
June 12	—By payment semi-annual interest	60,000 00	
July	—By purchase of bonds	46,779 88	
Sept.	—By purchase of bonds	4,882 11	
Dec. 19	—By payment semi-annual interest	60,000 00	
			228,410 87
	Balance December 31, 1922		$2,987 30

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 7, chapter 541, Statutes of 1913, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted. F. W. RICHARDSON, Governor.

REPORT OF SAN FRANCISCO STATE BUILDING FUND AND SAN FRANCISCO STATE BUILDING SINKING FUND

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 7, chapter 541, Statutes of 1913, we beg to submit a report of the proceedings under said chapter of San Francisco State Building Fund and San Francisco State Building Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer
RAY L. RILEY, State Controller,
By C. E. COOPER, Deputy.

REPORT OF SAN FRANCISCO STATE BUILDING SINKING FUND, YEAR 1922.

Receipts.

Date	Item	Amount	Total
Jan. 1	—To balance		none
June 8	—To transfer from General Fund	$37,600 00	
Dec. 14	—To transfer from General Fund	17,200 00	
			$54,800 00
			$54,800 00

Disbursements

June 12	—Redemption of bonds	$20,000 00	
June 12	—Payment semi-annual interest	17,600 00	
Dec 19	—Payment semi-annual interest	17,200 00	
			$54,800 00
	Balance December 31, 1922		none

REPORT OF SAN FRANCISCO STATE BUILDING FUND, YEAR 1922

Receipts.

Date	Item	Amount	Total
Jan. 1	—To balance		$222,798 10
Jan. 16	—To Department Public Works	$8 77	
Feb. 8	—To Department Public Works	143 78	
Mar. 30	—To Department Public Works	231 24	
May 17	—To Department Public Works	31,925 25	
June 21	—To Department Public Works	466 67	
			32,775 71
			$255,573 81

Disbursements.

Jan.	—By payments to Department Public Works	$70,067 68	
Feb.	—By payments to Department Public Works	24,479 75	
Mar.	—By payments to Department Public Works	4,285 07	
Apr.	—By payments to Department Public Works	1,525 00	
May	—By payments to Department Public Works	26,213 93	
June	—By payments to Department Public Works	2,651 11	
Aug.	—By payments to Department Public Works	8,551 50	
Sept.	—By payments to Department Public Works	8,562 57	
Nov.	—By payments to Department Public Works	12,456 54	
Dec.	—By payments to Department Public Works	18,027 18	
			$176,820 33
	Balance December 31, 1922		$78,753 48

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 407, Statutes of 1909, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted. F. W. RICHARDSON, Governor.

REPORT OF INDIA BASIN FUND AND INDIA BASIN SINKING FUND, ACT OF 1909.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR. In accordance with the provisions of section 6, chapter 407, Statutes of 1909, we submit herewith a report of the proceedings under said chapter of the India Basin Fund and India Basin Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF INDIA BASIN FUND, YEAR 1922

Receipts.

Date	Item	Amount	Total
Jan. 1	—To balance		$451 28
Jan. 1	—To receipts	none	
			$451 28

Disbursements.

By payments	none	
Balance December, 1922		$451 28

REPORT OF INDIA BASIN SINKING FUND, YEAR 1922

Receipts.

Date	Item	Amount	Total
Jan. 1	—To balance		none
Jan. 3	—To transfer from S. F. H. I. Fund	$2,843 33	
Feb. 1	—To transfer from S. F. H. I. Fund	2,843 35	
Mar. 1	—To transfer from S. F. H. I. Fund	2,843 33	
April 1	—To transfer from S. F. H. I. Fund	2,843 33	
May 1	—To transfer from S. F. H. I. Fund	2,843 33	
June 1	—To transfer from S. F. H. I. Fund	2,843 33	
June 8	—To transfer from General Fund	2,843 33	
July 1	—To transfer from S. F. H. I. Fund	2,843 33	
Aug. 1	—To transfer from S. F. H. I. Fund	2,843 35	
Sept. 1	—To transfer from S. F. H. I. Fund	2,843 33	
Oct. 1	—To transfer from S. F. H. I. Fund	2,843 33	
Nov. 1	—To transfer from S. F. H. I. Fund	2,843 33	
Dec. 1	—To transfer from S. F. H. I. Fund	2,843 33	
Dec. 14	—To transfer from General Fund	2,843 33	
			$39,806 66
			$39,806 66

Disbursements.

Jan. 3—By transfer to General Fund	$2,843 33	
June 12—By payment semi-annual interest	17,060 00	
July 1—By transfer to General Fund	2,843 33	
Dec. 19—By payment semi-annual interest	17,060 00	
		$39,806 66
Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 7, chapter 383, Statutes of 1909, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted. F. W. RICHARDSON, Governor

REPORT OF STATE HIGHWAY SINKING FUND.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 7, chapter 383, Statutes of 1909, we beg to submit a report of the proceedings of the State Highway Sinking Fund for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller
By C. E. COOPER, Deputy

REPORT OF STATE HIGHWAY SINKING FUND, YEAR 1922.

Receipts.

Date	Item	Amount	Total
Jan. 1	To balance		none
June 8	To transfer from General Fund	$720,000 00	
Dec. 14	To transfer from General Fund	312,000 00	
			$1,032,000 00
			$1,032,000 00

Disbursements

June 12—By redemption of bonds	$400,000 00	
By payment semi-annual interest	320,000 00	
Dec. 19—By payment semi-annual interest	312,000 00	
		$1,032,000 00
Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 7, chapter 404, Statutes of 1915, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922

Respectfully submitted. F. W. RICHARDSON, Governor.

REPORT OF SECOND STATE HIGHWAY FUND AND SECOND STATE HIGHWAY SINKING FUND, UNDER THE STATE HIGHWAYS ACT OF 1915

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 7, chapter 404, Statutes of 1915, we submit herewith a report of the proceedings under said chapter of Second State Highway Fund, and Second State Highway Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy

REPORT OF SECOND STATE HIGHWAY FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan 1	To balance		$1,014,476 41
Jan 3	To Department Public Works	$9 08	
Feb. 2	To Department Public Works	57 46	
Feb 28	To Department Public Works	58,695 44	
April 3	To Department Public Works	5,683 50	
May 25	To Department Public Works	32,082 37	
June 1	To Department Public Works	80,854 41	
June 29	To Department Public Works	41 25	
			177,423 51
			$1,191,899 92

Disbursements.

Jan.	By payments to Department Public Works	$335,661 17	
Feb.	By payments to Department Public Works	639,783 39	
Mar	By payments to Department Public Works	74,402 16	
April	By payments to Department Public Works	855 00	
May	By payments to Department Public Works	28,543 73	
June	By payments to Department Public Works	66,484 50	
July	By payments to Department Public Works	5,769 07	
Aug.	By payments to Department Public Works	40,145 87	
Sept.	By payments to Department Public Works	255 03	
			$1,191,899 92
	Balance December 31, 1922		none

REPORT OF SECOND STATE HIGHWAY SINKING FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		none
June 8	To transfer from General Fund	$337,500 00	
Dec 14	To transfer from General Fund	337,500 00	
			$675,000 00
			$675,000 00

Disbursements

June 12	By payment semi-annual interest	$337,500 00	
Dec. 19	By payment semi-annual interest	337,500 00	
			$675,000 00
	Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of the Third State Highway Fund and the Third State Highway Sinking Fund, I transmit herewith a copy of the joint reports of the State Treasurer and the State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted.

F. W. RICHARDSON, Governor.

REPORT OF THIRD HIGHWAY FUND AND THIRD HIGHWAY SINKING FUND.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: We submit herewith a report of the proceedings of the Third State Highway Fund and Third State Highway Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF THIRD STATE HIGHWAY FUND, YEAR 1922.

Receipts.

Date	Item	Amount	Total
Jan. 1	To balance		$10,716,657 02
	To Department Public Works	$83,613 38	
	To U. S. Department Agriculture	338,060 00	
Feb. 1	To Department Public Works	70,941 73	
	To U. S. Department Agriculture	317,733 75	
Mar. 1	To U. S Department Agriculture	73,711 40	
April 1	To U S. Department Agriculture	206,797 82	
	To Department Public Works	162,597 76	
May 1	To U. S Department Agriculture	43,343 56	
June 1	To U S. Department Agriculture	362,222 87	
	To Department Public Works	83,888 98	
July 1	To Department Public Works	83,801 02	
Aug. 1	To Department Public Works	85,680 69	
	To U. S. Department Agriculture	74,272 96	
Sept. 1	To U. S. Department Agriculture	387,418 06	
	To Department Public Works	25,023 74	
Oct. 1	To Department Public Works	89,793 41	
	To U S. Department Agriculture	232,752 79	
Nov. 1	To U S. Department Agriculture	84,950 76	
	To Department Public Works	331,537 67	
Dec. 1	To Department Public Works	993,396 76	
	To U S. Department Agriculture	407,634 74	
			4,519,173 85
			$15,235,830 87

Disbursements.

Jan.	By payments to Department Public Works	$527,059 08	
Feb.	By payments to Department Public Works	235,566 20	
Mar.	By payments to Department Public Works	688,540 35	
April	By payments to Department Public Works	1,369,109 28	
May	By payments to Department Public Works	1,295,049 10	
June	By payments to Department Public Works	1,313,419 96	
July	By payments to Department Public Works	1,614,934 49	
Aug.	By payments to Department Public Works	1,645,993 49	
Sept.	By payments to Department Public Works	1,605,800 51	
Oct	By payments to Department Public Works	1,724,648 65	
Nov.	By payments to Department Public Works	1,169,175 88	
Dec.	By payments to Department Public Works	1,312,352 31	
			$14,501,649 30
	Balance in fund December 31, 1922		$734,181 57

REPORT OF THIRD STATE HIGHWAY INTEREST AND SINKING FUND, YEAR 1922.

Receipts.

Date	Item	Amount	Total
Jan. 1	To balance		$58,310 00
June 8	To transfer from General Fund	$626,737 50	
Dec. 14	To transfer from General Fund	626,737 50	
			1,253,475 00
			$1,311,785 00

Disbursements.

Jan. 17	By payment semi-annual interest	$58,310 00	
June 20	By payment semi-annual interest	626,737 50	
Dec. 14	By payment semi-annual interest	626,737 50	
			$1,311,785 00
	Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923

To the Senate and Assembly of the State of California

Pursuant to the provisions of section 6, chapter 211, Statutes of 1903, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922

Respectfully submitted F. W. RICHARDSON, Governor.

REPORT OF SAN FRANCISCO SEAWALL SINKING FUND.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 211, Statutes of 1903, we herewith submit a report of the proceedings under the provisions of said chapter of San Francisco Seawall Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF SAN FRANCISCO SEAWALL SINKING FUND, YEAR 1922.

Receipts.

Date	Item	Amount For principal	Amount For interest	Total
Jan. 1	To balance			$100,509 86
Jan. 3	To transfer S. F. H. I. Fund	$9,722 22	$1,666 66	
Feb. 1	To transfer S. F. H. I. Fund	9,583 35	766 70	
Mar. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
April 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
May 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
June 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
July 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Aug. 1	To transfer S. F. H. I. Fund	9,583 35	766 70	
Sept. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Oct. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Nov. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Dec. 1	To transfer S. F. H. I. Fund	9,583 33	766 66	
Dec. 14	To transfer General Fund	9,583 33	766 66	
		$124,722 22	$10,366 66	135,088 88
				$244,598 74

Disbursements.

Jan. 11	By redemption of bonds	$120,000 00		
June 12	By payment semi-annual interest		$4,600 00	
Dec. 19	By payment semi-annual interest		4,600 00	
Dec. 19	By redemption of bonds	115,000 00		
		$235,000 00	$9,200 00	$244,200 00
	Balance December 31, 1922			$398 74

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 320, Statutes of 1909, I submit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted. F. W. RICHARDSON, Governor.

REPORT OF SECOND SAN FRANCISCO SEAWALL SINKING FUND, AND SAN FRANCISCO SEAWALL FUND, UNDER SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1909.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 320, Statutes of 1909, we submit herewith a report of the proceedings under said chapter of the Second San Francisco Seawall Fund and Second San Francisco Seawall Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller.
By C. E. COOPER, Deputy.

REPORT OF SECOND SAN FRANCISCO SEAWALL FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		$1,000 00
	To receipts	none	
			$1,000 00

Disbursements.

By payments	none	
Balance December 31, 1922		$1,000 00

REPORT OF SECOND SAN FRANCISCO SEAWALL SINKING FUND, YEAR 1922.

Receipts.

Date	Item	Amount	Total
Jan. 1	To balance		none
Jan. 3	To transfer from S. F. H. I. Fund	$30,000 00	
Feb. 1	To transfer from S. F. H. I. Fund	30,000 00	
Mar. 1	To transfer from S. F. H. I. Fund	30,000 00	
April 1	To transfer from S. F. H. I. Fund	30,000 00	
May 1	To transfer from S. F. H. I. Fund	30,000 00	
June 1	To transfer from S. F. H. I. Fund	30,000 00	
June 8	To transfer from General Fund	30,000 00	
July 1	To transfer from S. F. H. I. Fund	30,000 00	
Aug. 1	To transfer from S. F. H. I. Fund	30,000 00	
Sept. 1	To transfer from S. F. H. I. Fund	30,000 00	
Oct. 1	To transfer from S. F. H. I. Fund	30,000 00	
Nov. 1	To transfer from S. F. H. I. Fund	30,000 00	
Dec. 1	To transfer from S. F. H. I. Fund	30,000 00	
Dec. 14	To transfer from General Fund	30,000 00	
			$420,000 00
			$420,000 00

Disbursements.

Jan. 3	By transfer to General Fund	$30,000 00
June 8	By payment semi-annual interest	180,000 00
July 1	By transfer to General Fund	30,000 00
Dec. 19	By payment semi-annual interest	180,000 00
		$420,000 00
Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, February 1, 1923.

To the Senate and Assembly of the State of California.

Pursuant to the provisions of section 6, chapter 602, Statutes of 1913, I transmit herewith a copy of joint reports of the State Treasurer and State Controller of their proceedings under said act for the period beginning January 1, 1922, and ending December 31, 1922.

Respectfully submitted. F. W. RICHARDSON, Governor.

REPORT OF THIRD SAN FRANCISCO SEAWALL FUND, AND THIRD SAN FRANCISCO SEAWALL SINKING FUND, UNDER THE SAN FRANCISCO HARBOR IMPROVEMENT ACT OF 1913.

To His Excellency,
FRIEND W. RICHARDSON,
Governor.

SIR: In accordance with the provisions of section 6, chapter 602, Statutes of 1913, we submit herewith a report of the proceedings under said chapter of the Third San Francisco Seawall Fund, and Third San Francisco Seawall Sinking Fund, for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller,
By C. E. COOPER, Deputy.

REPORT OF THIRD SAN FRANCISCO SEAWALL FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		$1,000,899 61
Jan. 1	To receipts	none	
			$1,000,899 61

Disbursements.

April 25	By payments	$49,106 63	
June 6	By payments	30,834 39	
June 30	By payments	12,562 16	
Aug. 3	By payments	39,399 49	
Sept. 29	By payments	58,813 75	
Nov. 29	By payments	58,813 75	
			$249,530 17
	Balance December 31, 1922		$751,369 44

REPORT OF THIRD SAN FRANCISCO SEAWALL SINKING FUND, YEAR 1922.

Receipts

Date	Item	Amount	Total
Jan. 1	To balance		none
Jan. 3	To transfer from S. F. H. I. Fund	$9,444 44	
Feb. 1	To transfer from S. F. H. I. Fund	10,000 00	
Mar. 1	To transfer from S. F. H. I. Fund	10,000 00	
April 1	To transfer from S. F. H. I. Fund	10,000 00	
May 1	To transfer from S. F. H. I. Fund	10,000 00	
June 1	To transfer from S. F. H. I. Fund	10,000 00	
June 8	To transfer from General Fund	10,000 00	
July 1	To transfer from S. F. H. I. Fund	10,000 00	
Aug. 1	To transfer from S. F. H. I. Fund	10,000 00	
Sept. 1	To transfer from S. F. H. I. Fund	10,000 00	
Oct. 1	To transfer from S. F. H. I. Fund	10,000 00	
Nov. 1	To transfer from S. F. H. I. Fund	10,000 00	
Dec. 1	To transfer from S. F. H. I. Fund	10,000 00	
Dec. 14	To transfer from S. F. H. I. Fund	10,000 00	
			$139,444 44
			$139,444 44

Disbursements.

Jan. 3	Transfer to General Fund	$9,444 44	
June 12	Payment semi-annual interest	60,000 00	
July 1	Transfer to General Fund	10,000 00	
Dec. 19	Payment semi-annual interest	60,000 00	
			$139,444 44
	Balance December 31, 1922		none

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923

To the Senate and Assembly of the State of California

I transmit herewith copy of the joint reports of the State Treasurer and State Controller of their proceedings under section 105 of the Land Title Law of the Statutes of 1915, being an initiative measure of 1915, for the period beginning January 1, 1922 and ending December 31, 1922.

Respectfully submitted

F. W. RICHARDSON, Governor.

REPORT OF TORRENS TITLE ASSURANCE FUND, YEAR 1922.

To His Excellency,
FRIEND W. RICHARDSON,
Governor

SIR: In accordance with the provisions of the Land Title Law, section 105, Statutes of 1915, being an initiative of 1915, under section 1, article IV, of the State constitution, we submit herewith a report of the proceedings for the year beginning January 1, 1922, and ending December 31, 1922.

Dated, Sacramento, California, January, 1923.

CHAS. G. JOHNSON, State Treasurer.
RAY L. RILEY, State Controller,
By C. E. COCPER, Deputy.

REPORT OF TORRENS TITLE ASSURANCE FUND, YEAR 1922.

Receipts.

Date	Item	Amount	Total
Jan. 1	To balance		$19,673 07
Jan. 9	To Recorder Los Angeles County	$63 01	
Jan. 20	To Recorder Orange County	7 73	
Feb. 6	To Recorder Sonoma County	7 95	
Feb 7	To Recorder Kern County	10 41	
Feb. 7	To Recorder Humboldt County	1 38	
Feb 15	To Recorder Los Angeles County	100 91	
Mar 6	To Recorder Sonoma County	64 05	
Mar. 8	To Recorder Los Angeles County	28 22	
Mar. 21	To Recorder Orange County	18 67	
April 6	To Recorder San Diego County	4 16	
April 10	To Recorder Los Angeles County	114 17	
May 6	To Recorder San Diego County	5 29	
May 8	To Recorder Los Angeles County	97 21	
May 15	To Recorder Orange County	132 08	
June 9	To Recorder Fresno County	1 12	
June 9	To Recorder San Diego County	38	
June 9	To Recorder Los Angeles County	13 51	
July 10	To Recorder Los Angeles County	71 56	
Aug 10	To Recorder Los Angeles County	53 87	
Sept 7	To Recorder Santa Barbara County	113 87	
Sept. 14	To Recorder San Diego County	2 56	
Sept. 14	To Recorder Los Angeles County	83 15	
Oct. 5	To Recorder Sonoma County	75 93	
Oct 9	To Recorder Los Angeles County	117 71	
Nov. 10	To Recorder Los Angeles County	106 54	
Dec. 4	To Recorder San Bernardino County	25 02	
Dec 8	To Recorder Los Angeles County	61 08	
			1,381 54
			$21,054 61

Disbursements

July 21	By purchase of $20,000 00 bonds San Francisco Harbor Improvement 1913	$19,356 53
		$19,356 53
	Balance December 31, 1922	$1,698 08

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported resolution ordered transmitted to the Senate.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Crittenden:

WHEREAS, Section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled "An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893, provides as follows:

"Every candidate who is voted for at any public election held within the State shall, within fifteen days after the day of holding such election, file as hereinafter provided, an itemized statement showing in detail all moneys paid, loaned, contributed or otherwise furnished to him, or for his use, directly or indirectly, in aid of his election, and all money contributed, loaned, or expended by him directly, or indirectly by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who paid, loaned, contributed, or

otherwise furnished such moneys in aid of his election, and the names of various persons to whom such moneys were contributed, loaned or paid, the specific nature of each item, the service performed, and by whom performed, and the purpose for which the money was expended, contributed or loaned. If the candidate seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out such illegal payment and disclaim responsibility therefor," etc.

WHEREAS, It is notorious and of common knowledge that candidates for State offices whose each respective candidacy was voted for in all of the counties of the entire State during the last primary and general election, carried on vigorous and costly campaigns, over the entire State of California, which it was obvious to any one and to the candidate, cost thousands and thousands of dollars; and,

WHEREAS, Some of the election returns of such candidates filed by them and pursuant to law show only nominal amounts of money spent by them directly or indirectly in their behalf;

WHEREAS, Such conduct brings the election law of the State of California into disrepute, and open door to corruption and permits special interests to contribute fabulous sums to the campaign in behalf of such candidates, and shields such contributions from the knowledge of the voter;

WHEREAS, It may be necessary to amend the present law so as to make it more effective in such matters;

Resolved, By the Assembly of the State of California, that a Special Committee consisting of five members of the Assembly, be appointed by the Speaker to investigate all of the expenditures of the said candidates and statements of candidates' expenditures for State offices whose each respective candidacy was voted for in all of the counties of the entire State of California in the recent primary and general elections, to ascertain in each instance whether or not the law governing campaign expenditures and statements of campaign expenditures at primary elections and general elections has been complied with

Resolved, further, That said committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter and subject hereinbefore enumerated or recited, and for that purpose to employ all necessary assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony; and the members of said committee are, and each of them is hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution, and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof; that said committee be given leave to sit during sessions of the Assembly; that it report as speedily as possible the results of its investigation to the Assembly with such recommendations as it may deem proper relative to abuse or wilful violation of any of the election laws of the State of California in regard to candidates' expenditures. Be it further

Resolved, That the sum of $2,000.00 be, and the same hereby is made available for the purpose of defraying expenses of said committee in said investigation, to be paid from the Contingent Fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same

Resolution read

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crittenden asked for unanimous consent to take up the above resolution, at this time, without reference to committee

MOTION TO REFER.

Mr Morris moved that Mr. Crittenden's resolution be referred to the Committee on Contingent Expenses, with instructions to report back on the next legislative day.

Motion to refer carried.

The Speaker referred Mr. Crittenden's resolution to the Committee on Contingent Expenses, with instructions to report back on the next legislative day.

SPECIAL ORDER SET.

On motion of Mr. Crittenden the consideration of his resolution relative to an investigation of election expenditures was made a special order for Friday, February 2, 1923, at eleven o'clock a.m.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILLS.—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Bromley: Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morrison: Assembly Bill No. 1001—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Erb: Assembly Bill No. 1002—An act to amend section 528 of the Political Code, relating to the duties of the State Printer in connection with the laws of the State.

Bill read first time, and referred to Committee on Revision and Printing.

By Mr. Weller: Assembly Bill No. 1003—An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Los Angeles in said State.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. McPherson: Assembly Bill No. 1004—An act to abolish the office and position of attorney for the State Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1005—An act to amend section 5 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Also: Assembly Bill No. 1006—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921.
Bill read first time, and referred to Committee on Ways and Means.

By Mrs. Saylor: Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1008—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the primary schools.
Bill read first time, and referred to Committee on Education.

By Mr. Dawson: Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County.
Bill read first time, and referred to Committee on Conservation.

By Mr. Christian: Assembly Bill No. 1010—An act to appropriate money to be used by the State Labor Commissioner for the clerical and commercial department of the State Board of Labor Statistics in the city and county of San Francisco.
Bill read first time, and referred to Committee on Ways and Means.

By Mrs. Woodbridge: Assembly Bill No. 1011—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven.
Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1012—An act to amend section 626 of the Penal Code, relating to the protection of game.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Wright: Assembly Bill No. 1013—An act to amend section 4157 of the Political Code, relating to the duties of the sheriff.
Bill read first time, and referred to Committee on County Government.

By Mr. Donohue: Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257*a*, relating to the prohibiting of publication of indebtedness.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Mitchell, T. A., and Hornblower: Assembly Bill No. 1015—An act to prohibit the computation and collection of insurance premiums upon workmen's compensation insurance policies issued to employers in this State upon such portion of the wages or payroll of employees of assured employers as shall represent earnings of such employees over the maximum earnings for which workmen's compensation benefits are prescribed in the Workmen's Compensation, Insurance and Safety Act of 1917.
Bill read first time, and referred to Committee on Insurance.

By Mr. Scott: Assembly Bill No. 1016—An act to amend the title of and to revise an act entitled "An act declaring and establishing a State highway from the town of Truckee, running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Noyes: Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737*zzz*, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Reindollar: Assembly Bill No. 1018—An act making an appropriation for the purpose of restoring the channel of Paper Mill Creek in Marin County.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmidt: Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston, J. W.: Assembly Bill No. 1022—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts and imposing certain duties and functions in connection with such districts, upon certain county officers, approved June 1, 1921.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1023—An act to appropriate money for the rock crusher and pulverizer for making concrete aggregate, and road work at the Folsom State Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1024—An act to appropriate money for an ice house at Folsom State Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1025—An act to appropriate money for contingent requirements and emergencies at Folsom State Prison.
Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1026—An act to appropriate money for the purpose of repairing cottages at Folsom State Prison.
Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1027—An act to appropriate money for the repairing of electrical equipment at Folsom State Prison.
Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1028—An act to appropriate money for the erection of cottages for Folsom State Prison.
Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1029—An Act to appropriate money for general repairs and improvements at Folsom State Prison.
Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Assembly Bill No. 1030—An act to appropriate money for completion of buildings and extensions of walls at Folsom State Prison.
Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Bernard: Assembly Bill No. 1031—An act to amend an act entitled "An act providing for the sale of State railroads and other franchises in counties and municipalities, providing conditions for granting such franchises by legislative or other government bodies and repealing conflicting acts," approved March 22, 1905, as amended.
Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.
Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 1033—An act to amend section 19*x*42 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913,

and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers, approved June 1, 1921.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Coombs: Assembly Bill No. 1034—An act creating the California State Historical Association and appropriating money for its support during the seventy-fifth and seventy-sixth fiscal years.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hawes: Assembly Bill No. 1035—An act amending sections 6 and 7 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and for forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Morris: Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1039—An act to transfer certain duties, powers, purposes, and responsibilities and jurisdiction of the State Mining Bureau to the Industrial Accident Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1040—An act to amend sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, 24, 25, 26, 27, 28, 29, 32, 36, and 37 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mathews: Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor.

Bill read first time, and referred to the Committee on State Grounds and Parks.

By Mr. West: Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496*b*, making second hand dealers liable for receiving stolen books.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 1043—An act to amend section 618 of the Political Code, relating to deposits of securities by insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mueller: Assembly Bill No. 1044—An act providing for the establishment of a whole time health department in counties of the seventh class; defining a whole time health department; to enable the State Board of Health to contract with any person or corporation and such county for the establishment, support and maintenance of such whole time health department, and to appropriate money for that purpose.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1045—An act to amend sections 24, 30, 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and

providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 1046—An act to amend section 4041*f* of the Political Code, relating to powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. West: Assembly Bill No. 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Bromley: Assembly Bill No. 1048—An act to provide for the regulation of the sale of bonds of reclamation and irrigation districts, under the supervision of the State Superintendent of Banks, and defining his powers and duties in relation thereto.

Bill read first time, and referred to Committee on Banking.

By Mr. McPherson: Assembly Bill No. 1049—An act to amend sections 2 and 3 of an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds, and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913.

Bill read first time, and referred to Committee on Banking.

Also: Assembly Bill No. 1050—An act to amend sections 47 and 47½ of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read first time, and referred to Committee on Irrigation.

By Mr. McDowell: Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages, and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1053—An act to amend the Penal Code by adding thereto a new section to be numbered 1168, relating to indeterminate sentences of persons convicted of criminal offenses, and to provide for the determination of such sentences and the release of such persons from custody.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kline: Assembly Bill No. 1054—An act to amend section 3764 of the Political Code, relating to the annual publication of delinquent tax lists, and the arrangement of lists.

Bill read first time, and referred to Committee on Revision and Printing.

By Mr. Whitacre (by request): Assembly Bill No. 1055—An act to add a new section to the Code of Civil Procedure, to be numbered 1255*b*, relating to condemnation proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1056—An act to amend section 305 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 1057—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said districts are located; providing for the acquisition and construction by said district of irrigation works for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent by banks in case said investigation is favorably reported and that hereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Bromley: Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1059—An act to appropriate money in the State Treasury collected under an act entitled, "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mitchell, A. G.: Assembly Bill No. 1060—An act to appropriate money now remaining in the operator's license fund to the "Motor Vehicle Fund."

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Mueller (by request): Assembly Bill No. 1061—An act to add a new section to the Code of Civil Procedure, to be numbered 1255*c*, relating to condemnation proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1062—An act to amend section 1249 of the Code of Civil Procedure, relating to the date at which compensation in eminent domain proceedings shall be assessed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1063—An act to amend section 1248 of the Code of Civil Procedure, relating to the measure of compensation and damages in eminent domain proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cleveland: Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools.

Bill read first time, and referred to Committee on Education.

By Mr. Baker, C. C.: Assembly Bill No. 1065—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnson, Frank: Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Dawson: Assembly Bill No. 1067—An act making an appropriation for the construction of a suitable memorial commemorating the battle of San Gabriel River.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1068—An act making an appropriation for the construction of suitable memorials commemorating the battle of La Mesa.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Weller: Assembly Bill No. 1069—An act to amend section 1369 of the Civil Code, defining who are incompetent to act as administrators.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1070—An act to amend section 224 of the Civil Code, relating to the adoption of children.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1071—An act to amend section 1365 of the Civil Code, relating to the order of persons entitled to administer, and providing that a partner shall not administer.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1072—An act to amend section 11 of an act entitled "An act regulating private employment agencies, etc."
Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Lyman: Assembly Bill No. 1073—An act to amend paragraph "N" of section 20 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Spence: Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921.
Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1077—An act to amend section 1526 of the Code of Civil Procedure, relating to sales of personal property.
Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1078—An act to amend section 270 of the Penal Code, relating to failure to provide minor children with food and other necessaries.
Bill read first time, and referred to Committee on Judiciary.

By Mr. McDowell: Assembly Bill No. 1079—An act to make an appropriation for viticultural service in the Department of Agriculture.
Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4, and 5 of "An act to create a fund to be known as the 'United States Forest Reserve Fund' and to provide for the payment out of such fund

to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1081—An act appropriating money for the improvement of the summer session property of the State Teachers College of Fresno at Huntington Lake, Fresno County, California.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1082—An act appropriating money for the construction and equipment of a dormitory for women students at the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1083—An act appropriating money for the construction and equipment of a cafeteria building for the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1085—An act appropriating money for improvements to the streets and grounds at the State Teachers College at Fresno.

Bill read first time, and referred to Committee on Normal Schools.

Also: Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded, approved March 15, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1087—An act to be known as the State Arbitration Act, providing for the submission of controversies to arbitration, providing what controversies may be submitted and when and by whom; providing for the number and power of arbitrators, providing for an award and for the vacating, modification, and collection of same; providing for court orders, judgments and appeals affecting and pertaining to such awards and repealing all acts or parts of acts inconsistent with this act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Carlson: Assembly Bill No. 1088—An act to amend section 636 of the Penal Code of the State of California, relating to use of nets, lines and seines.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1089—An act to amend section 634 of the Penal Code of the State of California, relating to protection of salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mrs. Dorris: Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 1091—An act to amend section 3*a* and section 3*c* of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended and relating to the issuance of permits to employ minors in plays and performances.

Bill read first time, and referred to Committee on Education.

By Mr. Mathews: Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into fish and game districts, and to repeal an act entitled "An act to divide the State of California into six fish and game districts, approved March 21, 1911, and all acts or parts of acts inconsistent therewith," approved May 26, 1917, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Carlson: Assembly Bill No. 1093—An act to amend section 628*a* of the Penal Code of the State of California, relating to protection of shad.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Mathews: Assembly Bill No. 1094—An act creating a contingent fund, to be known as the State Board of Forestry Contingent Fund.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Rock: Assembly Bill No. 1095—An act to amend section 643 of the Political Code of the State of California, relating to the Fish and Game Commissioners.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Noyes: Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Bromley: Assembly Bill No. 1097—An act to amend an act entitled "An act to create a State Purchasing Department; to define the authority, powers and duties thereof; to provide for the appointment of and to define the authority, powers and duties, and to fix the compensation of the officers and employees thereof, and to appropriate

money for the support of said department and to repeal all acts or parts of acts in conflict with the provisions of this act," approved May 18, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also Assembly Bill No. 1098—An act to amend sections 718 and 719 of the Political Code, relating to the employees of the Superintendent of Capitol Building and Grounds.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McPherson: Assembly Bill No. 1099—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor for the length of term thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of the lowest responsible bidder, penalties and forfeitures for non-completion of work within period fixed by contract and manner of payments; and repealing all acts and parts of acts inconsistent therewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1101—An act amending section 2639 of the Political Code, relating to the powers and duties of boards of supervisors over roads and highways of the county.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1102—An act to amend section 35 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, approved June 1, 1921.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1103—An act amending section 9 of an act entitled "An act to provide for work upon public roads, streets, avenues, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 19, 1907.

Bill read first time, and referred to Comittee on Roads and Highways.

Also: Assembly Bill No. 1104—An act amending section 9 of an act entitled "An act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a High-

way Commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within their corporate limits and to issue and sell bonds therefor," approved March 19, 1907.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1105—An act amending section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over roads and highways of the county.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1106—An act to amend sections 107, 414, 536, 628, 777 and 874 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1107—An act to amend an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled, "An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876," approved March, 22, 1909, approved June 14, 1913, approved June 8, 1915, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1108—An act amending section 2644 of the Political Code, requiring report of labor on roads to accompany expense claims.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1109—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Carter: Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1111—An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1112—An act to repeal an act entitled "An act to add a new section to Political Code to be numbered 3664*c* providing for the collection of data and the determination of valuations by the State Board of Equalization for the purposes of taxation and providing an appropriation therefor," approved May 25, 1921.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Hawes, Mitchell, T. A., Burns, Schmidt, Hornblower, Fellom, Scott, Erb, Morrison, Morris, Rosenshine, Rock and Badarracco: Assembly Bill No. 1113—An act to appropriate money for making changes in and to and equipping the Ferry Building at San Francisco, necessary to the establishment and maintenance therein of a permanent exhibit of the products and resources of the whole State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Prendergast: Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California; to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, to define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

Bill read first time, and referred to Committee on Agriculture.

By Baker, Edwin: Assembly Bill No. 1115—An act to add a new section to the Civil Code to be numbered 3066, relating to the creation of a lien on land for the sale price of fertilizers and other materials.

Bill read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 1116—An act to amend section 633*b*, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

Bill read first time, and referred to Committee on Insurance.

By Mr. Roberts: Assembly Bill No. 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private

property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1118—An act to add a new section to be numbered 6*a* to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dozier: Assembly Constitutional Amendment No. 41—Proposed amendment to article XIII of the constitution, relative to poll tax.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyman: Assembly Constitutional Amendment No. 42—Proposed amendment to article VI of the constitution, relative to inferior courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Carter: Assembly Constitutional Amendment No. 43—Proposed amendment to article IV of the constitution, relative to the legislative department of the State of California.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Spence: Assembly Constitutional Amendment No. 44—Proposed amendment to article IV of the constitution, relative to the State budget.

Introduced, and referred to Committee on Constitutional Amendments.

MOTION TO SUSPEND RULE SEVENTY-ONE.

Mr. Mueller moved that Rule 71 be suspended for the remainder of the day.

Motion carried

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 30, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day amended and passed as a case of urgency the following Assembly Bill No 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class—and respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 164?

Amendments read.

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, strike out all that portion beginning with the word "if" down to and including the word "code" in line 9, and insert in lieu thereof the following "The board of supervisors may determine such population by multiplying by two and one-half the number of registered voters at the last general election next preceding the date of such determination"

AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out all that portion beginning with the word "as" to and including the word "code" in line 28, page 1, and insert in lieu thereof the following "In the manner as in this section provided and the population therein determined shall be and become the official population of such township."

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the words "two and one-half" and insert in lieu thereof the word "three".

The roll was called, and Senate amendments to Assembly Bill No. 164 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C C., Ball, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pometoy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—61.

NOES—None

The above reported bill ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Cleveland:

WHEREAS, Through the death, on the twenty-ninth day of January, 1923, of Mr. Otto D Stoesser, a member of the State Redwood Park Commission, and a lifelong citizen and resident of Watsonville, there was lost to the State of California an able and valuable servant, and a widely known and influential citizen, and to the city of Watsonville and the county of Santa Cruz one actively concerned, for more than thirty years, in various business and social activities that made for the progress, development and betterment of those things most worth while for the common good, and, now, therefore, be it

Resolved by the Assembly of the State of California, at the forty-fifth session of the Legislature of the State of California, and on this first day of February, 1923, That the members of this body feel a personal loss through the passing of one whose life and deeds contributed in great measure to the general well-being of the public, and that it is the sentiment of this Assembly that, through the untimely death of Mr. Stoesser, the State of California has been deprived of one of its most potent forces in the cause of good citizenship, and be it further

Resolved, That the members of this Assembly hereby extend their deepest sympathy to the surviving members of the decedent's family that this resolution be spread upon the pages of the Journal of the Assembly, and that the Chief Clerk of the

Assembly is hereby directed to transmit a copy thereof to the bereaved family of the deceased.

Resolution read, and on motion of Mr. Cleveland unanimously adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dawson asked for and was granted unanimous consent to take up Senate Bill No. 385, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED EIGHTY-FIVE.

Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

Resolved, That Senate Bill No. 385 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Mathews, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED EIGHTY-FIVE.

Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED EIGHTY-FIVE.

Senate Bill No. 385—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 385 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER—I am directed to inform your honorable body that the Senate on this day amended and adopted as amended Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes—and respectfully requests your honorable body to concur in said amendments.

In accordance with the provisions of the resolution the President appointed Senator E. J. Gates on the committee.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Amendments read.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 6?

AMENDMENT NUMBER ONE.

On line 19, page 1, of the printed resolution, after the word "president" insert the words "pro tem."

AMENDMENT NUMBER TWO.

On lines 29 and 30 of the printed resolution, strike out the words "one thousand" and insert in lieu thereof the words "two hundred fifty."

The roll was called and Senate amendments to Assembly Concurrent Resolution No. 6 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scott asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 7, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVEN.

Assembly Joint Resolution No. 7—Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry.

Assembly Joint Resolution No. 7 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 7 adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Joint Resolution No 7 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 7

Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry

WHEREAS, The production of silver is an important industry of the United States, and affords employment directly to many thousands of persons and indirectly to thousands of others, and

WHEREAS, On account of its association with other metals, especially lead and zinc, in ores, an inadequate price for silver increases the cost of production of lead and zinc, and thereby adds to the cost of materials essential to many construction activities, and

WHEREAS, It is also desirable to maintain silver mining operations in the United States, so as to meet the coinage requirements of various countries in which commerce and industry are in process of rehabilitation and can not be fully re-established without additional supplies of metallic money, and

WHEREAS, During the past four years California has come into prominence as a silver producing State, due to very extensive discoveries of the metal in some of the southern California counties and it is in their behalf and in behalf of the people of the entire State that federal legislation be enacted. Silver production in California increased from 1,678,756 ounces in 1915 to 3,629,223 ounces in 1921, with a much larger increase in 1922, the figures of which are not available;

WHEREAS, During the war the Pittman Act provided for the sale to England for India large quantities of our coined silver held in reserve in the United States treasury at one dollar per ounce for its metal content with the understanding that the same should be replaced by silver of American production at the same price.

At the present rate of purchases the same will be replaced at an early date, when legislation will be required to stabilize the industry.

Similar resolutions are now under consideration by the legislatures of the several silver mining states of the Union Now, therefore, be it

Resolved by the Assembly and the Senate, jointly, That our Senators and Representatives in Congress be requested to use every possible effort to have this legislation enacted and to give sympathetic and early consideration to this phase of the silver mining industry; and be it further

Resolved, That a copy of this resolution be sent by the Chief Clerk of the Assembly to each Senator and Representative in Congress.

REQUEST FOR UNANIMOUS CONSENT.

Mr Baker, Edwin, asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWELVE.

Senate Concurrent Resolution No 12—Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of

said city of Los Angeles at a special municipal election held therein on the twenty-ninth day of August, 1922.

Senate Concurrent Resolution No. 12 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No 12 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—63.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 12 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 12.

Approving one certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the 29th day of August, 1922.

RESOLUTION.

The following resolution was offered:

By Mr. Hawes:

WHEREAS, Some of the members of the Assembly have been allowed mileage upon the basis of legal distances as established by law, and not upon the actual number of miles traveled to and from their residences, it is hereby

Resolved, That the Committee on Mileage make a supplemental report correcting such mistakes as may have been made, and that any member who has not heretofore received the amount due him according to actual mileage traveled be allowed such sum as added to the mileage heretofore received will make up the difference, and be it further

Resolved, That such amount be paid out of the Contingent Fund and in the manner provided for the payment of mileage.

The Speaker referred the above resolution to the Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER Your Committee on Revision and Printing begs leave to report that it has conferred with the Senate Committee on Revision and Printing with reference to the expense of printing the budget and advises that the Senate Committee and the Assembly Committee have agreed to jointly meet the expense of the printing of this budget; also the committee recommends that 2500 copies of this budget be printed at a total expense not to exceed $2,000.00, same to be met from the contingent funds of both the Senate and the Assembly.

ROCK, Chairman.

Report read, and on motion of Mr. Carter, unanimously adopted.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolution ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 2—Approving the charter of the city of Chico, State of California, voted for and ratified by the qualified voters of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed as a case of urgency the following Senate Bill No 182—An act making an appropriation for the completion of the printing plant at Sacramento;

Also Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco,

Also: Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 182 read first time.

Senate Bill No. 186 read first time.

Senate Bill No. 196 read first time

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Assembly of the State of California.

Senate Bill No 182, making an appropriation for the completion of the printing plant at Sacramento, is, in my opinion, an urgency measure and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted

F. W. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Assembly of the State of California.

Senate Bill No. 186, making an appropriation for the completion of the State building at San Francisco, is, in my opinion, an urgency measure and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted.

F. W. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 1, 1923.

To the Assembly of the State of California.

Senate Bill No. 196, making an appropriation to meet a deficiency in appropriation for printing and distributing constitutional amendments, is, in my opinion, an

urgency measure, and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted. F. W. RICHARDSON, Governor.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended and adopted as amended Assembly Joint Resolution No. 14—Relative to the endorsement of the "Capper-French Truth in Fabric Bill" to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Amendment read.

The question being put: Shall the Assembly concur in the following Senate Amendment to Assembly Joint Resolution No. 14?

AMENDMENT NUMBER ONE.

In the paragraph following the third word "whereas" in the original resolution strike out the words "or shoddy."

The roll was called, and Senate amendment to Assembly Joint Resolution No. 14 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

The above reported resolution ordered to print and enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Badham asked for and was granted unanimous consent to take up Senate Bill No. 182, at this time, without reference to committee.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-TWO.

Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento.

RESOLUTION

The following resolution was offered:

By Mr. Badham:

Resolved, That Senate Bill No. 182 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Badham moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McDowell, McPherson, Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-TWO.

Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-TWO.

Senate Bill No. 182—An act making an appropriation for the completion of the printing plant at Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 182 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Senate Bill No. 186, at this time, without reference to committee.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-SIX.

Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco.

RESOLUTION.

The following resolution was offered:

By Mr. Kline:

Resolved, That Senate Bill No. 186 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Kline moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Emme, Erb, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Mathews, McDowell, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-SIX.

Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-SIX.

Senate Bill No. 186—An act making an appropriation for the completion of the State building at San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Senate Bill No. 196, at this time, without reference to committee.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED NINETY-SIX

Senate Bill No. 196—An act making an appropraition to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922.

RESOLUTION.

The following resolution was offered:

By Mr. Kline:

Resolved, That Senate Bill No. 196 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Kline moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Moore, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—59.

NOES—None.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED NINETY-SIX.

Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922.

Bill read second time

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright and Mr. Speaker—59.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED NINETY-SIX.

Senate Bill No. 196—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 7, 1922.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 196 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 476—An act to amend section 7 of an act entitled, "An act providing for the issuance of improvement bonds to represent certain special assesments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911.

Bill read second time, ordered to engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr Baker, C. C.: Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 9 and 120 thereof and by adding new sections thereto to be numbered 132*a* and 28*a*, all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Mr. Emme: Assembly Bill No. 1120—An act to amend section 82 of the Civil Code, relating to causes for annulment of marriage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cleveland: Assembly Bill No. 1121—An act to amend section 2078 of the Political Code of the State of California, relating to the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1122—An act to amend section 2107 of the Political Code of the State of California, relating to the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1123—An act to amend section 2079 of the Political Code of the State of California, relating to the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

Also: Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Roberts: Assembly Bill No. 1125—An act creating a State Board of Review of Motion Pictures and defining the powers thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1126—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1127—An act to amend an act entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, by amending sections 13, 18 and 22 thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Assembly Bill No. 1128—An act to prohibit discrimination by insurance companies between persons of the same age, sex, general conditions of health and prospect of longevity.

Introduced, and referred to Committee on Insurance.

By Mr. Moore: Assembly Bill No. 1129—An act creating the office of county engineer; providing for the appointment to such office, manner of removal, qualifications, compensation and duties; transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the boards of supervisors; also authorizing the boards of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act; to provide said county engineer with an office and necessary assistants; abolishing the office of county surveyor and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on County Government.

By Mr. Coombs: Assembly Bill No. 1130—An act to amend section 2639 of the Political Code, relating to the powers of the boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section to be known and numbered section 2643, relating to powers of the boards of supervisors in employing superintend-

ent of roads and other employes for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor.

Bill read first time, and referred to Committee on County Government.

MOTION.

Mr. Kline moved that 1000 extra copies of Assembly Bill No. 999 be printed.

Motion carried.

COMMUNICATION.

The following communication was filed by the Speaker:

BOARD OF SUPERVISORS,
SAN FRANCISCO, CALIFORNIA, January 11, 1923.

To the Speaker of the Assembly, Sacramento, California

Your attention is hereby directed to the following resolution passed by the Board of Supervisors of the City and County of San Francisco

Resolution No. 20652 (New Series), as follows

Resolved, That any member of this Board of Supervisors interested in State legislation, the policy of which is approved by this Board, is hereby authorized to appear before the State Legislature or any committee thereof in behalf of such legislation

Adopted by the Board of Supervisors, January 2, 1923.

Ayes—Supervisors Bath, Colman, Deasy, Hayden, Hynes, McGregor, McSheehy, Morgan, Powers, Robb, Rossi, Schmitz, Scott, Shannon, Welch, Wetmore—16.

Absent—Supervisors McLeran, Mulvihill—2.

J. S. DUNNIGAN, Clerk

Approved January 8, 1923.

JAMES ROLPH, JR., Mayor.
J. S. DUNNIGAN, Clerk
THOS. CLEARY, Assistant Clerk.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED.)

The following bills were introduced, and referred as indicated:

By Mr. Hornblower: Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read first time, and referred to Committee on County Government.

By Messrs. Hornblower and Mitchell, T. A.: Assembly Bill No. 1133—An act to amend sections 9 and 12 of "The Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scott: Assembly Bill No. 1134—An act to amend section 37 as now amended, of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this state and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents and by employees and other persons

and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act" approved May 26th, 1913.

Bill read first time, and referred to Committee on Insurance.

By Mr. Connolly: Assembly Bill No. 1135—An act to add a new section to the Political Code to be numbered 4152*a*, relating to duties of county clerks.

Bill read first time, and referred to Committee on County Government.

By Mr. McDowell: Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets.

Bill read first time, and referred to Committee on Education.

By Mr. Williams: Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries of the district attorney, deputy district attorney, and stenographer in the office of the district attorney in counties of the twenty-seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1138—An act creating a State Board of Review of Motion Pictures and defining the powers thereof.

Bill read first time, and referred to Committee on Public Morals.

ADJOURNMENT.

At five o'clock and six minutes p. m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until 9 o'clock a. m. Friday, February 2, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, February 2, 1923.

At nine o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Rev David C. Williams, member of the Assembly from the forty-ninth district

LEAVES OF ABSENCE.

On motion of Mr. Noyes, Messrs. Eksward and McMillan were granted leave of absence for the day.

On motion of Mr. Stow, Mr. Duval was granted leave of absence for the day.

On motion of Mr. Baker, Edwin, Messrs. Graves and Lyons were granted leave of absence for the day

On motion of Mr. Bromley, Mr. Pedrotti was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mrs. Woodbridge, Mr. Orrin Lowell, district attorney of Placer County, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Moore, Mr J W Hodge of San Francisco was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs Woodbridge, Mr A. E Reynolds, city trustee of Auburn, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Mr. Joseph Steiner, city trustee of Auburn, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Mathews, Mr. F. H. Manogue, a former member of the Washington Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Christian, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr Weller:

Resolved, By the Board of Directors of the Van Nuys Chamber of Commerce, that we urge the members of the present Legislature to discharge their unquestioned duty to the State and their respective districts by the adoption of a reapportionment act in accordance with the constitution and laws of the State of California.

GEO. W. BUNTON, Secretary.

Also:

VAN NUYS, CALIFORNIA, January 27, 1923.

WHEREAS, Certain streets in every town in California are necessary connecting links to the boulevards and highways in the State of California, and,

WHEREAS, The increased transportation of freight over these streets, going from town to town, as well as the increased travel of passenger motor busses, constitute a large part of the traffic over these certain streets, and,

WHEREAS, The present law does not provide for any help from the State or counties in the maintenance of these streets; and,

WHEREAS, Each town must bear all the expense of the upkeep and maintenance of these streets, now, therefore, be it

Resolved, By the Associated Chambers of Commerce of the San Fernando Valley, in regular board of directors meeting assembled the sixteenth day of January, 1923; that we do endorse and recommend to the members of the State Legislature an amendment to the act of State law enabling the State and county to appropriate funds towards the expense of building and maintenance of these certain streets forming these connecting links to the State highways and county roads.

By Mr. Scott:

WHEREAS, The production of improved live stock is of prime importance to the cattle industry; and,

WHEREAS, Breeders of pedigreed live stock, and other live stock producers, have heretofore organized the California National Live Stock Show, and have held two annual shows, in tents, in the city of San Francisco, at great loss to themselves; and,

WHEREAS, Such shows are necessary to stimulate the production of more and better live stock, and are, therefore, of great importance, not only to the cattle industry, but to the welfare of all the people, and,

WHEREAS, Such shows are assisted by appropriations in other states, the last Legislature in Oregon having appropriated for the Portland Live Stock Show the sum of $75,000 for premiums, and $100,000 for buildings; and,

WHEREAS, The city and people of San Francisco have determined upon the purchase of twenty (20) acres of land and the construction of a building at a total cost in excess of $1,000,000 in order that the California National Live Stock Show may hereafter be adequately housed; therefore, be it

Resolved, That the California Cattlemen's Association, in convention assembled, do hereby commend the efforts of the California National Live Stock Show, and of the city and people of San Francisco, in the establishment of a permanent live stock show in that city; and, be it

Resolved, That we urge an adequate appropriation for premiums for the California National Live Stock Show by the State Legislature, and its approval by the Governor, in order that the greatest good in the production of improved live stock may result therefrom; and, be it further

Resolved, That a copy of this resolution be sent to the Honorable Friend W. Richardson, Governor; to the Honorable James Rolph, Jr., Mayor of San Francisco; and to the President of the Senate, and the Speaker of the Assembly, and to the Chairman of the State Board of Control.

By Mr. Speaker:

The following resolution was presented by Assessor Hopkins, to wit:

WHEREAS, It appears that Senate Constitutional Amendment No. 31, which was Proposition No. 14 on the ballot at the recent election, was defeated by reason of lack of information on the part of the electors of the State as to the object or purpose of the proposed amendment, be it

Resolved, That this association petition the Legislature to place said proposition on the ballot at the next election, and, be it further

Resolved, That this association hereby endorses said proposed amendment and urges its adoption.

I hereby certify that the foregoing resolution was adopted at the convention of the County Assessors' Association of California held in the city of Bakersfield, December 14th to 16th, inclusive, 1922, by unanimous vote of those present

G. P. CUMMINGS,
Secretary, County Assessors' Association of California.

By Mr. Erb:

Resolution concerning narcotic evil adopted by Vigilant Committee, San Francisco, on December 28, 1922.

WHEREAS, The consumption of narcotic drugs in the United States now amounts to 36 grains per capita as against 1 to 3 grains per capita for European countries, and

WHEREAS, Federal statistics show that the traffic in morphine, cocaine, heroin and prepared opium has nearly trebled in volume in this country within the past two years, and

WHEREAS, Drug addiction now has been proven to exist in large cities and small towns alike, and in all sections of the United States, and in many walks of life, and

WHEREAS, These facts powerfully demonstrate the need for prompt education of the American people, young and old, to the terrible results of the narcotic habit upon health and morals and the growth of crime; therefore, be it

Resolved, That the President of the United States be respectfully requested and urged to proclaim an Anti-Narcotic Week early in 1923, as a means of mobilizing this organization and all public-spirited bodies for the work of arousing the American people to the gravity of this menace, and aligning public opinion behind the task of narcotic suppression, and, be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Governor of California, the United States Senators from California, the Congressmen and State Senator and Assemblyman from this district, and to the press.

Also:

Resolution concerning narcotic evil adopted by Vigilant Committee, San Francisco, on December 28, 1922

WHEREAS, Customs seizures of narcotic drugs at the port of San Francisco have increased from a wholesale valuation of $78,571 in 1920 to that of $205,679 in 1922, indicating a tremendous increase in smuggling activities from foreign sources, and

WHEREAS, The persistence of this illicit traffic, despite the large seizures made, indicates the huge profits that arise from the recent grave increase of drug addiction in the United States, and

WHEREAS, This is truly an international problem, since the supplies of opium, morphine, cocaine, heroin and marijuana come entirely from foreign sources and can only be controlled at the source of supply therefore, be it

Resolved, That the President of the United States be respectfully but urgently petitioned to bring about an international conference on the narcotic problem, with a view to securing the limitation by treaty of the basic production of poisonous drugs which constitute a major menace to American life; and, be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Governor of California, the United States Senators from California, the Congressman from this district, the State Senator and Assemblyman from this district, and the press

By Mr. Dawson:

Resolution adopted by Los Angeles Chamber of Commerce

WHEREAS, Government statistics show an appalling and constantly increasing use of narcotics in the United States and

WHEREAS, Experts declare that seven-tenths of the crimes of violence committed in this country are by addicts, and

WHEREAS, The illegal use of drugs is becoming a most serious menace and the habit is making giant strides over the world generally, and

WHEREAS, It has now become a world problem and must be dealt with as such, and

WHEREAS, It is evident that concerted action must be taken by the nations if lives and homes are to be preserved from the growing menace of this evil, now, therefore, be it

Resolved, By the Board of Directors of the Los Angeles Chamber of Commerce, that the President of the United States be, and hereby is, respectfully urged to give thought to a plan of international scope and effect to the end that only sufficient of the drug producing plants trees, vines or flowers be grown to fill actual, legitimate needs; and that the problem may be dealt with in all its ramifications so that this peril may be ended once and for all, and that dope buying, selling, or dealing in any illicit manner may be permanently prevented and thus the young manhood and young womanhood of all races be removed from the danger of narcotic enslavement and ruin. And further, be it

Resolved, That copies of this resolution be sent to our Senators and Representatives in Congress, to the Governor of the State of California, and to our State Senators and Representatives from this district.

I hereby certify that the above is a true and correct copy of resolution adopted by the Board of Directors of the Los Angeles Chamber of Commerce, at the regular meeting on Thursday, January 25, 1923.

[SEAL] W. T. BISHOP, President.
FRANK WIGGINS, Secretary.

By Mr. Heisinger:

WHEREAS, There are now twenty-one home demonstration agents working in twenty-one counties in California under the direction of the Extension Service of the College of Agriculture, University of California, and

WHEREAS, This service must be co-ordinated and controlled by trained leaders in order to deliver the best results to the farm women of California, therefore be it

Resolved, That the Fresno County Farm Bureau oppose the placing of home demonstration agents under the control of high school trustees of the various districts, and be it further

Resolved, That we demand that the present home demonstration work of the Extension Service of the College of Agriculture be continued and extended to every county in the State.

By Mr. Bernard:

WILLOWS, CALIFORNIA, January 31, 1923.

Mr Van Bernard Assemblyman,
Sacramento, California.

DEAR MR BERNARD We have been informed that there is great danger of our losing the money appropriation that makes it possible for us to carry on the Farm Home Department work in connection with the Farm Bureau

The women of Glenn County wish to protest against this move We feel that the Farm Home Department work is the greatest move for good that was ever launched in the county. It is the best way of reaching the foreign element and

doing Americanization work. If this work is handled through the high schools it will be just as it was before, the women who need the help will not get it.

We ask you in the name of the Glenn County women and for the sake of American citizenship to do all in your power to prevent our losing this appropriation.

Respectfully yours,

GLENN COUNTY FARM HOME DEPARTMENT.
MRS. C. E. ELLIS, Chairman.

CECILE B. KOEHLER, Secretary.

Also:

WILLOWS, CALIFORNIA, January 31, 1923.

Assemblyman Van Bernard,
Sacramento, California.

The women of the Glenn County Farm Home Department beseech you to assure appropriation for home demonstration work.

MRS. C. E. ELLIS, Chairman.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California;

Also: Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins;

Also: Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California;

Also: Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor;

Also: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California;

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California;

Also: Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California;

Also: Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California;

Also: Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Crittenden

WHEREAS, Section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,'" approved February 23, 1893, provides as follows

"Every candidate who is voted for at any public election held within the State shall, within fifteen days after the day of holding such election, file as hereinafter provided, an itemized statement, showing in detail all moneys paid, loaned, contrib-

nted, or otherwise furnished to him, or for his use, directly or indirectly, in aid of his election, and all money contributed, loaned, or expended by him directly, or indirectly by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who paid, loaned, contributed, or otherwise furnished such moneys in aid of his election, and the names of various persons to whom such moneys were contributed, loaned or paid, the specific nature of each item, the service performed, and by whom performed, and the purpose for which the money was expended, contributed or loaned. If the candidate seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out such illegal payment and disclaim responsibility therefor," etc.

WHEREAS, It is notorious and of common knowledge that candidates for State offices whose each respective candidacy was voted for in all of the counties of the entire State during the last primary and general election, carried on vigorous and costly campaigns, over the entire State of California, which it was obvious to any one and to the candidate, cost thousands and thousands of dollars, and,

WHEREAS, Some of the election returns of such candidates filed by them and pursuant to law show only nominal amounts of money spent by them directly or indirectly in their behalf;

WHEREAS, Such conduct brings the election law of the State of California into disrepute, and open door to corruption and permits special interests to contribute fabulous sums to the campaign in behalf of such candidates and shields such contributions from the knowledge of the voter;

WHEREAS, It may be necessary to amend the present law so as to make it more effective in such matters;

Resolved by the Assembly of the State of California, That a Special Committee consisting of five members of the Assembly be appointed by the Speaker to investigate all of the expenditures of the candidates and statements of candidates' expenditures for State offices whose each respective candidacy was voted for in all of the counties of the entire State of California in the recent primary and general elections, to ascertain in each instance whether or not the law governing campaign expenditures and statements of campaign expenditures at primary elections and general elections has been complied with;

Resolved further, That said committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter and subject hereinbefore enumerated or recited, and for that purpose to employ all necessary assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony; and the members of said committee are, and each of them is hereby authorized to administer oaths, and all the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof; that said committee be given leave to sit during sessions of the Assembly, that it report as speedily as possible the results of its investigation to the Assembly with such recommendations as it may deem proper relative to abuse or wilful violation of any of the election laws of the State of California in regard to candidates' expenditures; be it further

Resolved, That the sum of $2,000 be, and the same hereby is made available for the purpose of defraying expenses of said committee in said investigation, to be paid from the Contingent Fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be not adopted.

DAWSON, Chairman.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Noyes: Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered section 3480½, providing for hiring of clerk or clerks by reclamation boards or reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Noyes (by request): Assembly Bill No 1140—An act to amend section 1755 of the Political Code, relating to duties of high school boards in regard to tax for building purposes.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1141—An act to amend section 1764 of the Political Code, relating to the method of estimating high school tax.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1142—An act to amend section 1756 of the Political Code, relating to duties of high school boards in regard to tax for maintaining high schools
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1143—An act to amend section 1840 of the Political Code, relating to support of schools, estimate of money needed, levying of tax and for what purpose available.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.
Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 1145—An act to amend section 1838 of the Political Code, relating to powers and duties of governing boards of school districts in levying taxes for building purposes.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1146—An act to amend section 1612*a* of the Political Code, relating to school district budgets and school district taxes.
Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1147—An act to fix the date on which estimates for special or district taxes must annually be submitted to the board of supervisors.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Reindollar: Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.
Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Baker, Edwin: Assembly Bill No. 1149—An act to amend section 633*a* of the Political Code, relating to licensing of insurance and surety brokers.
Bill read first time, and referred to Committee on Insurance

By Mr. Wright: Assembly Bill No. 1150—An act to make an appropriation for the support and salaries of the Immigration and Housing Commission.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. Badham: Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Pomeroy: Assembly Bill No. 1152—An act to empower any county, city, or city and county to require property owners to keep natural drainage channels open.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands

Also: Assembly Bill No. 1153—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907.

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1154—An act to add a new section to the Political Code to be numbered 2657, relating to a property tax for highway purposes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Roberts: Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Dawson: Assembly Bill No. 1156—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Mitchell, A. G.: Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to public affairs.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1159—An act to amend sections 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries.

Bill read first time, and referred to Committee on Libraries.

By Mr Weller: Assembly Constitutional Amendment No 45—Proposed amendment to article — of the constitution, relative to a resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 3 of article XI thereof, relating to new counties

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER SACRAMENTO, February 1, 1923.

MR SPEAKER Your Committee on Federal Relations, to which was referred Senate Joint Resolution No 4—Relative to the establishment of a forest experiment station in California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

DAVIS, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Moore asked for and was granted unanimous consent to take up Senate Joint Resolution No. 4, at this time

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No 4—Relative to the establishment of a forest experiment station in California.

Senate Joint Resolution No 4 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 4 finally adopted by the following vote.

AYES—Anderson, Badham, Baker, C C, Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Jones, Kline, Mitchell, A G, Moore, Morrison, Mueller, Noyes, Reindollar, Roberts Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—48.

NOES—None

Title read and approved.

Senate Joint Resolution No. 4 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 4.

Relative to the establishment of a Forest Experiment Station in California.

WHEREAS, There is now pending before the Congress of the United States identical bills known as the California Experiment Station bills, S. B 3031, H. R. 11249, which bills have for their object, the establishment of a Forest Experiment Station in California in order

1. To carry out investigations to determine the relation of chaparral and forests to stream flow and erosion;

2 To carry out investigations in the reproduction and proper management of the forests of California

3. To carry out investigations in reforesting the denuded forest lands of this State, and

WHEREAS, The Forest Service has abandoned two forest experiment stations in this State because of lack of funds, and

WHEREAS, Research work in forestry is necessary to maintain the forest lands of the State in a continuously productive condition, and

WHEREAS, The national government is the largest single timber landholder in California and as such should be interested in the maintenance of the lumber industry of this State now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California at its forty-fifth session urges upon the Congress of the United States the adoption of the California Experiment Station bills and the imperative need for the immediate enactment of the same, and, be it further

Resolved, That our Senators and Representatives in Congress be and hereby are urged and requested to use every honorable means to accomplish this object; and, be it further

Resolved, That copies of these resolutions be transmitted to the President of the Senate and the Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress.

MOTION.

Mr. Coombs moved that the Chief Clerk be instructed to mail one copy of the budget, when printed, to the Board of Supervisors of each county.

Motion carried.

MOTION

Mr Fellom moved that the Sergeant-at-Arms be instructed to obtain eighty copies of Assembly Bill No. 999 and place one copy on the desk of each member.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16*a*.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 205—An act to amend section 1739*a* of the Political Code, relating to high school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

In lines 38, 44, 46 and 48, on page 2 of printed bill, substitute the unit "6" in place of the unit "2".

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury who may be present and recording of testimony.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all lines 16 to 28, inclusive, and insert in lieu thereof the following

"The judge of the superior court in charge of said grand jury shall designate an official reporter, or official reporter pro tempore, appointed as provided in sections two hundred sixty-nine, two hundred seventy and two hundred seventy-one of the Code of Civil Procedure as the official reporter to attend upon the sessions of the grand jury. Such official reporter, or official reporter pro tempore, shall receive and be".

AMENDMENT NUMBER TWO.

On page 2, line 11, following the word "person" strike out the word "must" and insert the following: "other than the grand jurors shall".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the

payment of the indebtedness and expenses of said commission, its members and employees, declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

Bill read second time, ordered to engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr Smith: Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code, relating to the viewing of the body by a coroner's jury.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses.

Bill read first time, and referred to Committee on Judiciary

Also. Assembly Bill No 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1163—An act to amend section 12, chapter LXXI, page 80, Statutes of 1915, relating to the duties and powers of the State Board of Embalmers so as to include therein the power to maintain a standard of proficiency in the practice of embalming and the power to employ lecturers and demonstrators and to require an educational standard before becoming eligible to take the examination.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1164—An act to amend section 6 of an act entitled "An act providing for reciprocal and inter-exchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, relating to the maintenance of reserves and assets of the concerns transacting such character of business, and providing for the liability of the directors of such concerns.

Bill read first time, and referred to Committee on Insurance.

By Mr. Foster: Assembly Bill No 1165—An act providing for the licensing of public oil service stations, providing rules, regulations and certain restrictions for the location and regulation of same.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Carter: Assembly Bill No 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Scott: Assembly Bill No. 1167—An act to amend sections 1 and 2 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

Bill read first time, and referred to Committee on Conservation.

Also: Assembly Bill No. 1168—An act to provide for the levying and collection of a tax of one cent per gallon on all gasoline manufactured or distributed within the State of California.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Dawson: Assembly Bill No 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

Bill read first time, and referred to Committee on County Government.

By Mr. Johnson, Frank. Assembly Bill No. 1170—An act to amend "The Vehicle Act" approved May 10, 1915.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Mitchell, T. A.: Assembly Bill No. 1171—An act to amend an act entitled the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

MOTION TO WITHDRAW.

Mr. Snyder moved that Senate Concurrent Resolution No. 7 be withdrawn from Committee on Municipal Corporations.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Snyder asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 7, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVEN.

Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California.

Senate Concurrent Resolution No. 7 read.

MOTION TO AMEND.

During the reading of the resolution, the following amendment was offered by Mr. Snyder:

AMENDMENT NUMBER ONE.

The following words are added to the caption or introductory clause of said concurrent resolution: "voted for and ratified by the qualified electors of said Butte County at the general election held therein on the 7th day of November, 1922."

Amendment read, and on motion of Mr. Snyder, unanimously adopted.

Senate Concurrent Resolution No. 7 ordered to reprint, and on file for adoption.

MOTION TO WITHDRAW.

Mr. Dawson moved that Assembly Joint Resolution No. 5 be withdrawn from Committee on Public Morals.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dawson asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 5, at this time, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FIVE.

Assembly Joint Resolution No. 5—Relative to an investigation of the growing narcotic menace.

Assembly Joint Resolution No. 5 read, and considered engrossed.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 5 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McPherson, Miller,

Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—(60).

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 5 ordered to engrossment.

ASSEMBLY JOINT RESOLUTION No. 5.

Relative to an investigation of the growing narcotic menace.

WHEREAS, Statistics of the United States government show an unparalleled and constantly increasing use of narcotics in this country; and

WHEREAS, The smuggling of huge quantities of narcotics into the country and the unlawful distribution of contraband drugs within the boundaries of the United States, has increased despite the diligence of the various authorities, and

WHEREAS, Records show that narcotic traffickers are claiming hundreds of new victims daily, including boys and girls in schools; and

WHEREAS, The people of California, as well as other states in the Union, are vitally affected by the extreme situation and must join in a definite move to curb the unlawful activities of smugglers and narcotic distributors; and

WHEREAS, A nation-wide crusade to halt the narcotic evil is under way and is being enthusiastically endorsed, now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California hereby respectfully requests and urges upon Warren G. Harding, President of the United States of America, to call an international conference to determine ways and means of regulating the production of all forms of narcotics and their distribution; to devise plans in dealing with the problem in all its ramifications so that this peril may be ended once and for all, that the illicit "dope" purveyor may be rooted out forever and the young manhood and womanhood of all races be not in so great a danger of narcotic enslavement and ruin; and, be it further

Resolved, That he, as President of the United States, declare an "Anti-Narcotic Week" as part of the nation-wide campaign, during which week the campaigners will carry on, in schools and elsewhere, a program of instruction as a means of warning men, women and children of the dangers of narcotics; and, be it further

Resolved, That the Chief Clerk of the Assembly be and he hereby is directed to forward copies of these resolutions to Warren G. Harding, President of the United States, and to each of California's Senators and Representatives in Congress.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Erb: Assembly Bill No. 1172—An act to regulate and license the business of maintaining hunting and shooting grounds within the State, providing for the collection of license taxes, prescribing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Stow: Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Douglas: Assembly Bill No. 1174—An act to amend an act entitled "An act to prevent, control, and eradicate tuberculosis in cattle in the State of California; to empower the Director of Agriculture to establish tuberculosis eradication or free areas; providing penalties for the violation hereof."

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Douglas (by request): Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, entitled "Salaries and fees of officers of counties of the thirty-third class."

Bill read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 54—An act to amend section 589 of the *Political Code, relating to the salary of the Insurance Commissioner*.

Also: Assembly Bill No. 105—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended;

Also: Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, *undertakers, sextons and other persons in relation to such registration and to fix* penalties for violation of this act, to create the officers of State and local registrars of said vital statistics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 278—An act to amend section 27 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Public Utilities.

FULWIDER, Chairman.

The above reported bill ordered re-referred to Committee on Public Utilities.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated.

By Messrs. Crittenden and Cleary: Assembly Bill No. 1176—An act to provide for the investigation by the State of California of the possibilities of the storage, control and diversion of water for public use and public protection in the State of California, and making an appropriation for said purpose.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Reindollar: Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers.

Bill read first time, and referred to Committee on County Government.

By Mr. Mitchell, T. A.: Assembly Bill No. 1178—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper

operations in production, providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees, providing for their duties and compensation; providing for the inspection of petroleum and gas wells requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental ruling; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Davis: Assembly Bill No. 1179—An act declaring trust deed in lieu of mortgage to be against public policy and allowing trustor one year for redemption of property after sale of property by trustee, his heirs or assigns.

Bill read first time, and referred to Committee on Judiciary.

By Mr Mueller: Assembly Bill No. 1180—An act to authorize and provide for the formation of hospital districts in one or more of the counties and cities and counties within the State of California, to create a commission and provide for the appointment of commissioners to manage, control and represent the district, and to do and perform its duties and exercise its privileges; to provide funds therefor by direct taxes upon the taxable property of the district, or by the issuance of bonds to be paid by the district and chargeable upon the property thereof; to provide for the payment of the interest on said bonds for the redemption or refunding thereof; to provide for an election for the purpose of creating said bond issue; to provide for the issuance and sale of bonds by the commission; the payment of all expenses to be incurred; the charging of fees for services in said hospital, the disposition of the moneys received, and the apportionment of the surplus moneys received by the commission.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Fox and Mueller: Assembly Bill No. 1181—An act providing for the relief of veterans and families of deceased veterans in indigent circumstances.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 1182—An act requiring the teaching of the constitution of the United States in the public and private schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Mr. Rosenshine: Assembly Bill No. 1183—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment including minimum wage; providing for

an appropriation therefor and fixing a penalty for violation of this act," approved May 26, 1913, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California to be numbered 1350*a* and 1350*b*, respectively, relating to the competency of executors of estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1185—An act making an appropriation to be used by the State Highway Commission for the construction and repair of the present system of State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Spalding: Assembly Bill No 1186—An act to amend section 340 of the Code of Civil Procedure, relating to limitations of actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1187—An act to provide a new section numbered 1454*a* of the Code of Civil Procedure, relating to obtaining personal property by heirs.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Spalding: Assembly Constitutional Amendment No. 46—Proposed amendment to article XI of the constitution, relative to deposits of public moneys.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Burns, Carlson, Christian, Dawson, Donohue, Emme, Fox, Lyman, McPherson, Mitchell, A. G., Mueller, Pomeroy, Schmidt, Snyder, Spence, Weller, Whitacre and Williams: Assembly Joint Resolution No. 15—Relative to the passage of an act providing for adjusted compensation for World War veterans.

Introduced, without reference to committee.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mueller asked for unanimous consent to suspend the rules and take up Assembly Joint Resolution No 15, at this time, without reference to printer, and that same be considered engrossed.

The question being on the motion to suspend the rules.

The roll was called, and the rules were suspended by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FIFTEEN.

Assembly Joint Resolution No. 15—Relative to the passage of an act providing for adjusted compensation for World War veterans.

Assembly Joint Resolution No. 15 read, and considered engrossed.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Lyman, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 15 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 15,

Relative to the passage of an act providing for adjusted compensation for World War veterans.

WHEREAS, More than four years have elapsed since the signing of the Armistice, during which period the ex-service men of the United States have persistently and repeatedly petitioned the federal government to grant them adjusted compensation; and

WHEREAS, The principle of adjusted compensation has been approved by every state in which it has been submitted to the vote of the people, and by the Congress of the United States; and,

WHEREAS, The principle of adjusted compensation has been approved by Warren G. Harding, the President of the United States; and

WHEREAS, The adjusted compensation bill which recently passed both houses of Congress was vetoed by the President of the United States on account of lack of available funds; and

WHEREAS, The official representatives of the British government have notified the government of the United States of the intention of Great Britain to immediately commence payment of the war debt owing from said British government to the American government; and

WHEREAS, The President of the United States has indicated that he will approve the use of funds derived from the payment of war debts for the purpose of paying adjusted compensation; now, therefore, be it

Resolved by the Assembly and the Senate, jointly, That the Legislature of the State of California memorialize the Congress of the United States for the passage of an adjusted compensation act for World War Veterans at an early date. And be it further

Resolved, That the Congress of the United States be asked to specify that the funds derived from the payment of foreign war loans to the United States be used for the payment of adjusted compensation. And be it further

Resolved, That the Senators and Representatives in Congress from the State of California be requested to use every legal means to secure the action desired. And be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, to the Secretary of the Treasury, to the presiding officers of both houses, and to each of the Senators and Representatives in Congress from the State of California.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Johnson, Frank,. Assembly Bill No 1188—An act making an appropriation to carry out the purposes of an act entitled "An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*b*, embracing sections 361 to 361*d*, both inclusive, relating to a Department of Agriculture

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Smith: Assembly Bill No. 1189—An act to amend section 1882 of the Political Code of the State of California, relating to the issuance of bonds of school districts

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1190—An act to add a new section to the Political Code of the State of California, to be known as section 1886*a*, relating to the sale of bonds of school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1191—An act to add a new section to the Political Code of the State of California, to be known as section 1746*b*, relating to the sale of bonds of high school districts.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1192—An act to amend section 1745 of the Political Code of the State of California, relating to the issuance of high school district bonds.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1193—An act to provide for the issuance of duplicate bonds, warrants and other interest bearing obligations issued by the State of California or any political subdivision thereof, and to provide for the payment of the same when lost or destroyed after maturity.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmidt: Assembly Bill No. 1194—An act to amend sections 13, 22, and 24 of the act known as the "Vehicle Act," approved May 10, 1915, as amended; said amendments to provide for the regulation and use of the public highway by vehicles; to provide for the licensing of persons operating motor vehicles, and to provide for the examination of such operators; to prohibit the operation of any motor vehicle by any person under the age of eighteen years and to provide penalties for the violation of the provisions thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cleary: Assembly Bill No. 1195—An act making an appropriation for the construction and improvement of the State highway extending from Porterville, in Tulare County, to Lone Pine, in Inyo County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No 1196—An act making an appropriation for the construction and improvement of the State highway extending from Earlimart, Tulare County, to a point where such highway connects with the highway extending from Lost Hills, Kern County, to Cholame, San Luis Obispo County.

Bill read first time, and referred to Committee on Roads and Highways.

By Miss Miller: Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Pomeroy: Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same."

Bill read first time, and referred to Committee on State Grounds and Parks.

Also: Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards."

Bill read first time, and referred to Committee on County Government.

Also: Assembly Bill No. 1200—An act to add a new chapter to title III, part III of the Political Code, to be numbered chapter IV, to be entitled "Non-public Schools," embracing article I, sections 1893, 1894, 1894*a*, 1894*b*, 1894*c*, and 1894*d*, providing for the submission of courses of study of non-public schools to the State Superintendent of Public Instruction, for his approval; providing for the inspection of non-public schools by the State Superintendent of Public Instruction, and by county, city, city and county, or district superintendents of schools, providing for the submission of certain reports by the officials of non-public schools to the State Superintendent of Public Instruction, and to the county, and city, or city and county, and district superintendents of the counties, cities, cities and counties, and districts in which the schools are situated, providing for hearings for non-public schools failing to comply with the provisions of the law relative to non-public schools and providing for the suspension or closing of non-public schools refusing or failing to comply with such provisions; and providing for the accrediting of non-public schools to the public schools of the state.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities and towns to, into, and through such parks and to acquire lands for that purpose.

Bill read first time, and referred to Committee on Municipal Corporations

By Mr. Kline: Assembly Bill No 1202—An act to amend sections 1 to 27 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Bill read first time, and referred to Committee on County Government.

By Mr. Carlson: Assembly Bill No. 1203—An act to amend section 2870 of the Political Code, relating to toll bridges.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 1204—An act to amend an act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Fellom: Assembly Bill No. 1205—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston, J. W.: Assembly Bill No. 1206—An act to amend sections 6, 10, 11, 13 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, and amended May 26, 1921.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Badham: Assembly Bill No. 1207—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State Treasury and providing for exemption from fees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Hawes:

WHEREAS, Some of the members of the Assembly have been allowed mileage upon the basis of legal distances as established by law, and not upon the actual number of miles traveled to and from their residences; it is hereby

Resolved, That the Committee on Mileage make a supplemental report correcting such mistakes as may have been made, and that any member who has not heretofore received the amount due him according to actual mileage traveled be allowed such as added to the mileage heretofore received will make up the difference, and be it further

Resolved, That such amount be paid out of the contingent fund and in the manner provided for the payment of mileage.

Has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Mileage.

DAWSON, Chairman.

The above reported resolution ordered re-referred to Committee on Mileage.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF MR CRITTENDEN'S RESOLUTION.

Resolution by Mr. Crittenden:

WHEREAS, Section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled "An act to promote the purity of elections by regulating the conduct thereot, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved February 23, 1893, provides as follows:

"Every candidate who is voted for at any public election held within the State shall, within fifteen days after the day of holding such election, file as hereinafter provided, an itemized statement, showing in detail all moneys paid, loans, contributed, or otherwise furnished to him, or for his use, directly or indirectly, in aid of his election, and all money contributed, loaned or expended by him directly, or indirectly by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who paid, loaned, contributed, or otherwise furnished such moneys in aid of his election, and the names of various persons to whom such moneys were contributed, loaned or paid, the specific nature of each item, the service performed, and by whom performed, and the purpose for which the money was expended, contributed or loaned. If the candidate seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out such illegal payment and disclaim responsibility therefor," etc.,

WHEREAS, It is notorious and of common knowledge that candidates for State offices whose each respective candidacy was voted for in all of the counties of the entire State during the last primary and general election, carried on vigorous and costly campaigns, over the entire State of California, which it was obvious to any one and to the candidate, cost thousands and thousands of dollars; and,

WHEREAS, Some of the election returns of such candidates filed by them and pursuant to law show only nominal amounts of money spent by them directly or indirectly in their behalf,

WHEREAS, Such conduct brings the election law of the State of California into disrepute, and open door to corruption and permits special interests to contribute fabulous sums to the campaign in behalf of such candidates, and shields such contributions from the knowledge of the voter;

WHEREAS, It may be necessary to amend the present law so as to make it more effective in such matters;

Resolved, By the Assembly of the State of California, that a Special Committee consisting of five members of the Assembly, be appointed by the Speaker to investigate all of the expenditures of the said candidates and statements of candidates' expenditures for State offices whose each respective candidacy was voted for in all of the counties of the entire State of California in the recent primary and general elections, to ascertain in each instance whether or not the law governing campaign expenditures and statements of campaign expenditures at primary elections and general elections has been complied with.

Resolved, further, That said committee be and it hereby is authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter and subject herembefore enumerated or recited, and for that purpose to employ all necessary assistants, and said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, documents, records and papers of every kind, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, and the members of said committee are, and each of them is hereby authorized

to administer oaths and all of the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution, and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, that said committee be given leave to sit during sessions of the Assembly, that it report as speedily as possible the results of its investigation to the Assembly with such recommendations as it may deem proper relative to abuse or wilful violation of any of the election laws of the State of California in regard to candidates' expenditures, be it further

Resolved, That the sum of $2,000 be, and the same hereby is made available for the purpose of defraying expenses of said committee in said investigation to be paid from the Contingent Fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the report by the Committee on Contingent Expenses, that the resolution by Mr. Crittenden be not adopted.

REQUEST FOR ROLL CALL.

On request of Messrs. Crittenden, Bernard, West, Coombs and Prendergast, the Speaker ordered a roll call taken on the question of the adoption of the report of the committee.

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

AYES—Badham, Baker, Edwin, Burns, Carter, Croter, Donohue, Fulwider, Hornblower, Mitchell, A. G., Pomeroy, Snyder, Stow, and Weller—13.

NOES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and adopted as amended Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Amendments read.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 5?

AMENDMENT NUMBER ONE

On line 8 of the printed bill strike out "Fri." also strike out all of lines 9 and 10 and in lieu thereof insert, "Saturday, February 3, 1923, and shall reassemble at the hour of twelve o'clock noon on Tuesday, March 6, 1923."

The roll was called and the Assembly refused to concur in Senate amendments to Assembly Concurrent Resolution No. 5 by the following vote:

AYES—Cleveland, Connolly, and Jones—3.

NOES—Baker, C. C., Baker, Edwin, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas,

Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

CONSIDERATION OF MR. CRITTENDEN'S RESOLUTION—(RESUMED).

MOTION TO AMEND

The following amendment was offered by Mr. Erb:

After the word "of" in the third line following the word "expenditures" strike out all thereafter down to and including the word "California" and insert in lieu thereof the following: "candidates and statement of candidate's expenditures whose nominating papers were filed with the Secretary of State, including candidates for United States Senator."

Amendment read, and on motion adopted

Mr. Crittenden moved the adoption of the resolution, as amended.

MOTION TO RE-REFER.

Mr. Pomeroy moved that Mr. Crittenden's resolution be re-referred to the Committee on Contingent Expenses.

REQUEST FOR ROLL CALL.

On request of Messrs Crittenden, Morrison, Heisinger, Fox and Fellom, the Speaker ordered a roll call taken on the motion to re-refer.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Baker, Edwin; Bromley, Carter, Donohue, Douglas, Dozier, Erb, Foster, Fulwider, Hornblower, Kline, Pomeroy, Rock, Smith, and Weller—15.

NOES—Anderson, Baker, C. C., Ball, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

The question being on the adoption of the resolution, as amended.

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

AYES—Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Emme, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Anderson, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Dawson, Donohue, Douglas, Dozier, Erb, Fulwider, Hornblower, Kline, Mitchell, A. G., Pomeroy, Roberts, Rock, Smith, Stow, and Weller—21.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, February 2, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully recedes from its amendments to Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 2, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolution ordered to enrollment.

MOTION TO SUSPEND RULE SEVENTY-ONE.

Mr. Douglas moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20*a*, providing for the alteration of the boundaries of drainage districts;

Also: Assembly Bill No. 476—An act to amend section 7 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911;

Also: Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended;

Also: Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts;

Also: Assembly Bill No. 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Dawson:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Expense Fund in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of seventy-five ($75.00) dollars, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

The question being on the adoption of the resolution.

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

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dean Donohue, Dozier, Emme, Erb, Hornblower, Johnson, Johnston, Kline, Lyman, McDowell, McPherson, Miller, Moore, Morris, Morrison, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Williams, Woodbridge, and Mr. Speaker—42

NOES—None.

By Mr. West:

WHEREAS, Various members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; therefore, be it

Resolved, That the Chief Clerk, Arthur A. Ohnimus, be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping the same, properly packed, to said members; and the State Controller is hereby authorized to draw his warrant on the Contingent Expense Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, in an amount not to exceed three hundred fifty dollars, and the State Treasurer is hereby authorized to pay the same.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spence, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—55.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

REPORT OF COMMITTEE ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

WHEREAS, During the constitutional recess, the services of the officers, attaches and employees of the Assembly will not be required with the exception hereinafter noted; and

WHEREAS, The Journal and History must be corrected and indexed, the Semi-final Calendar of the legislative business be arranged and published, and copy made for the Legislative Hand-Book, and other exacting details pertaining to this session of the Legislature taken care of; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the performance of this work; therefore, be it

Resolved, That the name of each of the officers and attaches and employees heretofore employed by this forty-fifth session of the Assembly for the positions and at the per diem provided, by law, be, and they are hereby, stricken from the roll to begin and include Saturday, February 3, 1923, save and except the following:

Arthur Ohnimus, Chief Clerk	$10 00
Ellsworth E. Eustice, Assistant Chief Clerk	9 00
Bessie Manning, Stenographer to Chief Clerk	5 00
William J Leflar, Sergeant-at-Arms	8 00
C. E. Whiteside, Assistant Sergeant-at-Arms	5 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Roberts, Rosenshine, Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—52.

NOES—None.

ON REVISION AND PRINTING

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1923.

MR SPEAKER: Your Committee on Revision and Printing begs to report that it has again conferred with the Senate Committee on Revision and Printing with reference to the expense of publishing the budget and advises that the Senate Com-

mittee and Assembly Committee have agreed to jointly meet the expense of the printing of this budget; also the committee recommends that 1500 additional copies of this budget be printed at a total expense not to exceed $3000 for the 4000, same to be met from the contingent funds of both the Senate and the Assembly.

ROCK, Chairman.

Mr. Roberts moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Coombs, Croter, Dean, Emme, Erb, Foster, Fulwider, Hawes, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Scott, Smith, Snyder, Spence, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Baker, Edwin:

Resolved, That the Chief Clerk be authorized and directed to receipt for any warrants for members, officers or attaches of the Assembly during the constitutional recess.

Resolution read, and on motion adopted.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Fellom: Assembly Bill No. 1208—An act appropriating money for salaries, support and maintenance of the Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Rock: Assembly Bill No. 1209—An act to prohibit the giving or offering of money as a reward or purse to be contested for by horses.

Bill read first time, and referred to Committee on Public Morals.

By Mrs Woodbridge: Assembly Bill No 1210—An act to amend sections 887 and 880 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended

Bill read first time, and referred to Committee on Municipal Corporations.

By Miss Broughton: Assembly Bill No. 1211—An act to amend section 857*a* of the Code of Civil Procedure, relating to affirmative relief.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1212—An act to amend section 1772 of the Code of Civil Procedure, relating to partition by guardian.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered section 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 1214—An act to amend section 626 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Assembly Bill No. 1215—An act to prohibit the feeding on shooting and hunting preserves during the open season.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scott. Assembly Bill No. 1216—An act appropriating money to provide for the curbing, paving, guttering, drainage, and sidewalks of that portion of Fourth avenue, San Francisco, California, fronting upon the property of the University of California.
Bill read first time, and referred to Committee on Universities

By Mrs. Woodbridge: Assembly Bill No. 1217—An act appropriating money for the support of the State Board of Health in continuing the work on social hygiene and public health education during the seventy-fifth and seventy-sixth fiscal years.
Bill read first time, and referred to Committee on Ways and Means.

By Mr. West: Assembly Bill No. 1218—An act for the protection of owners of duly recorded mortgages, deeds of trust, or other instruments whereby the payment of any monetary obligation is secured by land which is subject to be assessed by the governing authorities of any district or other political subdivision to pay for the construction or maintenance of works for the improvement, benefit or protection of the lands embraced therein; to require notices of such assessments and of proceedings thereunder to be given upon demand, and to prohibit the imposition of penalties when such notices are not given after demand made.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Mathews: Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto.
Bill read first time, and referred to Committee on Public Utilities.

Also: Assembly Bill No. 1220—An act to amend section 373*a* of the Penal Code, relating to public nuisances.
Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Bromley: Assembly Bill No 1221—An act to amend section 3666*a* of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies to insurance commissioners.
Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1222—An act to amend section 361*a* of the Political Code, relating to the Department of Agriculture
Bill read first time, and referred to Committee on Agriculture.

By Mr. Rosenshine: Assembly Bill No 1223—An act to amend section 4 of "The Vehicle Act," approved May 10, 1915, and adding a new section thereto to be numbered 4½.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Badaracco: Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dozier. Assembly Bill No. 1225—An act to amend section 634 of the Penal Code relating to the protection of salmon.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Clarke: Assembly Bill No. 1226—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections, to be numbered 11*a*, relating to storage of water in underground basins and subsequent storage of said water in surface reservoirs; and 11*b*, relating to ascertainment of maximum amounts of water that may be withdrawn from underground basins without overdraft, requiring permits for use on other than overlying lands, and directing refusal of permits when a condition of maximum draft from an underground basin exists.

Bill read first time, and referred to Committee on Conservation.

By Mr. Reindollar: Assembly Bill No 1227—An act to further divide the State into fish and game districts by establishing a district in the region of Richardson Bay, in Marin County, specially suited for the propagation of game birds and to provide for the management and protection thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Mrs. Saylor: Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read first time, and referred to Committee on Universities.

By Miss Broughton: Assembly Bill No. 1229—An act to amend section 1387 of the Civil Code, relating to the inheritance of children born out of wedlock.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts. Assembly Bill No. 1230—An act to add a new section to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, Stats 1903, p 376. Amended 1909, p. 1035; 1911, pp. 855, 894; 1913, p. 429, to be numbered section 38.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 1231—An act to amend sections 5 and 18 of an act entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, Stats 1913, p 421, amended 1915, p. 987.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No 1232—An act to amend section 196*a* of the Civil Code, relating to illegitimate children.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No. 1233—An act to add a new section to the Civil Code, to be numbered 60*a*, relating to illegitimate children and marriage.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1234—An act to amend sections 1387 and 1388 of the Civil Code, relating to succession.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts (by request): Assembly Bill No. 1235—An act to amend section 599 of the Political Code, relating to subpoenas by the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Assembly Bill No. 1236—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner, providing for review of rates by Insurance Commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with Insurance Commissioner by insurance companies of schedules of rates; providing for inspection of risks rated by rating bureaus; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing all laws in conflict with this act

Bill read first time, and referred to Committee on Insurance.

By Mr. Mueller: Assembly Bill No. 1237—An act to add a new section to the Political Code, to be numbered 1893, providing for the payment of the clerks of union school and union high school boards.

Bill read first time, and referred to Committee on Education.

By Mr. Coombs: Assembly Bill No. 1238—An act to amend section 4041 of the Political Code, relating to boards of supervisors, their jurisdiction, and limitation of powers, and vesting them with the power of providing for assistance of county officers, and the fixing of their salaries and the payment thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. McPherson: Assembly Bill No. 1239—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No. 1240—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1241—An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor; approved June 16, 1913; amended May 27, 1919; May 30, 1921; and June 1, 1921.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No 1242—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Also: Assembly Bill No 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Spence. Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1247—An act to amend section 1559 of the Code of Civil Procedure, relating to the payment of commissions on sales of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 1249—An act to amend sections 851, 852, 857*a* and 858 of the Code of Civil Procedure, and by adding two new sections thereto to be numbered 860*a* and 860*b* relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary

Also: Assembly Bill No 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stevenot: Assembly Bill No. 1251—An act making an appropriation for the support of and salaries of the officers of the State Mining Bureau.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Rosenshine: Assembly Joint Resolution No 16—Relative to calling conference on world economic problems.

Introduced, and referred to Committee on Federal Relations.

MOTION TO CORRECT JOURNALS

Mr. Carter moved that the Journals of Monday, January 8, 1923, Tuesday, January 9, 1923; Wednesday, January 10, 1923; Thursday, January 11, 1923; Friday, January 12, 1923; Monday, January 15, 1923; Tuesday, January 16, 1923; Wednesday, January 17, 1923; Thursday, January 18, 1923; Friday, January 19, 1923; Monday, January 22, 1923; Tuesday, January 23, 1923; Wednesday, January 24, 1923; Thursday, January 25, 1923, Friday, January 26, 1923, Monday, January 29, 1923; Tuesday, January 30, 1923; Wednesday, January 31, 1923; Thursday, February 1, 1923, and Friday, February 2, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER SACRAMENTO, February 2, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 15—Relative to the passage of an act providing for adjusted compensation for World War veterans.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported resolution ordered to print and engrossment

RESOLUTIONS.

The following resolutions were offered:

By Mr. Fulwider:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly.

Resolution read, and on motion adopted

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of the following committee to wait upon the Senate: Mrs. Saylor, Messrs. Morrison and Schmidt

By Mr. Christian:

Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, the Governor, and inform him that the Assembly is ready to adjourn for the constitutional recess, and awaits his further pleasure.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of the following committee to wait upon the Governor: Messrs Scott, Foster, and Mitchell, T. A.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Carter: Assembly Bill No 1252—An act requiring records of all assessments, bonds and other liens composed by, under or in accordance with any street improvement, opening, widening, etc

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Mitchell, T. A.: Assembly Bill No. 1253—An act to regulate and control dredging for gold or other minerals or metals on cultivated or arable land, and giving the State Railroad Commissioners power to control and regulate the same.

Bill read first time, and referred to Committee on Mines and Mining.

Also: Assembly Bill No 1254—An act to promote the public health by prohibiting the keeping or storing of crabs in crates, boxes or other containers, in any of the waters or streams of this State, within two miles of the outlet of any sewer.

Bill read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 5—Relative to an investigation of the growing narcotic menace—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported resolution ordered transmitted to the Senate.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement

between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission;

Also: Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901;

Also: Assembly Bill No. 205—An act to amend section 1739a of the Political Code, relating to high school districts;

Also: Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a Public School Teachers' Retirement Salary Fund, and also a Public School Teachers' Permanent Fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a;

Also: Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation district;

Also: Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district;

Also: Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District;

Also: Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission, fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission, providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation, declaring the duties of those who desire to appropriate water, declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appro-

priation of water, excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker announced that in accordance with the resolution by Mr. Carter, relative to an investigation of the violation of the Civil Service Act, he had appointed Messrs. Carter (Chairman), Christian, Stow, Erb and McDowell as such Special Committee.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker announced that in accordance with the resolution of Mr. Crittenden, relative to an investigation of election expenditures, he had appointed Messrs. Bromley (Chairman), Fulwider, Crittenden, Baker, Edwin, and Dozier, as such Special Committee.

ASSISTANT CHIEF CLERK EUSTICE READING.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Fellom: Assembly Bill No. 1255—An act appropriating money for salaries, support and maintenance of the State Harbor Commission.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cleveland: Assembly Bill No. 1256—An act to abolish the office and position of attorney for the Industrial Accident Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Crittenden: Assembly Bill No 1257—An act to appropriate money for the purpose of cooperation in the construction of the public works included in and provided for by that certain project heretofore adopted by the Reclamation Board, known as Sacramento River Outlet Project No. 2 of the Sacramento and San Joaquin Drainage District, with such modifications and amendments thereof as may be hereafter made, in accordance with law, the said work described in the plans of said Sacramento River Outlet Project No 2, as heretofore duly modified and amended, being in conformity with the report of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the twenty-seventh day of June, 1911, and the said report of the California Debris Commission, together with such amendments and modifications thereof as may be made by the Reclamation Board, having been heretofore duly adopted by the State of California, and directing the said Reclamation Board to apply the said moneys so appropriated as it is now, or may hereafter be, provided by law, for the benefit of the said Sacramento and San Joaquin Drainage District, in connection with said Sacrament River Outlet Project No. 2, or any modifications or amendments thereof, that may hereafter be made in accordance with law.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

MINUTE CLERK BOOTH READING.

By Mr. Dozier (by request): Assembly Bill No. 1258—An act to amend section 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

Bill read first time, and referred to Committee on Fish and Game.

ASSISTANT CLERK POWERS READING.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1923

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Concurrent Resolution No. 7—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

Also: Assembly Concurrent Resolution No. 6—Relative to investigation of Norwalk State Hospital property for oil purposes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Concurrent Resolution No. 2—Approving the charter of the city of Chico, State of California, voted for and ratified by the qualified voters of the said city of Chico, upon a special municipal election held therein on the fifteenth day of December, 1921;

Also: Assembly Concurrent Resolution No. 3—Approving the charter of the city of Visalia, State of California, ratified by the qualified electors of said city at a special election held therein on the fourth day of January, 1923;

Also: Assembly Concurrent Resolution No. 4—Approving the charter of the city of Tulare, State of California, voted for and ratified by the qualified voters of said city of Tulare at a special municipal election held therein for that purpose on the fifth day of September, 1922;

Also: Assembly Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Joint Resolution No. 6—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system;

Also: Assembly Joint Resolution No. 3—Relative to approving the Colorado River Compact;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 164—An act to amend section 4236*l* of the Political Code, relating to justices and constables in counties of the seventh class;

Also: Assembly Bill No. 357—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties

of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this second day of February, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly and reported that they had waited upon the Governor, and that he had no further communication to make to the Assembly.

REPORT OF SELECT COMMITTEE.

The committee to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out and that the Senate would communicate its wishes through a committee from that body.

COMMITTEE FROM THE SENATE.

Senators Murphy, Carr, and Slater appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn and had no further communication to make to the Senate.

ADJOURNMENT

At 12 o'clock noon, Friday, February 2, 1923, in accordance with the provisions of Assembly Concurrent Resolution No. 5, the Hon Frank F. Merriam, Speaker of the Assembly, announced that the time for the adjournment for the constitutional recess of the forty-fifth session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until twelve o'clock noon, Monday, March 5, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 5, 1923.

At twelve o'clock meridian, pursuant to the requirements of section 2, article IV, of the constitution of the State of California, and to the provisions of Assembly Concurrent Resolution No 5, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Johnston, Jones Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—69.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Baker, Edwin, Mr. Graves was granted leave of absence for the day.

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

On motion of Mr. Lyman, Messrs. Spence and Croter were granted leave of absence for the day.

On motion of Mr. McDowell, Mr. Heisinger was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. Schmidt, Messrs. Hornblower and Burns were granted leave of absence for the day.

On motion of Mr. Morris, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Bromley, Mr. Mueller was granted leave of absence for the day.

On motion of Mr. Emme, Mr. Whitacre was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Eksward, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

ANNOUNCEMENTS.

The Speaker announced that he had been presented with a fine ebony gavel by the Long Beach Bar Association with kindest wishes for success and the hope that the Assembly over which the Speaker presides may enact wise and just laws.

By the Chief Clerk:

To the Members of the Assembly, State of California

I desire to announce that, in accordance with section 246 of the Political Code, I hereby appoint the following as Assistant Clerks of the Assembly, and respectfully request your honorable body to confirm said appointments.

Walter J. Hicks.
James E. Powers.
Robert A. Orr.

ARTHUR A. OHNIMUS, Chief Clerk.

Mr. Carter moved that the appointments be confirmed.

The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

By the Sergeant-at-Arms:

To the Members of the Assembly, State of California.

I desire to announce that, in accordance with section 246 of the Political Code, I hereby appoint George Hager as Bookkeeper to the Sergeant-at-Arms of the Assembly, and respectfully request your honorable body to confirm said appointment.

WM. J. LEFLAR, Sergeant-at-Arms.

Mr. Eksward moved that the appointment be confirmed.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Anderson, Badaracco, Badham Baker, C. C., Baker, Edwin; Ball, Bernard Bromley, Broughton, Carlson, Christian, Crittenden, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—57.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Baker, Edwin:

Resolved, That the Speaker appoint a committee of three to notify the Senate that the Assembly has reconvened, pursuant to Assembly Concurrent Resolution No. 5 adopted on February 2, 1923, and is ready to proceed with the business of the State, with all officers heretofore elected present, to wit

Speaker—Hon. Frank F. Merriam
Speaker pro tempore—Hon. Frank W. Anderson
Chief Clerk—Arthur A. Ohnimus
Minute Clerk—C. Wm. Booth
Chaplain—Rev. Wm. H. Moreland
Sergeant-at-Arms—Wm. J. Leflar

Resolution read, and on motion adopted.

In accordance with the above resolution, the Speaker appointed Messrs. Baker, Edwin, and Fox and Mrs. Dorris as such committee.

By Mr. Stow:

Resolved, That a committee of three be appointed by the Speaker to wait upon His Excellency the Governor, and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Resolution read, and on motion adopted.

In accordance with the above resolution, the Speaker appointed Messrs. Stow and Mathews and Miss Broughton as such committee.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

At a meeting of the Riverside Rifle Club on Thursday, February 8, 1923, the following resolutions were proposed and adopted.

WHEREAS, A bill or bills have been introduced in the Legislature of the State of California, purporting to prohibit the possession of firearms, and

WHEREAS, Said bills purport to prohibit the possession of firearms, where the possession of firearms by law-abiding citizens is a necessity, and

WHEREAS, The Riverside Rifle Team consisting of three hundred members was organized in 1914, and

WHEREAS, During the World War the Riverside Rifle Team was the means of organizing the Home Guards of Riverside, and

WHEREAS, Through the Riverside Rifle Team the Home Guard was furnished with 300 rifles for the protection of the city of Riverside, and both rendered services to the people of county of Riverside, and

WHEREAS, The members of the Riverside Rifle Team are all in possession of said firearms, and

and possess firearms which are used only in innocent pursuits; and

WHEREAS, The said members are respected citizens and heads of families; and

WHEREAS, Some of the best citizens in this country are hunters and marksmen, and possess firearms which are used only in innocent pursuits; and

WHEREAS, In the opinion of the members of the Club the proposed laws do not reach the thug with the lead pipe and stiletto, but would only encourage the criminal and place the peaceful citizen at a disadvantage, therefore, be it

Resolved That the Riverside Rifle Club protests most emphatically against the passage of such a law as being detrimental to the useful citizen and as being in the interest of the thug and criminal, be it further

Resolved, That the Senator of the Thirty-ninth District and the Assemblyman of this district be urged to vote against any law that will penalize the homebuilder for having a firearm in his possession, be it further

Resolved, That a copy of these resolutions be sent to the Assemblyman and to the Senator of this district.

This is to certify that the foregoing resolutions were proposed and adopted at a meeting of the Riverside Rifle Club on the eighth day of February, 1923.

MIGUEL ESTUDELLO, President.
W. S. CARMICHAEL, Secretary.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1923.

MR SPEAKER Your Committee on Contingent Expenses, to which was referred resolution of Mr. Dawson:

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) copies of Roberts Rules of Order and to supply each member of the Assembly and the Chief Clerk of the Assembly with one each,

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted

(Signed out)

DAWSON, Chairman
ROCK
PEDROTTI.
LYONS

Mr. Pedrotti moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Eksward, Enme, Fellom, Foster, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 5, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the following resolution

Resolved, That the Secretary of the Senate be directed to notify the Assembly that the Senate has convened, pursuant to Assembly Concurrent Resolution No 5, adopted February 2, 1923, and is ready to proceed with the business of the State, with all officers elected on January 8, 1923, present, to wit

President.....Hon. C. C Young
President pro tempore.....Hon. A. H. Breed
Secretary.....Joseph A. Beek
Sergeant-at-Arms.....Joseph F. Nolan
Chaplain.....Wm E Harrison
Minute Clerk.....John P. Rice

J A BEEK, Secretary of Senate

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1923.

MR. SPEAKER Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code.

ON MILEAGE.

District	Name	Address	Distance from seat	Distance from Co seat, more	Distance from Co seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
1	G H Douglas	Crescent City, Del Norte Co	364	9		373	746	$74 60
2	Fred J Moore	Eureka, Humboldt Co	312				624	62 40
3	Earnest Dozier	Redding, Shasta Co	171				342	34 20
4	A J Mathews	Susanville, Lassen Co	260				520	52 00
5	Van Bernard	Butte City, Glenn Co	88	15		103	206	20 60
6	P Connolly	Ukiah, Mendocino Co	150				300	30 00
7	Bert Snyder	Chico, Butte Co	86	28		114	228	22 80
8	Fred B Noyes	Yuba City, Sutter Co	50				100	10 00
9	Mrs Cora M Woodbridge	Roseville, Placer Co	37		19	18	36	3 60
10	Robt B McPherson	Vallejo, Solano Co	40	19		59	118	11 80
11	Frank L Coombs	Napa, Napa Co	61				122	12 20
12	Emmett I Donohue	Petaluma, Sonoma Co	90				180	18 00
13	Lucien E Fulwider	Santa Rosa, Sonoma Co	90				180	18 00
14	John W Johnston	Sacramento, Sacramento Co						
15	Percy G West	Sacramento, Sacramento Co						
16	F G Stevenot	Carson Hill, Calaveras Co	73	16		89	178	17 80
17	Chas F Reindollar	San Rafael, Marin Co	105			105	210	21 00
18	Thomas M Carlson	Richmond, Contra Costa Co	62	22		84	168	16 80
19	Bradford S Crittenden	Tracy, San Joaquin Co	48	20		68	136	13 60
20	Geo A. Dean	Stockton, San Joaquin Co	48				96	9 60
21	Fred C Hawes	San Francisco, San Fran Co	90				180	18 00
22	Thomas A Mitchell	San Francisco, San Fran Co	90				180	18 00
23	Joseph F Burns	San Francisco, San Fran Co	90				180	18 00
24	Walter J Schmidt	San Francisco, San Fran Co	90				180	18 00
25	Wm B Hornblower	San Francisco, San Fran Co	90				180	18 00
26	Roy Fellom	San Francisco, San Fran Co	90				180	18 00
27	Wm Seward Scott	San Francisco, San Fran Co	90				180	18 00
28	Louis F Erb	San Francisco, San Fran Co	90				180	18 00
29	Harry F Morrison	San Francisco, San Fran Co	90				180	18 00
30	Clarence W Morris	San Francisco, San Fran Co	90				180	18 00
31	Albert A. Rosenshine	San Francisco, San Fran Co	90				180	18 00
32	W J. Rock	San Francisco, San Fran Co	90				180	18 00
33	I B Badaracco	San Francisco, San Fran Co	90				180	18 00
34	E H Christian	Hayward, Alameda Co	84	14		98	196	19 60
35	H R Spence	Alameda, Alameda Co	84	5		89	178	17 80
36	Edward J Smith	Oakland, Alameda Co	84				168	16 80
37	Richmond M Lyman, Jr	Oakland, Alameda Co	84				168	16 80
38	J Croter	Oakland, Alameda Co	84				168	16 80
39	Frank W Anderson	Oakland, Alameda Co	84				168	16 80
40	Chris B Fox	Berkeley, Alameda Co	84				168	16 80
41	Anna L Saylor	Berkeley, Alameda Co	84				168	16 80
42	F L Eksward	Burlingame, San Mateo Co	119				238	23 80
43	Geo C Cleveland	Watsonville, Santa Cruz Co	198	20		218	436	43 60
44	T M. Wright	San Jose, Santa Clara Co	128				256	25 60
45	C C Spalding	Sunnyvale Santa Clara Co	128	10		138	276	27 60
46	Esto B Broughton	Modesto, Stanislaus Co	77				154	15 40
47	Geo A Clarke	Bishop, Inyo Co	418	48		466	932	93 20
48	C C Baker	Salinas, Monterey Co	208				416	41 60
49	D C Williams	Le Grand, Merced Co	114	14		128	256	25 60
50	Chas A Foster	Fowler, Fresno Co	169	10		179	358	35 80
51	Herbert McDowell	Fresno, Fresno Co	169				338	33 80
52	S L Heisinger	Selma, Fresno Co	169	16		185	370	37 00
53	Alex McMillan	Shandon, San Luis Obispo Co	343		20	323	646	64 60
54	Frank Johnson	Hardwick, Kings Co	214	7		221	442	44 20
55	Chas W Cleary	Lindsay, Tulare Co	206	20		226	452	45 20
56	Grace S Dorris	Bakersfield, Kern Co	278				556	55 60
57	Isaac Jones	Ontario, San Bernardino Co	508		24	484	968	96 80
58	J J Prendergast	Redlands, San Bernardino Co	508	12		520	1,040	104 00
59	Edgar W Stow	Goleta, Santa Barbara Co	460		10	450	900	90 00
60	Walter H Duval	Saticoy, Ventura Co	490	8		498	956	99 60
61	Frank C Weller	Glendale, Los Angeles Co	447	8		455	910	91 00
62	Hugh R Pomeroy	Redondo Beach, Los Angeles Co	447	24		471	942	94 20
63	Sidney T Graves	Los Angeles, Los Angeles Co	447				894	89 40
64	Harry Lyons	Los Angeles, Los Angeles Co	447				894	89 40

ON MILEAGE—Continued.

District	Name	Address	Distance from seat	Distance from seat more	Distance from seat less	Mileage one way	Total mileage	Amount at 10 cents per mile
[illegible]	Joseph L. Pedrotti	Los Angeles, Los Angeles Co	447				894	$89 40
[illegible]	Otto J. Timme	Los Angeles, Los Angeles Co	447				894	89 40
[illegible]	Miss Eleanor Miller	Pasadena, Los Angeles Co	447	13		460	920	92 00
[illegible]	Allen G. Mitchell	Pomona, Los Angeles Co	447	33		480	960	96 00
	Charles B. Dawson	Huntington Park, Los Ang Co	447	6		453	906	90 60
70	Frank F. Merriam	Long Beach, Los Angeles Co	447	22		469	938	93 80
71	Henry E. Carter	Los Angeles, Los Angeles Co	447	25		472	944	94 40
72	W. E. Badham	Los Angeles, Los Angeles Co	447				894	89 40
73	Elmer P. Bromley	Los Angeles, Los Angeles Co	447				894	89 40
74	F. M. Roberts	Los Angeles, Los Angeles Co	447				894	89 40
[illegible]	Edwin Baker	Los Angeles, Los Angeles Co	447				894	89 40
76	C. D. Ball	Santa Ana, Orange Co	481				962	96 20
77	Chester M. Kline	San Jacinto, Riverside Co	512	36		548	1,096	109 60
78	George H. Davis	El Centro, Imperial Co	661				1,322	132 20
[illegible]	P. A. Whitacre	San Diego, San Diego Co	573				1,146	114 60
	Edwin A. Mueller	El Cajon, San Diego Co	573	16		589	1,178	117 80

OFFICERS

	C. Wm. Booth	Oakland, Alameda Co	84				168	$16 80

HAWES, Chairman.

The speaker ordered the above report printed in the Journal.

REPORT OF SELECT COMMITTEE.

The committe appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that they had waited upon the Governor, and His Excellency had informed them that he had no [illegible] to convey to the Assembly at this time.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Tuesday, March 6, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 6, 1923

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, [illegible], Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, [illegible], Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, [illegible] Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, [illegible] Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, [illegible] Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes,

Pedretti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Noyes, Messrs. Heisinger and McDowell were granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Frank F. Merriam, Speaker of the Assembly, Mr. D. M. Shreve, editor, and Mrs. Shreve, business manager, of the "Worth While Magazine" of Long Beach, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Roberts, its further reading was dispensed with

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

RIVERSIDE, CALIFORNIA, February 21, 1923.

Mr. Chester M. Kline,
Member of the Assembly,
San Jacinto, California.

DEAR SIR: The Board of Supervisors of Riverside County passed the following resolution and submit the same for your consideration:

WHEREAS, The city of Los Angeles in Senate Bill No. 503, seeks authority under the law to summarily condemn and take over to its own uses, water and power now dedicated to the service of territory and communities outside the city of Los Angeles; and

WHEREAS, Senate Bill No. 503 seeks to enact into law the principle that superior population confers preferential right to the use and enjoyment of water and power, which principle was declared unconstitutional by the United States Circuit Court of Appeals, in the recent suit of the city of Los Angeles for condemnation of land and water rights of the Southern Sierras Power Co. in Owens River Gorge, and

WHEREAS, The Board of Supervisors of Riverside County instructed the District Attorney of Riverside County to intervene in the above case against the contentions of the city of Los Angeles. Be it

Resolved, That the Board of Supervisors desires to protest against the enactment of the measure known as Senate Bill No. 503, and that the District Attorney of Riverside County be instructed to take any steps that he may deem proper and advisable for the defeat of this bill.

This is to certify that the foregoing resolution was duly adopted by the Board of Supervisors of the County of Riverside, California, at the regular meeting of the said Board held on the nineteenth day of February, 1923.

D. G. CLAYTON, Clerk of said Board.
By W. L. CARTSON, Deputy.

Also:

HEMET, CALIFORNIA, February 7, 1923.

Hon. Chester M. Kline,
Member of the Assembly,
San Jacinto, California.

DEAR MR. KLINE: The following resolution was adopted at the regular meeting of the Little Lake Farm Center, February 6, 1923:

WHEREAS, We consider the making of a home on the farm of at least equal importance to the making of a living on the farm, and

WHEREAS, Even now the amount of money spent for home demonstration work is very much less than one-half the amount used by the extension service, and

WHEREAS, The budget submitted does not provide for a continuance of the home demonstration work. Therefore be it

Resolved, By the Little Lake Farm Center that this action on the part of the Board of Control is decidedly unjust to the farmers of the state, and be it further

Resolved, That in case the Board of Control refuses to make this right, we then appeal to the State Legislature to pass Senate Bill No. 600, which provides for the necessary appropriation.

Copies were directed to be sent to yourself and to the Governor and Senator Eden.

Congratulations are certainly in order on your fine position in the Assembly. We are proud of you.

With our personal regards to yourself and wife, we are

Respectfully,

N. S. DILWORTH, Secretary.
H. O. EGGEN, Director.

By Mr. Baker, Edwin:

LOS ANGELES, CALIFORNIA, January 30, 1923.

At a meeting of the Council of the city of Los Angeles held January 30, 1923, the following resolution was adopted:

WHEREAS, A representative reapportionment of the State of California is two years overdue because of the omission of the State Assembly to comply with the mandate of the State Constitution for a rearrangement of Assembly representation after each federal census, and

WHEREAS, This outrageous delay—outrageous to the basic political rights of American citizenry—is resulting in an inequality between representation and taxation, in flagrant violation of the theory of all American government, and

WHEREAS, Toleration of the situation breeds a disrespect of the constitution and a hopelessness of the functionings of representative government that cannot but make for a laxity in our suffrages of the most serious consequences, and

WHEREAS, The apparent determination of some of the assemblymen to ignore the rights of California citizens is robbing all of the southern counties of their just representation and is an outrage as well to the voters of northern counties, since it violates the very principle of representative government which is the basis of the government of the United States, of all other governments founded on its republican model, and even of all Constitutional monarchies. Therefore, be it

Resolved, That the Council of the city of Los Angeles express its astonishment and resentment at the failure of the State Legislature to fulfil the constitutional requirement for Assembly representation in proportion to population of the various districts, and be it

Resolved, That the Council of the city of Los Angeles call the matter to the attention of the councils of all other southern California cities as good neighbors always, and in this case allies, in a cause affecting the citizenship rights of all, and be it

Resolved, That copies of this resolution be sent to all members of the State Legislature at the State Capitol of Sacramento, and to the city councils of all southern California cities, and also to the Governor of the State.

Respectfully,

ROB'T. DOMINGUEZ, City Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred resolution by Mr. Dawson:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $2073.08 in favor of

Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same

Bancroft-Whitney Co., 84 sets Deering's Codes & Suppl. 1921, 6 volumes	$1,974 00
Pacific Telephone & Telegraph Co., January 7th to 31st	23 07
Purnell Stationery Co., 1 Webster's dictionary	4 75
Carithers Sign Co., painting on book "Assembly"	1 00
Purnell Stationery Co., 6 clip files	3 63
Division of Printing, for printing	63 65
American Railway Express Co., expressage	1 73
Purnell Stationery Co., 1 book	75
Sleeper Stamp Co., repairing numbering machine	50
	$2,073 08

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
LYONS.
ROCK.
MITCHELL, A. G.,
PEDROTTI.

Resolution read.

Mr. Dawson moved the adoption of the resolution

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Fulwider, Graves, Johnson, Johnston, Jones Kline, Lyman, Lyons, McMillan, McPherson, Miller, Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts Rock Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—Bernard—1

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1923.

MR. SPEAKER Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code, and recommends the adoption of the resolution herewith

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

District	Name	Address	Distance from seat	Distance from Co. seat, more	Distance from Co. seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
1	G H Douglas	Crescent City, Del Norte Co	364	9		373	746	$74
2	Fred J Moore	Eureka Humboldt Co	312				624	62
3	Earnest Dozier	Redding, Shasta Co	171				342	34
4	A T Mathews	Susanville, Lassen Co	260				520	52
5	Van Bernard	Butte City, Glenn Co	88	15		103	206	20
6	P Connolly	Ukiah, Mendocino Co	150				300	30
7	Bert Snyder	Chico, Butte Co	86	28		114	228	22
8	Fred B Noyes	Yuba City, Sutter Co	50				100	10
9	Cora M Woodbridge	Roseville, Placer Co	37		19	18	36	3
10	Robt B McPherson	Vallejo Solano Co	40	19		59	118	11
11	Frank L Coombs	Napa, Napa Co	61				122	12
12	Emmett I Donohue	Petaluma Sonoma Co	90				180	18
13	Lucien E Fulwider	Santa Rosa Sonoma Co	90				180	18
14	John W Johnston	Sacremento Sacramento Co						
15	Percy G West	Sacramento, Sacramento Co						
16	F G Stevenot	Carson Hill, Calaveras Co	73	16		89	178	17
17	Chas F Reindollar	San Rafael, Marin Co	105			105	210	21
18	Thomas M Carlson	Richmond, Contra Costa Co	62	22		84	168	16
19	Bradford S Crittenden	Tracy, San Joaquin Co	48	20		68	136	13
20	Geo A Dean	Stockton San Joaquin Co	48				96	9
21	Fred O Hawes	San Francisco, San Fran Co	90				180	18

ON MILEAGE—continued

District	Name	Address	Distance from seat	Distance from Co. Seat, more	Distance from Co seat less	Mileage one way	Total mileage	Amount at 10 cents per mile
22	Thomas A Mitchell	San Francisco, San Fran Co	90				180	$18 00
23	Joseph F Burns	San Francisco, San Fran Co	90				180	18 00
24	Walter J Schmidt	San Francisco, San Fran Co	90				180	18 00
25	Wm B. Hornblower	San Francisco, San Fran Co	90				180	18 00
26	Roy Fellom	San Francisco, San Fran Co	90				180	18 00
27	Wm Seward Scott	San Francisco, San Fran Co	90				180	18 00
28	Louis F. Erb	San Francisco, San Fran Co	90				180	18 00
29	Harry F Morrison	San Francisco, San Fran Co	90				180	18 00
30	Clarence W Morris	San Francisco, San Fran Co	90				180	18 00
31	Albert A Rosenshine	San Francisco, San Fran Co	90				180	18 00
32	W J. Rock	San Francisco, San Fran Co	90				180	18 00
33	J B. Badaracco	San Francisco, San Fran Co	90				180	18 00
34	F H Christian	Hayward, Alameda Co	84	14		98	196	19 60
35	H R Spence	Alameda, Alameda Co	84	5		89	178	17 80
36	Edward J Smith	Oakland Alameda Co	84				168	16 80
37	Richmond M Lyman, Jr	Oakland, Alameda Co	84				168	16 80
38	J Croter	Oakland, Alameda Co	84				168	16 80
39	Frank W Anderson	Oakland, Alameda Co	84				168	16 80
40	Chris B Fox	Berkeley, Alameda Co	84				168	16 80
41	Anna L Saylor	Berkeley Alameda Co	84				168	16 80
42	F L Ekswand	Burlingame, San Mateo Co	119				238	23 80
43	Geo C Cleveland	Watsonville, Santa Cruz Co	198	20		218	436	43 60
44	T M. Wright	San Jose, Santa Clara Co	128				276	25 60
45	C C Spalding	Sunnyvale Santa Clara Co	128	10		138	276	27 60
46	Esto B Broughton	Modesto, Stanislaus Co	77				154	15 40
47	Geo A Clarke	Bishop, Inyo Co	418	18		466	932	93 20
48	C C Baker	Salinas, Monterey Co	208				416	41 60
49	D C Williams	Le Grand Merced Co	114	14		128	256	25 60
50	Chas A Foster	Fowler, Fresno Co	169	10		179	358	35 80
51	Herbert McDowell	Fresno, Fresno Co	169				338	33 80
52	S L Heisinger	Selma, Fresno Co	169	16		185	370	37 00
53	Alex McMillan	Shandon, San Luis Obispo Co.	243		20	323	646	64 60
54	Frank Johnson	Hardwick, Kings Co	214	7		221	442	44 20
55	Chas W Cleary	Lindsay, Tulare Co	206	20		226	452	45 20
56	Grace S Dorris	Bakersfield Kern Co	278				556	55 60
57	Isaac Jones	Ontario, San Bernardino Co	508		24	484	968	96 80
58	J J Prendergast	Redlands, San Bernardino Co	508	12		520	1,040	$104 00
59	Edgar W Stow	Goleta, Santa Barbara Co	460		10	450	900	90 00
60	Walter H Duval	Saticoy, Ventura Co	490	8		498	996	99 60
61	Frank C Weller	Glendale, Los Angeles Co	447	8		455	910	91 00
62	Hugh R Pomeroy	Redondo Beach, Los Angeles Co	447	24		471	942	94 20
63	Sidney T Graves	Los Angeles, Los Angeles Co	447				894	89 40
64	Harry Lyons	Los Angeles, Los Angeles Co	447				894	89 40
65	Joseph L Pedrotti	Los Angeles, Los Angeles Co	447				894	89 40
66	Otto J Emme	Los Angeles Los Angeles Co	447				894	89 40
67	Miss Eleanor Miller	Pasadena, Los Angeles Co	447	13		460	920	92 00
68	Allen G Mitchell	Pomona Los Angeles Co	447	33		480	960	96 00
69	Charles B Dawson	Huntington Park, Los Ang Co	447	6		453	906	90 60
70	Frank F Merriam	Long Beach, Los Angeles Co	447	22		469	938	93 80
71	Henry F Carter	Los Angeles, Los Angeles Co	447	25		472	944	94 40
72	W E Badham	Los Angeles, Los Angeles Co	447				894	89 40
73	Elmer P Bromley	Los Angeles Los Angeles Co	447				894	89 40
74	F M Roberts	Los Angeles, Los Angeles Co	447				894	89 40
75	Edwin Baker	Los Angeles, Los Angeles Co	447				894	89 40
76	C D Ball	Santa Ana, Orange Co	481				962	96 20
77	Chester M Kline	San Jacinto, Riverside Co	512	36		548	1,096	109 60
78	George H Davis	El Centro, Imperial Co	661				1,322	132 20
79	P A Whitacre	San Diego, San Diego Co	573				1,146	114 60
80	Edwin A Mueller	El Cajon San Diego Co	573	16		589	1,178	117 80

OFFICER

	C Wm Booth	Oakland, Alameda Co.	84				168	$16 80

Report and resolution read.

Mr. Hawes moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Johnson, Jones, Kline, Lyman, Lyons, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

MOTION TO RE-REFER.

Mr. West moved that Assembly Bill No. 39 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 39 re-referred to Committee on Judiciary.

MOTION TO RE-REFER.

Mr. Dozier moved that Assembly Bill No. 112 be withdrawn from the file, and ordered re-referred to Committee on Conservation.

Motion carried.

Assembly Bill No. 112 re-referred to Committee on Conservation.

MOTION TO RE-REFER.

Miss Broughton moved that Assembly Bill No. 139 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 139 re-referred to Committee on Judiciary.

MOTION TO RE-REFER.

Mr. Wright moved that Assembly Bill No. 188 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 188 re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Moore moved that Assembly Bill No. 205 be withdrawn from the file, and ordered re-referred to Committee on Education.

Motion carried.

Assembly Bill No. 205 re-referred to Committee on Education.

APPOINTMENT OF STANDING COMMITTEE

The Speaker announced the appointment of the following standing committee:

INTRODUCTION OF BILLS—Messrs. Fox (Chairman), Pedrotti, and Snyder.

ANNOUNCEMENT.

By Mr. Speaker:

To the Members of the Assembly, State of California:

I desire to announce that, in accordance with section 247 of the Political Code, I hereby appoint the following Pages, at the per diem provided by law:

Roy Fellom.	Daven Morey
Thomas Prendergast	Theodore Reindollar.
Herman Crow	Chester Forrest

FRANK F. MERRIAM, Speaker.

Mr. Carter moved the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Hornblower, Johnson, Kline, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 5, 1923, passed the following:

Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums;

Also: Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced;

Also: Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to certain unlawful contracts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 8 read first time, and referred to Committee on County Government.

Senate Bill No. 33 read first time, and referred to Committee on Judiciary.

Senate Bill No. 104 read first time, and referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Snyder asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVEN.

Senate Concurrent Resolution No. 7—Approving certain amendments to the charter of the county of Butte, State of California, voted for and ratified by the qualified electors of said Butte county at the general election held therein on the seventh day of November, 1922.

Senate Concurrent Resolution No. 7 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 7 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 7 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 7.

Approving certain amendments to the charter of the county of Butte, State of California, voted for and ratified by the qualified electors of said Butte County at the general election held therein on the seventh day of November, 1922.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 54—An act to amend section 589 of the Political Code, relating to the salary of the Insurance Commissioner.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 105—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 74—An act making the initiative, referendum and recall applicable to levee district number one of Sutter County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 74 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—Dozier—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 73—An act to amend an act entitled, "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 73 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 17 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

COMMUNICATION.

The following communication was filed:

By Mr. Speaker:

CALIFORNIA ALUMNI ASSOCIATION.
BERKELEY, CALIFORNIA, March 2, 1923.

Mr. Frank F. Merriam,
Speaker of the House,
Sacramento, California.

MY DEAR MR. MERRIAM: You have undoubtedly noted in the daily press that we are planning many interesting things looking to the visit of the Senate and Assembly upon the campus of the University on March 16 and at a dinner at the Palace Hotel on that evening.

While the students have planned an interesting series of little visits about the campus I trust that the members of the Legislature will not feel called upon to follow this program if they should not desire to do so. We want them to feel free to come and go as they please.

We are looking forward to a party of at least one hundred and twenty-five legislators and their families. There will be a special Southern Pacific train leaving Sacramento at 8:15 on the morning of the 16th which has been chartered by the Alumni Association and the students of the University to bring the party down to Berkeley.

I trust you are doing everything possible to urge the attendance of the Assembly and that by March 10 you may be able to let me know the names of those who plan to come.

Very sincerely yours,

ROBERT SIBLEY, Executive Manager.

The Speaker referred the above communication to the Committee on Universities.

MOTION.

On motion of Mr. Anderson, the hour of recess was extended until 12.30 p. m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 150—An act declaring the improved county highways of Napa and Solano counties which extend from the intersection of the highway of Napa County and the State highway, to the city of Vallejo, to be a State highway, and extending said highway to the Straits of Carquinez.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 150 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 87 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

The following explanation of vote was received, read, and ordered printed in the Journal:

March 6, 1923.

I desire to make the following explanation of my failure to vote on Assembly Bill No. 87:

Immediately prior to the roll call on this bill I was called from the Assembly Chamber to answer a long distance telephone call in the ante-room, and when I returned the roll had been called and the vote announced. I regret that I was not present to vote for this bill, for I introduced the bill and desired to vote for it.

G. H. DOUGLAS

Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 130 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Johnson, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20*a*, providing for the alteration of the boundaries of drainage districts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 19 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 115 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appro-

priation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16*a*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 14 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Burns, Christian, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Jones, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered the applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names, said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointments to date from and include the fifth day of March, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named persons at said per diem, and the State Treasurer is hereby authorized to pay the same.

F. A. Cooley, Assistant Minute Clerk	$7 00
Charles Erb, File Clerk	7 00
L. M. Bromley, Assistant File Clerk	5 00
Everett Cox, History Clerk	7 00
Albert Brady, Journal Clerk	7 00
Hazel C. McIntosh, Assistant Journal Clerk	5 00
Madge Cross, Chief Stenographer	6 00
Martha Jane Clark, Stenographer	5 00
Winifred Merriman, Stenographer	5 00
Wilhelmina Snyder, Stenographer	5 00
Geneva Bernard, Stenographer	5 00
Ethel Doebler, Stenographer	5 00
Margaret Lawrence, Stenographer	5 00
Ethel C. Secor, Stenographer	5 00
Violet Brassard, Stenographer	5 00
Cornelia De Carlow, Stenographer	5 00
Pearl Power, Stenographer	5 00
Harriett Russell, Stenographer	5 00
Norma Archer, Stenographer	5 00
Gertrude Anderson, Stenographer	5 00
Delores Burrel, Stenographer	5 00
Mrs. Anna Perry, Postmistress	4 00
Mary Desmond, Clerk	4 00
Adelyn D. Stafford, Committee Clerk	4 00
Abe Harris, Assistant Sergeant-at-Arms	5 00
Dan Whalen, Assistant Sergeant-at-Arms	5 00
Charles Wilkenson, Assistant Sergeant-atArms	5 00
P. T. Kline, Clerk to Ways and Means Committee	6 00

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Connolly, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Wednesday, March 7, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 7, 1923

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY

Through the courtesy of Mr. Morris, Mrs. Laura Grace Stoner of Los Angeles was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hawes, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

RIVERSIDE COUNTY FARM BUREAU,
RIVERSIDE, CALIFORNIA.

WHEREAS, The appropriation for the protection of the forests has been cut from the budget, therefore be it

Resolved, That the Jurupa Farm Center do protest and ask that the forests of our State have adequate protection.

R. D. WOODARD, Director.
J. H. ATWATER, Secretary.

Also:

RIVERSIDE COUNTY FARM BUREAU,
RIVERSIDE, CALIFORNIA.

WHEREAS, The appropriation for the home demonstration work has been cut from the budget; therefore be it

Resolved, That the Jurupa Farm Center protest and ask that this work be retained as at present.

R. D. WOODARD, Director.
J. H. ATWATER, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON UNIVERSITIES

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1923.

MR SPEAKER Your Committee on Universities, to which was referred Assembly Bill No 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the Southern Branch of the University of California, situated in the city of Los Angeles,

Also Assembly Bill No 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the Southern Branch of the University of California, situated in the city of Los Angeles

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, and be re-referred to Committee on Ways and Means.

BADHAM, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No 500—An act making an appropriation for the construction and improvement of the State highway extending from Mojave in Kern County to Independence in Inyo County—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno, and the floor of the Kings River canyon, at or near Cedar Grove hotel in said county—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "an act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes, to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits, to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof, and to provide a method of dissolving such districts," approved May 16, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree Road, to be a part of the "Seven Per Cent highway system";

Also Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscom to Westport, all located in Mendocino County, to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DOUGLAS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway, and making an appropriation for the resurvey, reconstruction and improvement thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DOUGLAS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 62—An act making an appropriation for the improvement of the State highway between Briceburg, Mariposa County, and El Portal, Mariposa County;

Also: Assembly Bill No. 411—An act making an appropriation for the construction, reconstruction and improvement of all State highways in San Joaquin County. Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 127—An act declaring the public highway extending from the eastern limits of the city of San Jose, Santa Clara County, to Lick Observatory on Mount Hamilton, Santa Clara County, to be a State highway and making an appropriation for the improvement thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1923.

MR. SPEAKER: Your Committee on Universities, to which was referred Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

BADHAM, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence;

Also: Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Cleary:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Referred to Committee on Introduction of Bills.

By Mr Fulwider.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for seventy-third and seventy-fourth fiscal years.

Referred to Committee on Introduction of Bills.

By Mr. Lyons:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act creating the office of public trustee in each county of the State; providing for the appointment of a public trustee in counties of the first, second and third class and that the county treasurer in all other counties shall act as public trustee; requiring such public trustee to execute a bond; prescribing the powers and duties and salary of and the fees to be charged by such public trustee; prescribing the procedure to be followed in dealing with and rules relating to deeds of trust, and relating to release of trust deeds.

Referred to Committee on Introduction of Bills.

By Mr. McMillan:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to add a new section to the Political Code, to be numbered 4259*a*, relating to the fees and mileage of jurors in counties of the thirtieth class

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Assembly Bill No 719, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED NINETEEN.

Assembly Bill No 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919.

RESOLUTION.

The following resolution was offered:

By Mr. Kline:

Resolved, That Assembly Bill No. 719 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Kline moved the adoption of the resolution

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED NINETEEN.

Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED NINETEEN.

Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes, to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 719 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Mitchell, T A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—71.

NOES—None

Title read and approved.

Bill ordered to engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred Assembly Bill No 787—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same, with the recommendation that the author be permitted to introduce the same The title of said bill is as follows

By Mr Fulwider An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for seventy-third and seventy-fourth fiscal years.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G, Mitchell, T A, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Fulwider: Assembly Bill No 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for the seventy-third and seventy-fourth fiscal years.

Bill read first time, and referred to Committee on Ways and Means

By Mr. Mathews: Assembly Joint Resolution No 17—Relative to memorializing Congress to adopt a bill introduced by Hon John E. Raker to provide compensation in lieu of taxes for the several states

with respect to certain lands of the United States within the borders of said states, and for other purposes

Resolution read, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Universities, to which was referred the communication extending to the Legislature an invitation from the California Alumni Association of Berkeley to be their guests March 16, has had the same under consideration, and respectfully reports the same back and recommends that the Assembly accept the invitation with thanks.

BADHAM, Chairman.

Report read, and on motion of Mr. Morris, unanimously adopted.

ANNOUNCEMENT.

Mr. Anderson announced that the City Council of Oakland had passed a resolution inviting the members of the Legislature and their families to be the guests of the City of Oakland on Saturday, March 17, 1923.

Mr. Badham moved that the Assembly accept the invitation with thanks.

Invitation unanimously accepted.

RESOLUTION.

The following resolution was offered:

By Mr. Whitacre:

WHEREAS, Bills have been introduced to abolish certain governmental commissions heretofore carried on by the State of California, and providing in some cases for the transfer of those functions and the duties of said commissions to other branches of the State of California; and,

WHEREAS, It is desired that the Assembly of the State of California should have the fullest information presented to its members in order that they may intelligently vote on the necessity of the passage of such bills; now, therefore, be it

Resolved, That beginning with Monday, March 12, 1923, at the hour of 1.30 p.m., and each day thereafter, at such time as shall be agreeable to its members, the Assembly of the State of California shall hold public hearings in the Assembly Chamber as a Committee of the Whole and invite and direct a representative or representatives of each of the commissions proposed to be abolished to appear before the Assembly and give its arguments and explanations either in favor or against the proposed bills; and, be it further

Resolved, That the head of each commission or department whose salary is to be reduced by any bill shall also be directed to appear before this Assembly and give his or her testimony, and, be it further

Resolved, That the governmental department with which such commissions or functions are to be consolidated be also notified and directed to appear before the Assembly to testify as to their ability to efficiently and economically carry on the new functions transferred to them and that the authors of such bills be invited to present before the Committee of the Whole their arguments and reasons in favor of said bills, and, be it further

Resolved, That the Clerk of the Assembly be instructed to notify persons interested in said hearings of the time and place of the same and to arrange a schedule of the same, beginning with Monday, March 12, 1923, at 1.30 p.m., and daily thereafter.

MOTION TO REFER.

Mr. Morris moved that Mr. Whitacre's resolution be referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR ROLL CALL.

On request of Messrs. Wright, Bernard, Kline, Bromley and Baker, Edwin, the Speaker ordered a roll call taken on the motion to refer.

The question being on the motion to refer.

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Connolly, Croter, Dawson, Douglas, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Kline, Lyman, Lyons, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Roberts, Scott, Smith, Stow, Weller, and Mr. Speaker—36.

NOES—Badaracco, Ball, Bernard, Broughton, Carlson, Cleary, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Fellom, Heisinger, Johnson, Jones, Mathews, McDowell, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—35.

The Speaker referred Mr. Whitacre's resolution to the Committee on Governmental Efficiency and Economy.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 64—An act to amend section 1269a of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill Mr. Dozier moved that the Speaker appoint a Select Committee of One to amend Assembly Bill No. 64 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "hopelessly" and insert in lieu thereof the word "permanently".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—Dozier, Hornblower, and Snyder—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Bill read third time.

MOTION.

Mr. Baker, Edwin, moved that consideration of Assembly Bill No. 75 go over to the next legislative day.

Motion carried.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis

Obispo, and making an appropriation therefor," approved March 8, 1901.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 359 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornbolwer, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—Emme, and Snyder—2

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 543 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Crittenden, Crater, Davis, Dawson, Dean Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Crater, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend Assembly Bill No. 72 as follows:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, after the figures "2620" insert the following: "Width of highways The width of all public highways, except bridges, alleys, and lanes, and trails, shall be at least forty feet The width of all private highways and by-roads, except bridges, shall be at least twenty feet; *provided, however*, that nothing in this act shall be so construed as to increase or diminish the width of either kind of highways already established or used as such."

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 72 with instructions, reports that the instructions of the Assembly have been carried out,

DONOHUE, Select Committee.

Report of Select Committee of One and amendments adopted
Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

Bill read third time.

MOTION.

Mr. Rock moved that consideration of Assembly Bill No 18 go over until the next legislative day.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR SPEAKER Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and makes the following report and recommends the adoption of the following resolution

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names, said employment to date from and be effective as follows.

Effective March 5	
Theodore Lafayette, Assistant Sergeant-at-Arms	$5 00
Estelle Eksward, Committee Clerk	4 00
Margaret Duffy, Stenographer	5 00
Effective March 6	
Agnes Howe Committee Clerk	4 00
William Allen, Assistant Sergeant-at-Arms	5 00
Barney Collum, Assistant Sergeant-at-Arms	5 00
A S. Gomes, Assistant Sergeant-at-Arms	5 00
F. F. Williamson, Assistant Sergeant-at-Arms	5 00
Lawrence C. Green, Assistant Sergeant-at-Arms	5 00
W. H. Westphal, Assistant History Clerk	5 00
Ralph Blakeslee Clerk to Judiciary Committee	6 00
Effective March 7	
Charles A Joyce, Engrossing and Enrolling Clerk	7 00
Eugene L. Webber, Assistant Engrossing and Enrolling Clerk	5 00
E V Mitchell, Committee Clerk	4 00
Hermina Badham, Committee Clerk	4 00
Gertrude Emmerich, Committee Clerk	4 00
Teresa Vaughan, Committee Clerk	4 00

And be it further

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrants in favor of the above named persons upon the appropriation for the payment of officers and employees of the Assembly and the State Treasurer is hereby authorized and directed to pay the same

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Badham, Baker, C C, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64

NOES—None.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 5—An act to amend section 12 of an act entitled, "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," approved May 31, 1917

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 5 read first time, and referred to Committee on Municipal Corporations

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Also Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley Irrigation districts under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and also, to provide for the distribution of water for irrigation purposes," as amended

Also Senate Bill No. 112—An act to amend section 2192 of the Political Code, relating to the Sonoma Home for Feeble-Minded

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 68 read first time, and referred to Committee on Elections.

Senate Bill No. 89 read first time, and referred to Committee on Irrigation

Senate Bill No. 112 read first time, and referred to Committee on Hospitals and Asylums.

ADJOURNMENT.

At twelve o'clock and forty-six minutes p. m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 8, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 8, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Morris, Mr. Hawes was granted leave of absence for the day

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Graves, Mr. Charles L. Richards, Congressman-at-Large from Nevada, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Johnston, Mr. Thomas D. Johnston, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Snyder, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

HEMET WOMAN'S CLUB,
HEMET, CALIFORNIA.

WHEREAS, Many of our members are also members of the Farm Bureau, and as such have been greatly benefited by the Home Demonstration Work of the Agricultural Extension Service, and

WHEREAS, The budget submitted to the State Legislature does not provide funds for the continuing of this work as it is done now,

Resolved, That we, the members of the Hemet Woman's Club, hereby protest this action of the Board of Control, and

Resolved, That we strongly urge the State Legislature to pass Senate Bill No. 600, and further

Resolved, That copies of these resolutions be sent to Governor Friend Wm. Richardson, Senator Walter Eden, and Assemblyman Chester Kline

February 15, 1923.

By Mr. McPherson:

To the Honorable Committee on Commerce and Navigation

GENTLEMEN We, the undersigned, respectfully petition your honorable body to grant us a public hearing on January 31, 1923, on Assembly Bill No. 745, introduced by Mr. Reindollar, and referred to your committee.

(Signed) THOMAS G. PLANT.
And 5 others.

By Mr Baker, Edwin:

IN RE REAPPORTIONMENT OF SENATE AND ASSEMBLY DISTRICTS.

On motion of Supervisor Wright, duly seconded and unanimously carried, it is ordered that the following resolution be adopted

WHEREAS, The constitution of the State of California provides for a reapportionment of the Senate and Assembly districts every ten years, based upon the latest census of population; and

WHEREAS, The great increase in population of Los Angeles County during the past ten years entitles this county to a corresponding increase in representation in the State Legislature, now, therefore,

Resolved, By the Board of Supervisors of Los Angeles County, that we earnestly urge the Legislature in session assembled to reapportion the Senate and Assembly districts in strict conformity with the provisions of the State constitution,

Resolved further, That the Clerk of the board be instructed to mail copies of this resolution to the Governor and to each member of the State Senate and Assembly.

The foregoing resolution was unanimously adopted by the Board of Supervisors of the County of Los Angeles on January 29, 1923

A. M. McPHERRON,
Chief Clerk, Board of Supervisors.

By Mr. Fellom:

PALO ALTO, CALIFORNIA, March 6, 1923.

Honorable Roy Fellom, Sacramento, Cal

MR. FELLOM We are finding much support from societies and individuals and are hoping most earnestly that Assembly Bill No 89 will pass.

There is a murder case right here at home in which conviction, if it occurs, will be wholly upon circumstantial evidence A boy of twenty-four. No direct evidence of any kind to prove his guilt. Surely it were better that all guilty should go unhung than that one innocent should be executed. And yet that does happen

It is my strong conviction that any legislator who thinks the death penalty justified should witness an execution before casting the vote Not only the execution itself, but should be made vitally aware of the torture endured by the victim while awaiting the execution

In case Assembly Bill No. 89 should fail it seems to me it would be well to introduce one requiring all jurors, judges, and prosecuting attorneys who have a share in fastening the death penalty upon man or woman to themselves witness the execution It is highly probable that the knowledge of this requirement would be a strong factor in preventing the death sentence.

It would be a satisfaction if we could know about how much more time there will be before the bill comes up.

I enclose a few more names

Wishing you all success. MARION S. ALDERTON.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improve-

ment warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof, and to provide a method of dissolving such districts," approved May 16, 1919—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered transmitted to the Senate.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno, and the floor of the Kings River canyon, at or near Cedar Grove hotel in said county—has had the same under consideration, and respectfully reports the same back without recommendation, and that same be re-referred to Committee on Roads and Highways.

KLINE, Chairman.

The above reported bill ordered re-referred to Committee on Roads and Highways.

ON REAPPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Reapportionment, to which was referred Assembly Bill No. 239—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EKSWARD, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 42—An act to amend section 1072 of the Political Code relating to compensation of officers of election—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for the seventy-third and seventy-fourth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 875—An act to provide for the transportation of

certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

WOODBRIDGE, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 939—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children;

Also: Assembly Bill No. 546—An act to amend section 607e of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WOODBRIDGE, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Lyons: An act creating the office of public trustee in each county of the State, providing for the appointment of a public trustee in counties of the first, second and third class and that the county treasurer in all other counties shall act as public trustee, requiring such public trustee to execute a bond; prescribing the powers and duties and salary of and the fees to be charged by such public trustee, prescribing the procedure to be followed in dealing with and rules relating to deeds of trust, and relating to release of trust deeds.

By Mr. McMillan: An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class.

By Mr. Cleary: An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report

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

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fuldwider, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Lyons: Assembly Bill No. 1260—An act creating the office of public trustee in each county of the State, providing for the appointment of a public trustee in counties of the first, second and third class

and that the county treasurer in all other counties shall act as public trustee; requiring such public trustee to execute a bond; prescribing the powers and duties and salary of and the fees to be charged by such public trustee; prescribing the procedure to be followed in dealing with and rules relating to deeds of trust; and relating to release of trust deeds.

Bill read first time, and referred to Committee on Banking.

By Mr. McMillan: Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259*a*, relating to the fees and mileage of jurors in counties of the thirtieth class.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cleary: Assembly Bill No. 1262—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class

Bill read first time, and referred to Committee on County Government

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Assembly Bill No. 1259, at this time, without reference to file

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-NINE

Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for seventy-third and seventy-fourth fiscal years.

RESOLUTION.

The following resolution was offered:

By Mr Kline:

Resolved, That Assembly Bill No. 1259 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Mr. Kline moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—59.

NOES—None.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-NINE.

Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for seventy-third and seventy-fourth fiscal years.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-NINE.

Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for seventy-third and seventy-fourth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Bernard, Broughton, Christian, Clarke, Cleveland, Connolly, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Eksward asked for and was granted permission to use the Assembly Chamber for a public hearing on reapportionment, for the evening of Thursday, March 15, 1923.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same

MOTION TO AMEND.

During the second reading of the bill the following amendment was offered by Mr. Fellom:

AMENDMENT NUMBER ONE

Strike out the description of the real property commencing at line 5, page 1, and ending on line 4, page 2, and in lieu thereof insert the following

"Beginning at the point where the northeasterly line of Third street cuts the southeasterly line of Berry street, said point being distant three hundred twenty-two and five-tenths (322.5) feet from the southeasterly line of King street; thence running easterly at an angle of nineteen degrees seventeen minutes twenty-six seconds (19° 17′ 26″) with said southeasterly line of Berry street eight hundred eighty-eight and fifty-four hundredths (888.54) feet, more or less, to the westerly line of The Embarcadero, thence northerly along said line of The Embarcadero two hundred thirty-six and ninety-eight hundredths (236.98) feet, more or less, to the southeasterly corner of Seawall lot number twenty-five (25); thence at a right angle westerly along the southerly line of said lot one hundred ten and ninety-six hundredths (110.96) feet, more or less, to the southwesterly corner of said lot; thence northwesterly along the southwesterly line of said lot forty-one and forty-eight hundredths (41.48) feet, more or less, to the westerly corner of said lot, thence at a right angle southwesterly along the southeasterly line of Berry street nine hundred eight and ninety-one hundredths (908.91) feet to the point of beginning, containing three and four-tenths (3.4) acres of land."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 221 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Layman, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Mueller, Noyes, Pedrotti Pomeroy, Prendergast, Reindollar, Roberts Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

Assembly Bill No. 18 read third time.

MOTION TO RE-REFER.

Mr. McPherson moved that Assembly Bill No. 18 be withdrawn from the file, and ordered re-referred to Committee on State Grounds and Parks.

Motion carried.

Assembly Bill No. 18 ordered re-referred to Committee on State Grounds and Parks

SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER).

Assembly Bill No 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway, and making an appropriation for the resurvey, reconstruction and improvement thereof.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of section 2 and that part of the title following the word "highway" on the third line thereof.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Eksward:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1597 of the Political Code, relating to school elections.

Referred to Committee on Introduction of Bills.

By Mr. McDowell:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite his name, be stricken from the roll to date from and including the sixth day of March, 1923.

W. H. Westphal, Assistant History Clerk $5 00

CARTER, Chairman

Resolution read, and on motion adopted.

RECESS.

At eleven o'clock a.m., Mr. Carter moved that the Assembly do now recess, subject to the call of the Speaker.

Motion carried.

REASSEMBLED.

At eleven o'clock and forty-six minutes a.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORT OF STANDING COMMITTEE—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions and makes the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names, said employment to date from and be effective as follows

Effective March 5, 1923	
Irene Murphy, Stenographer	$5 00
T. S. Chambers, Assistant Sergeant-at-Arms	5 00
Effective March 6, 1923.	
Anna McGoldrich, Stenographer	5 00
Florence Miller, Stenographer	5 00
Helen Obrikot, Stenographer	5 00
Irene Monteverde, Stenographer	5 00
Edith J. Mensing, Stenographer	5 00
W. H. Westphal, Assistant Sergeant-at-Arms	5 00
E. C. Stevens, Assistant Minute Clerk	7 00
Effective March 7, 1923	
Elizabeth Fulwider, Committee Clerk	4 00
Ella M. Dobbins, Committee Clerk	4 00
Bertha F. Moore, Committee Clerk	4 00
Francis Pedrotti, Committee Clerk	4 00
Nelia Davis, Committee Clerk	4 00
Effective March 8, 1923.	
Frank Fletcher, Assistant History Clerk	5 00
William J. Keyes, Assistant Sergeant-at-Arms	5 00
James Henry, Assistant Sergeant-at-Arms	5 00
Joe Bafigo, Assistant Sergeant-at-Arms	5 00
Gerald Scannell, Assistant Sergeant-at-Arms	5 00
R. T. Howard, Assistant Sergeant-at-Arms	5 00
Frank J. McCarthy, Assistant Sergeant-at-Arms	5 00
Harry H. Smelzer, Assistant Sergeant-at-Arms	5 00
Pearl E. Baker, Committee Clerk	4 00
Mrs. M. A. Clarke, Committee Clerk	4 00
Gertrude Magruder, Committee Clerk	4 00
Ami J. Davis, Committee Clerk	4 00
Blanche P. Dawson, Committee Clerk	4 00
Madelein Grunsky, Committee Clerk	4 00

Jack D. Walker, Committee Clerk	$4 00
Carrie Schmidt, Committee Clerk	4 00
Jennie Johnson, Committee Clerk	4 00
Frances M. Pomeroy, Committee Clerk	4 00
Irene Snyder, Committee Clerk	4 00
Jessie A. Spalding, Committee Clerk	4 00
Frank Sullivan, Page	2 50
D. L. Weller, Committee Clerk	4 00
John Kelly, Assistant Sergeant-at-Arms	5 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrants in favor of the above named persons upon the appropriation for the payment of officers and employees of the Assembly and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Donohue, Dorris, Douglas, Duval, Eksward, Erb, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Kline asked for and was granted permission to use the Assembly Chamber for a public hearing on the budget by the Assembly Ways and Means and Senate Finance Committees each day at two p.m., starting Thursday, March 8, 1923.

ADJOURNMENT.

At 11 o'clock and 58 minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until 11 o'clock a.m., Friday, March 9, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 9, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. McPherson, Mr Coombs was granted leave of absence for the day.

On motion of Mr. Christian, Mr. Fox was granted leave of absence for the day.

On motion of Mr. Badaracco, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Donohue, Mr. Fulwider was granted leave of absence for the day.

On motion of Mr. Schmidt, Mr. Hornblower was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Senator and Mrs. Walter T. Merrick of Pennsylvania were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Cleveland, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr. Graves:

RESOLUTION BY THIRTEEN MEMBERS OF THE ASSEMBLY FROM LOS ANGELES CITY AND COUNTY.

WHEREAS, Senate Bill No. 503 proposes to permit political divisions or subdivisions to arbitrarily condemn and confiscate property already appropriated to a public use or purpose for another public use or purpose, and

WHEREAS, Senate Bill No. 503, if enacted, would enable population centers actuated by unwise or selfish motives to seriously jeopardize the interests, progress and expansion of districts containing population minorities, and

WHEREAS, Senate Bill No. 503 in a particular instance proposes to place in the hands of the Los Angeles City Bureau of Power and Light autocratic authority inimical to the people of Southern California outside of Los Angeles city, in that this measure, if enacted, will permit Los Angeles city to confiscate and utilize present and potential power and water rights now being and in the future to be used to promote the well being industries, growth and prosperity of such centers of wealth as Riverside, Redlands, San Bernardino, Santa Ana Valley and Imperial Valley, and

WHEREAS, Senate Bill No. 503 does not in our judgment represent the will or the best interests of the people of Los Angeles city or county, and its presence in the Legislature at this time gives rise to misapprehension, suspicion and resentment on the part of the people of Southern California outside of Los Angeles city; now, therefore, be it

Resolved, That we, members of the Assembly from Los Angeles city and county in the Legislature now convened, do hereby condemn, and pledge ourselves to oppose passage of Senate Bill No. 503 or any other measure of like purpose.

By Mr. Kline:

RIVERSIDE, CALIFORNIA, February 1, 1923.

Hon Chester M. Kline,
Assemblyman California Legislature,
San Jacinto, California.

DEAR SIR: The Glenavon Women's Club at their regular meeting, February 1, 1923, thirty members present, passed a resolution in protest against the possibility of transfer of the home demonstration work of the Farm Bureau from the Agricultural Extension Service to other channels.

Resolution adopted as follows:

WHEREAS, The home demonstration work in our county and State has been successful under the present nation wide plan, and

WHEREAS, This essentially adult education, being an evolution in educational methods, and

WHEREAS, There is a possibility of this work being hampered or killed by transfer to other channels, therefore be it

Resolved, That we, the Glenavon Women's Club, Riverside County, do hereby request that this work shall be continued through the Agricultural Extension Service, where it has been satisfactorily initiated and operated for years, and be it further

Resolved, That a copy of this resolution be sent to Governor Richardson, Assemblyman Kline, Senator Eden and the Board of Control.

Most respectfully submitted,

MRS. C. FALKENSTEIN,
MRS. W. A. ANDERSON,
MRS. E. GOGIN,
Committee.

By Mr. Weller:

ASSOCIATED CHAMBERS OF COMMERCE OF THE SAN FERNANDO VALLEY,
March 1, 1923.

Hon. Frank Weller, Assemblyman,
State Legislature,
Sacramento, California.

HONORABLE SIR: At a meeting of the Associated Chambers of Commerce, held on February 20, 1923, the following resolution was adopted:

WHEREAS, A representative reapportionment of the State of California is two years overdue because of the omission of the State Assembly to comply with the mandate of the State constitution for a rearrangement of Assembly representation after each federal census, and

WHEREAS, This outrageous delay—outrageous to the basic political rights of American citizenry—is resulting in an inequality between representation and taxation, in flagrant violation of the theory of all American government, and

WHEREAS, Toleration of the situation breeds a disrespect of the constitution and a hopelessness of the functionings of representative government that cannot but make for a laxity in our suffrages of the most serious consequences, and

WHEREAS, The apparent determination of some of the Assemblymen to ignore the rights of California citizens is robbing all of the southern counties of their just representation and is an outrage as well to the voters of northern counties since it violates the very principle of representative government which is the basis of the government of the United States, of all other governments founded on its republican model and even of all constitutional monarchies; therefore be it

Resolved, That the Associated Chambers of Commerce express its astonishment and resentment at the failure of the State Legislature to fulfill the constitutional requirement for Assemblymen representation in proportion to population of the various districts.

By Mr. McPherson:

To the Honorable Members of the Committee on Municipal Corporations.

GENTLEMEN: We, the undersigned, respectfully petition your honorable body to grant us a public hearing regarding Assembly Bill No. 744, introduced by Mr. Reindollar January 31, 1923, and referred to your committee.

(Signed) THOMAS G. PLANT,
And 5 others.

By Mrs. Dorris:

Resolved, That whereas it has been proposed to reduce or eliminate the following departments Viticulture or Plant Industry, Bureau of Plant Pest Control, Bureau of Plant Quarantine, Bureau of Standardization, and Division of Markets, in the State, and

WHEREAS, With these proposed changes, the State administration has materially reduced the appropriation in preparing the recently prepared new budget for the coming biennium, and

WHEREAS, We, the Table Grape Growers of the county of Kern, are convinced that this action, if carried out, would render the service we have been heretofore rendered, and are now receiving, inadequate, unsatisfactory and ineffective, and

WHEREAS, We take this method of manifesting our desire and need for the continuance of these divisions, as at present conducted, administered and supervised, now, therefore,

We, the Table Grape Growers, respectfully request that those vested with the authority in budgeting, allotment and appropriating of the state moneys, give their fullest consideration to the desire of the Grape Growers of the county of Kern for the continuance and support of these aforementioned divisions

L. B NOURSE, Chairman.
NELSON J. BROOKS, Secretary.

Also:

Resolved, That, whereas it has been proposed that home demonstration agent work be separated from the Agricultural Extension Service of the University of California and be transferred to the various local high school districts in the State; and

WHEREAS, With this change in view, the State administration has materially reduced the appropriation for home demonstration agent work in preparing the recently published new budget for the coming biennium; and

WHEREAS, We, the undersigned women of Kern County, are convinced that this action, if carried out, would render the service we have been heretofore and are now receiving inadequate, unsatisfactory, and ineffective; and

WHEREAS, We take this method of manifesting our desire for and our need of this work as at present conducted, administered, and supervised; now, therefore,

We, the undersigned, respectfully request that those vested with authority in the budgeting, allotment, and appropriation of State moneys, give the fullest consideration to the desire of farm women for the continuation of home demonstration agent work on the existing plan of organization.

MRS. J. M. REICHERT, Pond, California.
And 178 others

Also:

Resolved, That, whereas it has been proposed that home demonstration agent work be separated from the Agricultural Extension Service of the University of California and be transferred to the various local high school districts in the State, and

WHEREAS, With this change in view, the State administration has materially reduced the appropriation for home demonstration agent work in preparing the recently published new budget for the coming biennium, and

WHEREAS, We the undersigned women of Kern County are convinced that this action, if carried out, would render the service we have been heretofore and are now receiving inadequate, unsatisfactory, and ineffective, and

WHEREAS, We take this method of manifesting our desire for and our need of this work as at present conducted, administered, and supervised; now, therefore,

We, the undersigned, respectfully request that those vested with authority in the budgeting, allotment, and approprpriation of State moneys give the fullest consideration to the desire of farm women for the continuation of home demonstration agent work on the existing plan of organization.

MRS. C. L. MARTIN, Chairman Kern County Home Department.
And 7 others.

By Mr. Crittenden:

WHEREAS, The consumption of narcotic drugs in the United States now amounts to 36 grains per capita as against 1 to 3 grains per capita for European countries; and

WHEREAS, Federal statistics show that the traffic in morphine, cocaine, heroin and prepared opium has nearly trebled in volume in this country within the past two years, and

WHEREAS, Drug addiction now has been proven to exist in large cities and small towns alike, and in all sections of the United States, and in many walks of life; and

WHEREAS, These facts powerfully demonstrate the need for prompt education of the American people, young and old, to the terrible results of the narcotic habit upon health and morals and the growth of crime; therefore be it

Resolved, That the President of the United States be respectfully requested and urged to proclaim an Anti-Narcotic Week early in 1923, as a means of mobilizing this organization and all public-spirited bodies for the work of arousing the American people to the gravity of this menace, and aligning public opinion behind the task of narcotic suppression, and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Governor of California, the United States Senators from California, the Congressman and State Senator and Assemblyman from this district, and to the press.

WHEREAS, Custom seizures of narcotic drugs at the port of San Francisco have increased from a wholesale valuation of $78,571 in 1920 to that of $205,679 in 1923, indicating a tremendous increase in smuggling activities from foreign sources; and

WHEREAS, The increase in this deadly traffic can only indicate the appalling extent to which American manhood and womanhood are being undermined by a vice invading our nation from abroad; and

WHEREAS, This is truly an international problem, since the supplies of opium, morphine, cocaine, heroin, and marijuana come entirely from foreign sources, and can only be controlled at the source of supply; therefore be it

Resolved, That the President of the United States be respectfully but urgently petitioned to bring about an international conference on the narcotic problem, with

a view to securing the limitation by treaty of the basic production of poisonous drugs which constitute a major menace to American life; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Governor of California, the United States Senators from California, the Congressman from this district, the State Senator and Assemblyman from this district, and the press.

LOCKEFORD WOMAN'S CLUB, LOCKEFORD, CALIFORNIA.
MRS. W. S. MONTGOMERY, President.

MRS. E. A. NIXON, Secretary.

ANNOUNCEMENT.

The Speaker announced the receipt of the tentative program for University Day, March 16, 1923, as submitted by Mr. Robert G. Sproule, Comptroller and Secretary of the University of California, and ordered that the same be printed in the Journal.

TENTATIVE PROGRAM FOR UNIVERSITY DAY, MARCH 16, 1923.

8:15 a.m.—Leave Sacramento by special Southern Pacific train.
10:45 a.m.—Arrive Berkeley, University avenue.
10:50 a.m.—Proceed by automobile to University.
11:00 a.m.—University meeting, Harmon Gymnasium.
12:00 m.—Drill and sham battle, University R. O. T. C.
12:30 p.m.—Lunch as guests of Associated Students.
2:00 p.m.—Trips about Campus.
4:00 p.m.—Reception at President Barrows' home.
5:00 p.m.—Dedication Henry Morse Stephens Hall.
5:40 p.m.—Leave Berkeley for San Francisco.
6:30 p.m.—Banquet, Palace Hotel, as guests of California Alumni Association.

MOTION TO SUSPEND RULE.

Mr. Douglas moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for the seventy-third and seventy-fourth fiscal years—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered transmitted to the Senate.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 105—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Also: Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Also: Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056, and also all the acts and proceedings of said district.

Also: Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury who may be present and recording of testimony.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XIII thereof, relating to taxpayers' statements of property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 2 of article IV thereof, relating to the sessions and business of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties, providing

for the government of such districts, designating the officers thereof and prescribing their powers and duties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of Joint Highway District No. 3, composing two or more counties of the State of California,

Also Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

DOUGLAS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 21—An act making an appropriation for the improvement of the State highway from the southern limits of the city of Sacramento, Sacramento County, to the town of Galt, Sacramento County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR SPEAKER Your Committee on Labor and Capital, to which was referred Assembly Bill No 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913;

Also: Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators,

Also Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended·

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BURNS, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1923.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Bill No. 5—An act to amend section 12 of an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California including incorporated towns, incorporated cities and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," approved May 31, 1917—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors;

Also: Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court.

Also: Assembly Bill No. 496—An act to amend section 927a of the Code of Civil Procedure, relating to the small claims court.

Also: Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons;

Also: Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

Also: Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts;

Also: Assembly Bill No. 272—An act to establish Gold Discovery Day;

Also: Assembly Bill No. 541—An act to amend section 1184a of the Code of Civil Procedure relating to notice to owner of labor performed and materials furnished.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737mm, relating to the salaries of superior judges, approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered applicants for the various positions, and makes the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at per diem set opposite their respective names, said employment to date from and be effective as follows:

Effective March 8, 1923:

Fay Butler, Assistant Sergeant-at-Arms	$5 00
J. E. Lindsay, Assistant Sergeant-at-Arms	5 00
J. M. Riddle, Committee Clerk	4 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrants in favor of the above named persons upon the appropriation for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Jones:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

Referred to Committee on Introduction of Bills.

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal section 257 of the Civil Code, relating to guardian and ward.

Referred to Committee on Introduction of Bills.

By Mr. Croter:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1297, relating to the posting of notices.

Referred to Committee on Introduction of Bills.

By Mr. Badaracco:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputies; defining the powers and duties of such officers and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Referred to Committee on Introduction of Bills.

MOTION.

Mr. Bromley moved that the Sergeant-at-Arms be instructed to furnish an Assistant Sergeant-at-Arms to aid Mr. Eksward whenever he desires.

Motion unanimously adopted.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Emme asked for and was granted permission to use the Assembly Chamber for a public hearing on the Old Age Pension Bill by the Assembly and Senate Public Charities and Corrections committees, for the evening of Tuesday, March 20, 1923.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 6 and 7 and insert in lieu thereof the following. "San Benito, Monterey, San Luis Obispo, Santa Barbara, Ventura and the city and county of San Francisco"

AMENDMENT NUMBER TWO.

Strike out all of lines 10 and 11 and insert in lieu thereof the following: "Sacramento, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, Kern, Inyo, Mono, Mariposa, Tuolumne, Calaveras, Amador."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 10, line 8, strike out the words "Disposition of irregular ballots", and insert in lieu thereof the folowing "Locking machine".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 42—An act to amend section 1072 of the Political Code, relating to compensation of officers of election.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 546—An act to amend section 607*e* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California.

Bill read second time, ordered to engrossment, and third reading.

ADJOURNMENT.

At eleven o'clock and forty-five minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 12, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 12, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Rev. David C. Williams, member of the Assembly from the forty-ninth district.

LEAVES OF ABSENCE.

On motion of Mr. Smith, Mr. Spence was granted leave of absence for the day.

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

On motion of Mr. Schmidt, Mr. Mitchell, T. A., was granted leave of absence for the day.

On motion of Mr. Hawes, Mr. Morris was granted leave of absence for the day.

On motion of Mr. Badaracco, Mr. Rosenshine was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Heisinger, Mr. A. M. Drew, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the curtesy of Mr. Weller, Mr. W. E. Evans of Glendale, Vice-Chairman of the Republican County Central Committee, of Los Angeles County, Mr. Dana R. Weller of Los Angeles, Mr. E. J. Wightman of Long Beach, and Mr. Martin Neuner of Los Angeles were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Baker, Edwin, Mr. Wm. Raymond of Hollywood was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Foster, Mr. J. M. Crawford of Fresno was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Pedrotti, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

WHEREAS, Governor Friend Wm. Richardson appears in his budget presented to the Legislature, to have made inadequate recommendations for the maintenance of the high standard of our splendid school system, and

WHEREAS, The budget greatly handicaps the state teachers colleges in the training of teachers who must instruct our future citizens; and

WHEREAS, The budget necessitates the elimination of the State departments of vocational and physical education, and

WHEREAS, The budget eliminates State supervision in home economics, trades industries, and agriculture, as well as support for the compulsory part-time education; now therefore, be it

Resolved, That we, the members of the Riverside City Teachers' Association, do strongly urge

That Governor Friend Wm. Richardson and the Legislature establish a budget assigning sums and amounts which shall be sufficient to maintain the public school system of the State at an undiminished high standard.

That copies of these resolutions be sent to the Governor, to members of the Legislature, to the daily press, boards of education, the chamber of commerce, and other civic organizations.

(Signed) F. WAYNE COONS,
C. E. AKERS,
M. K. MARTIN,
Executive Committee.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 54—An act to amend section 589 of the Political Code, relating to the salary of the Insurance Commissioner.

Also: Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway;

Also: Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Also: Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Also: Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system";

Also: Assembly Bill No. 42—An act to amend section 1072 of the Political Code, relating to compensation of officers of election.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence.

Also Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Also Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CLARKE, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was re-referred Assembly Bill No. 205—An act to amend section 1739 of the Political Code relating to high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 242—An act appropriating money for summer session courses for the College of Agriculture of the University of California, at Riverside.

Also Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

STOW, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same"—has had the same under consideration, and respectfully reports the same back without recommendation and that same be re-referred to Committee on Municipal Corporations.

REINDOLLAR, Chairman.

The above reported bill ordered re-referred to Committee on Municipal Corporations.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Eksward: An act to amend section 1597 of the Political Code, relating to school elections.

By Mr. McDowell: An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

By Mr. Jones: An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

By Mr. Croter: An act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1297, relating to the posting of notices.

By Mr. Smith: An act to repeal section 257 of the Civil Code, relating to guardian and ward.

By Mr. Badaracco: An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 9, 1923, passed as a case of urgency Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for Assemblymen for the seventy-third and seventy-fourth fiscal years.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians.

Also: Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof;

Also: Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole;

Also: Senate Bill No. 645—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer;

Also: Senate Bill No. 649—An act to add a new section to the Code of Civil Procedure, to be numbered 1748, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Also: Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 67 read first time, and referred to Committee on Judiciary.

Senate Bill No. 121 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No. 181 read first time, and referred to Committee on Judiciary.

Senate Bill No. 645 read first time, and referred to Committee on Judiciary.

Senate Bill No. 649 read first time, and referred to Committee on Judiciary.

Senate Bill No. 673 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

Also: Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Also: Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended, relating to fish and game districts.

Also: Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator;

Also: Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 124 read first time, and referred to Committee on Irrigation.

Senate Bill No. 334 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 463 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 162 read first time, and referred to Committee on Judiciary.

Senate Bill No. 189 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 539 read first time, and referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Pomeroy:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

Referred to Committee on Introduction of Bills.

By Mr. Weller:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to add a new section to the Political Code, to be numbered 633e, concerning the appointment by insurance companies of agents for the soliciting of applications for fire and automobile insurance and the licensing of such agents, and providing license fees therefor.

Referred to Committee on Introduction of Bills

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Johnson: Assembly Constitutional Amendment No. 47—Proposed amendment to article XIII of the constitution, relative to a poll tax.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Eksward: Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Bill read first time, and referred to Committee on Education.

By Mr. McDowell: Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Jones: Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Croter: Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure of the Sate of California to be numbered 1297, relating to the posting of notices.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Smith: Assembly Bill No. 1267—An act to repeal section 257 of the Civil Code, relating to guardian and ward.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badaracco: Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on County Government

By Mr. McPherson: Assembly Joint Resolution No. 18—Relative to the construction of a bridge from Morrow Cove, Solano County, to Valona, Contra Costa County.

Introduced, and referred to Committee on Federal Relations.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of line 23 following the comma after the word "highways", and the first seven words in line 24, and insert in lieu thereof the following "to acquire by purchase or otherwise lands for squares, parks, play grounds, and places within the city or town, and to improve, equip and maintain the same, and".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

On page 2 of the printed bill, after the word "fixed" in line 12, insert the following "by ordinance",

AMENDMENT NUMBER TWO

On page 2 of the printed bill, after the comma following the word "election" in line 14, insert the following "or appointment.".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, line 43, strike out the word "recorder's" and insert in lieu thereof the word "police".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties; providing for the government of such districts; designating the officers thereof and prescribing their powers and duties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of Joint Highway District No 3, composing two or more counties of the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employes in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devises, legatees and named executors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 495—An act to amend section 927*c* of the Code of Civil Procedure, relating to the small claims court.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 496—An act to amend section 927*a* of the Code of Civil Procedure, relating to the small claims court.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 272—An act to establish Gold Discovery Day.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921.
Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 5—An act to amend section 12 of an act entitled, "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," approved May 31, 1917.
Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 2 of article IV thereof, relating to the sessions and business of the Legislature
Assembly Constitutional Amendment No. 4 read.

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No. 4, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 21, after the word "shall" insert the following, "for the purpose of such election".

Amendment adopted.

Assembly Constitutional Amendment No. 4 ordered to reprint, and engrossment.

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury who may be present and recording of testimony.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 66 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Croter, Dawson, Donohue, Douglas, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read.

AMENDMENT TO TITLE.

Mr. Baker, Edwin, offered the following amendment to the title of Assembly Bill No. 66:

AMENDMENT NUMBER ONE

Strike out all of line 3 of the title of the printed bill, as amended February 2, 1923, and insert in lieu thereof a period after the word "jury".

Amendment read, and on motion adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915 as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 passed by the following vote

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews,

McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, March 5, 1923, Tuesday, March 6, 1923, Wednesday, March 7, 1923, Thursday, March 8, 1923, and Friday, March 9, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

ADJOURNMENT.

At eleven o'clock and fifty-three minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Tuesday, March 13, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 13, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Williams, Mr. Foster was granted leave of absence for the day.

On motion of Mr. Morrison, Messrs. Mitchell, T. A., and Rock were granted leave of absence for the day.

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Crittenden, Hon. Oscar C. Parkinson, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Cleary, Hon. Guy Windrem, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Eksward, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr Kline:

WHEREAS, The Board of Control has cut off the appropriation for the home demonstration work, we, the women of the Alvord Center of Riverside County, do hereby enter our protest against this act, because, as it is now, the agent comes in contact with all the women of the county districts, whereas very few of them would be able to attend the high school classes.

Why deprive us of the only real benefit we country women receive from our taxes?

BELLE DALZELL, Chairman.
MRS T. J. OSBORNE.
MRS. J. M. DAVISON.

Also:

WHEREAS, The home demonstration work in our county and State has been successful under the present nation wide plan, and

WHEREAS, This is essentially adult education, being an evolution in educational methods, and

WHEREAS, There is a possibility of this work being hampered or killed by transfer to other channels, therefore be it

Resolved, That we, the Home Department of the Riverside County Farm Bureau, in quarterly meeting assembled (70 farm women present), do hereby request that this work shall be continued through the Agricultural Extension Service where it has been satisfactorily initiated and operated for years, and be it further

Resolved, That a copy of this resolution be sent to Governor Richardson, Assemblyman Kline, Senator Eden and the Board of Control.

MRS J H. ATWATER, County Chairman.

By Mr. Moore:

WHEREAS, The State funds for the construction and repairs of the State highways are nearly exhausted, and

WHEREAS, It is necessary for the prosperity of Humboldt County that the main highway to Oregon be completed; therefore, be it

Resolved, That we request our State Senator H. C Nelson and Representative Fred J. Moore to use every effort for the passage of a two cent gasoline tax, proceeds to be used for reconstruction and finishing of the main trunk highways of the State and the eastern outlets to the same over the Truckee River lateral, the Needles route from Barstow and the El Centro route to Yuma, and to retain the present license tax, the proceeds to be divided with the counties as at present and used for maintenance only; and be it further

Resolved, That a copy of the resolution be sent to Senator Nelson and Representative Fred J. Moore.

EUREKA CHAMBER OF COMMERCE.
By T W. HINE, President.

Also:

Having this day discussed in regular session the proposed amendments to Sections 1401 and 1402 of the Civil Code, commonly known as the Community Property Law; and whereas it is deemed by all present that the law as it now stands is unfair to women; therefore be it

Resolved, That the Carlotta Woman's Club heartily endorses the aforementioned proposed amendments, and further directs that copies of these resolutions be sent to our Governor, Senators and Assemblymen, together with letters requesting an expression of their views regarding said proposed amendments.

(Number of members in club, forty)

(Signed) LAURA SCHROEDER, President.
LILLIAN MONROE, Secretary.

Carlotta, Humboldt County, California.
March 2, 1923.

Also:

Resolution presented by a special committee, consisting of the Rev. C. E. Farrar, the Rev. R. A. Crighton, and the Rev. D. C. Lockwood, and passed unanimously by the Humboldt County Ministerial Union at a meeting held in the Congregational Church, Eureka, on Tuesday, March 6.

"The Ministerial Association of Humboldt County, assembled in regular session, desires to offer to the Governor and Legislature their appreciation and thanks for the earnest effort made toward an economical administration, and hope that the good work may be carried on with success.

"It having been brought to our attention that it is part of the plan of economy to close the Humboldt State Teachers College, at Arcata, we would say that, while if there had been no such college we could not ask for its erection at this time, yet, as it is there, we question the wise economy of the disuse of the fine plant now in operation, and would, therefore, ask that the teaching work be continued under an economical and educational leadership.

"We are an isolated community, but with large and growing territory, very far from other educational centers."

T. C. MAXWELL, Secretary.

Arcata, California.

Also:

WHEREAS, The present net container law is a source of great detriment and loss to grain farmers, inasmuch as three-quarters of a pound weight is deducted for weight of sack in which the grain is sold, and

WHEREAS, The grain sack is a source of profit to the buyer either for sale as a second hand grain sack, or as a container for different products of his mill; now therefore, be it

Resolved, That we, the Board of Directors of the Humboldt County Farm Bureau, go on record as favoring a change in the law so that either no deduction shall be made for the weight of the sacks when grain is purchased, or that a fixed sum be paid to the grower by the buyer for the grain sacks; and be it

Resolved, further, That a copy of this resolution be sent to the California Farm Bureau Federation, Agricultural Legislative Committee and to our Assemblymen and Senators at Sacramento.

HUMBOLDT COUNTY FARM BUREAU.
By R. F. FISHER, President.

Also:

WHEREAS, We feel that the home demonstration agent work as demonstrated by the Agricultural Extension Service of the University of California through the Farm Bureau organization is the most efficient means of demonstrating this work, and

WHEREAS, We believe that this work is of great value in raising the standard of living among people living in the open country and is the means of keeping the right kind of people on the farms in California; now therefore, be it

Resolved, That we go on record as favoring the full amount of the appropriation asked for by the Comptroller of the University of California for continuing this work, and urge our legislators to support Senate Bill No. 600, providing a special appropriation for the continuation of this most valuable service to the farm women of California, and be it further

Resolved, That we send a copy of this resolution to each of our legislators and to Governor Richardson and to the California Farm Bureau Federation.

HUMBOLDT COUNTY FARM BUREAU.
By R. F. FISHER, President.

Also:

Resolution opposing Assembly Bill No. 442 (Bromley bill), as adopted by the Humboldt District Dental Society:

WHEREAS, At the present session of the Legislature of the State of California, there has been a bill introduced, familiarly known as Assembly Bill No. 442 by Bromley, the purpose of which is to create a so-called Department of Professional Standards, with a lay director in charge thereof, and

WHEREAS, By said bill it is intended to abolish the Board of Dental Examiners of California and confer upon said lay director the functions and powers now exercised by said board, and

WHEREAS, Neither efficiency or economy will be accomplished by the passage of said bill, inasmuch as the Dental Board is self-supporting and does not draw from public funds, and

WHEREAS, The best interests of the public in general as well as the best interests of the dental profession will be served by a retention of the present system of enforcement of the dental law; now, therefore, be it

Resolved, That every means be adopted and used for the defeat of the Bromley bill.

DR. G. A. HOWATT, President
DR. KEITH HAMNER, Treasurer and Secretary.

Also:

FORTUNA, CALIFORNIA, March 6, 1923.

DEAR SIR: At the regular meeting of the Board of Trustees of the town of Fortuna held last evening a motion was adopted declaring that it was the sense of the Board of Trustees of the town of Fortuna that municipalities should share in the division of motor vehicle licenses and gasoline tax (in the event that a gasoline tax is imposed) as well as the counties.

In conformity with this resolution I was instructed to request you to use your good influence to see that motor vehicle licenses and gasoline tax bills shall provide that a fair division of the receipts shall be apportioned to the municipalities of the State.

Yours very truly,

GEO. R. LANE, Town Clerk.

Also:

Resolution passed by Rohnerville-Fortuna Farm Center, February 7, 1923:

Resolved, That the Rohnerville-Fortuna Farm Center go on record as opposing any change in the system of administering home demonstration agent work in California and requesting that the work be left in the hands of the Agricultural Extension Division of the University of California, that the work might be carried on in the same efficient manner as in the past.

R. E. GABLE, Secretary-Treasurer.

Also:

Resolution passed by Rohnerville-Fortuna Farm Center, February 7, 1923:

Resolved, That the Rohnerville-Fortuna Farm Center go on record as favoring the passage of a law limiting the weight carried by four-wheeled vehicles on the highways of California to twenty-two thousand pounds.

R. E. GABLE, Secretary-Treasurer.

Also:

WHEREAS, We feel that the maintenance of our public highways is essential to the best interests of farmers and city people of Humboldt County, and

WHEREAS, Our highways are not now constructed so as to withstand traffic as heavy as is now inflicted upon them, now therefore, be it

Resolved, That the Directors of the Humboldt County Farm Bureau go on record as being in favor of 2200 pounds as a maximum load of any four wheel vehicle traveling upon our highways; and be it further

Resolved, That a copy of this resolution be sent to each of our legislators and also to Governor Richardson and the California Farm Bureau Federation.

HUMBOLDT COUNTY FARM BUREAU.
By R. F. FISHER, President.

Also:

BOONVILLE, CALIFORNIA, February 28, 1923.

DEAR SIR: This is to call your attention to certain legislative measures, which if passed, will be very harmful to teachers' agencies.

Many teachers pay the agency fees willingly in order to secure the superior service which they find the private agencies render in placing them in desirable positions. School officials would feel the loss keenly if the agencies were done away with at this time.

It seems to me that the private agencies should continue to serve the schools as long as the teachers and employing officials desire their services. If those in authority at Sacramento have something else to offer, let them put it into the field in open competition with the private agencies, and let the fittest survive. Legislation that would hamper the free operation of the agencies would be, in my opinion, extremely unwise.

Yours truly,

B. F. BROWN,
Principal of the Boonville Union High School.

By Mr. Douglas:

DORRIS, CALIFORNIA, February 1, 1923.

We, the undersigned, hereby object to the proposed refuge, as outlined by Warden J. Miller, and sponsored by the California Fish and Game Commission, the Antelope Preservation Society, and the Academy of Sciences.

We offer in substitution, a refuge as outlined and described on accompanying map.

We also petition that the open season for deer be changed to read from September 15th to October 31st, within the boundaries of District 14.

We further petition that a three-point, or two-year-old, be the smallest lawful mule deer allowed.

H. W. MITCHELL,
And 81 others.

The Speaker referred the above petition to the Committee on Fish and Game.

By Mr. Morris:

To the Honorable, The Assembly, of the State of California

Your attention is respectfully directed to the following resolutions and petition, favoring the adoption of the budget proposed by Governor Friend Wm. Richardson, duly adopted by the Third Street Improvement Club of San Francisco:

Resolved, That the Third Street Improvement Club of San Francisco heartily endorses the proposed budget proposed by Governor Friend Wm. Richardson to the State Legislature, as an example of wise economy and of rare efficiency in safeguarding the money of the taxpayers of California;

That we extend our warmest congratulations to the Governor upon his prompt and faithful recognition of his preelection pledges of economy and of efficiency, by which action he has filled the hearts of the long suffering taxpayers with joy, and the hearts of the long intrenched tax eaters with dismay;

That we hail the Governor's determined initiative in halting the traditional reckless waste of the peoples' money, as the turning of the tide of extravagance in the government of this State, which for years has menaced the taxpayers with a needless and oppressive burden of expense, and we recognize in his budget an instructive lesson in finance which unerringly points the way to future retrenchments and additional economy in State, county and municipal affairs

That we earnestly request all sincere citizens, and particularly all members of the State Legislature, to extend their active encouragement and support to Governor Richardson in his efforts to maintain his policy of economy and efficiency and in revising the budget downward, as a recognition of merit for his remarkable success in attaining a budget which is an asset instead of a liability.

ROBERT P. TROY,
President Third Street Improvement Club of San Francisco.

By Mr. Heisinger:

We, the undersigned, taxpayers, citizens and voters of the State of California, and users of the commodity commonly called gasoline, having had our attention called during the past to numerous unfair and unjust fluctuations in price, unfair and unjust discriminations in sales and distribution on gasoline, and feeling that every citizen of this state has become vitally interested in the barter, sale, production, distribution and usage of gasoline, and realizing and approving the trend of modern legislation toward the control of public utilities, and further being informed and apprized of the intention of Assemblyman S. L. Heisinger to introduce at this session of the Legislature of the State of California a bill which provides, among other things, that the said commodity of gasoline shall by said bill and the law of this State, be declared a public utility, and the sale, barter, production, distribution and usage thereof regulated as such, do hereby express our appreciation and approval of such a measure, and petition and pray each and every member of the Legislature of the State of California to do all in his power to support and give assistance toward the passage and enforcement of such an act, and more particularly the bill above referred to and about to be introduced by the said Assemblyman S. L. Heisinger.

S. C. DAILEY,
And 666 others

The Speaker referred the above petition to the Committee on Oil Industries.

By Mr. Hornblower:

SAN FRANCISCO, CALIFORNIA, January 22, 1923.

To the President and Members of the
Senate of the State of California,
State Capitol, Sacramento, California.

GENTLEMEN: I have been directed by the San Francisco Striped Bass Club, as chairman of the committee on fish and game of said club, to present to you the petition herewith enclosed and to call your attention to the following facts bearing upon the necessity for the action in said petition recommended to your honorable body.

In the first place, it may be well to state that there is paid to the State of California, through the medium of the fishing and hunting license, by the sportsmen of this State, a sum amounting annually to about $360,000. This money is used for the enforcement of the law relative to the protection of fish and game. This obviously points the interest which a large number of the citizens of the State of California take in the conservation of her fish and game resources.

The striped bass is not a native of California waters, but some time in the year 1879 was transplanted from the Atlantic Ocean through the instrumentality of the California Fish Commission and the United States Bureau of Fisheries. For this reason we believe the utmost caution should be taken to prevent the extinction of this fine game fish.

The evil that it is the desire of your petitioners to correct is the wholesale capture and marketing of this fish, which will undoubtedly result in its extinction within a very few years. A ruthless regard for aught saving immediate financial gain has brought into use in fishing for striped bass, nets and seines, the result of which will be the death of this fish in California waters.

We are authentically informed that many of those using nets and seines in fishing for striped bass have in direct violation of the law of the State extended their activities beyond the boundaries fixed by the law and have in many instances invaded prohibited waters, netting, marketing or destroying innumerable pounds of striped bass.

In conclusion, it is the opinion of the members of the San Francisco Striped Bass Club that the extinction of this splendid fish in the waters of our State would inevitably remove one of the chief incentives to the purchase of fish and game licenses and would hence deprive the State of California of a very considerable amount of its yearly revenue.

Sincerely hoping that favorable action may be taken upon the enclosed petition, I remain

Respectfully yours,

HOWARD VERNON,
Chairman of Committee on Fish and Game,
San Francisco Striped Bass Club.

We, the undersigned, do hereby petition you, as a Senator of the State of California, to use your best efforts in the support of any and all bills which may be presented at the next session of the Legislature, meeting on the first Monday after the first day of January, 1923, stopping the seining of striped bass in the creeks, rivers, bays and waters of the State of California; and for the promulgation of any and all laws enforcing a closed season against netting or seining these fish, for a period of not less than six years

The purpose of this petition being to allow the propagation and increase of the "striped bass," which is becoming extinct through the use of seines.

JOHN S. DURYEA,
And 1443 others.

The Speaker referred the above petition to the Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. SPEAKER. Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego, to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 637—An act conveying certain tide lands and lands lying under inland navigable waters situated in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 619—An act to amend section 1808 of the Political Code, relating to the entry of order appointing guardian;

Also: Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names;

Also: Assembly Bill No. 70—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses;

Also: Assembly Bill No. 642—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 165—*An act to amend section 67a of the Code of Civil Procedure*, relating to the superior court of Los Angeles County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission, providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated, providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water, declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California.

Also: *Assembly Bill No. 259—An act to amend section 125 of the Political Code*, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or

more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act

Also Assembly Bill No 546—An act to amend section 607c of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties, providing for the government of such districts, designating the officers thereof and prescribing their powers and duties.

Also Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of Joint Highway District No 3, composing two or more counties of the State of California

Also: Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof;

Also. Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes lockouts and other labor troubles," approved June 7, 1913.

Also Assembly Bill No 250—An act to require the furnishing of seats for elevator operators;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Also: Assembly Bill No 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors

Also: Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court;

Also Assembly Bill No. 496—An act to amend section 927a of the Code of Civil Procedure, relating to the small claims court.

Also. Assembly Bill No 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons;

Also: Assembly Bill No 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923

MR. SPEAKER Your Committee on Agriculture, to which was referred Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to Committee on Ways and Means.

SMITH, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means

Also:

MR. SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees.

Also Assembly Bill No. 817—An act to provide for the formation, management, maintenance and dissolution of county fire protection districts:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No 896—An act to provide for the organization and government of public park districts—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR SPEAKER Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them The titles of said bills are as follows

By Mr. Pomeroy An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance, providing for the establishment and maintenance of County Planning Commissions and prescribing their powers and duties.

By Mr. Weller An act to add a new section to the Political Code, to be numbered 633c, concerning the appointment by insurance companies of agents for the soliciting of applications for fire or automobile insurance and the licensing of such agents, and providing license fees therefor

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badham Baker, C C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 12, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and govern-

ment of conservancy districts for certain specified purposes, to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds, to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds, to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919.

J. A. BEEK, Secretary of the Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

J. A. BEEK, Secretary of the Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 3 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 213—An act to amend section 628*b* of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure, relating to notices to relatives of persons under guardianship;

Also: Senate Bill No. 474—An act to add a new section to the Penal Code, to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication;

Also: Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will;

Also: Senate Bill No. 599—An act to add a new section to the Political Code, to be numbered 737*ccc*, relating to the salaries of superior court judges;

Also: Senate Bill No. 132—An act to add a new section to the Political Code, to be numbered 737*ee*, relating to the salaries of superior court judges;

Also: Senate Bill No. 66—An act to add a new section to the Political Code, to be numbered 737*dd*, relating to the salaries of superior court judges.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 213 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 223 read first time, and referred to Committee on Judiciary.

Senate Bill No. 474 read first time, and referred to Committee on Judiciary.

Senate Bill No. 224 read first time, and referred to Committee on Judiciary.

Senate Bill No. 599 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 132 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 66 read first time, and referred to Committee on Governmental Efficiency and Economy.

RE-REFERENCE OF BILLS.

On motion of Mr. Bromley, Assembly Bill No. 1040 was recalled from the Committee on Governmental Efficiency and Economy and referred to Committee on Motor Vehicles.

On motion of Mr. Bromley, Assembly Bill No. 554 was recalled from the Committee on Motor Vehicles and referred to Committee on Judiciary.

On motion of Mr. Roberts, Assembly Bill No. 1125 was recalled from the Committee on Judiciary and referred to Committee on Public Morals.

On motion of Mr. Heisinger, Assembly Bill No. 26 was recalled from the Committee on Judiciary and referred to Committee on Public Health and Quarantine.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Messrs. Hornblower and Burns:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal an act entitled "An act to enforce the provisions of article XVIII of the amendments to the constitution of the United States; prohibiting all acts or omissions prohibited by the Volstead Act, imposing duties on courts, prosecuting attorneys, sheriffs, and other officers, and extending their jurisdiction; and providing for the disposition of fines and forfeitures; approved May 7, 1921."

Referred to Committee on Introduction of Bills.

By Mr. Duval:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to add a new section to the Penal Code, to be numbered 632c, relating to the protection of fish

Referred to Committee on Introduction of Bills.

By Mr Baker, Edwin:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Pomeroy: Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of County Planning Commissions and prescribing their powers and duties.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Weller (by request): Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633e, concerning the appointment by insurance companies of agents for the soliciting of applications for fire or automobile insurance and the licensing of such agents, and providing license fees therefor.

Bill read first time, and referred to Committee on Insurance.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Carter:

WHEREAS, The Hon. Edwin Baker has announced his candidacy for the office of Councilman of the City of Los Angeles, and

WHEREAS, Said Edwin Baker has represented the people of Los Angeles County in the Legislature of this State for four successive terms, which in itself is testimony of his worth, and the confidence of the people of his district in his integrity, ability and fidelity to their highest interests, and

WHEREAS, We as members of the Assembly having an intimate knowledge of his conscientious devotion to duty and sincerity of purpose to truly represent the people, deem it a duty to the public to recommend Mr. Baker for the important position he seeks; now therefore be it

Resolved That we, the members of the forty-fifth session of the Legislature of the State of California, do most heartily commend the Hon. Edwin Baker to the voters of the city of Los Angeles for the position of Councilman of that city.

HENRY E CARTER.
ELMER P. BROMLEY.
JOSEPH L. PEDROTTI.
W. E. BADHAM.
FRANK C. WELLER.
HUGH R. POMEROY.
CHARLES B. DAWSON.
ELEANOR MILLER.
HARRY LYONS.
FREDERICK M. ROBERTS.
FRANK F. MERRIAM.

Resolution read, and on motion adopted.

By Mr. Christian.

WHEREAS, The third annual convention of the Department of California, Nevada and the Hawaiian Islands, of the Veterans of Foreign Wars of the United States, will be held in Sacramento on June 21, 22 and 23, 1923; and

WHEREAS, It is essential that a meeting place of suitable size and convenience be obtained to properly accommodate the personnel of this convention; and

WHEREAS, It is the desire of the Lieutenant Lansdale Post Number 67 of the Veterans of the Foreign Wars of the United States, whose headquarters are at Sacramento, and upon which post has devolved the responsibility of making the arrangements for this convention, to secure the use of the Assembly Chamber of the Legislature of the State of California as a meeting place for this convention; now, therefore, be it

Resolved, By the Assembly that the use of the Assembly Chamber and the committee rooms of the Legislature of the State of California be and the same are hereby placed at the disposal of the Lieutenant Lansdale Post Number 67 of the Veterans of Foreign Wars of the United States to be used for the purposes aforesaid; and be it further

Resolved, That a copy of this resolution be forwarded to the Superintendent of Capitol Buildings and Grounds.

Resolution read, and on motion adopted.

By Mr. Dawson.

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $189.42 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same.

Cascade Towel Supply Company	$43 89
Carithers Sign Company	2 00
Purnell Stationery Company	3 63
Carithers Sign Company	18 40
Bancroft-Whitney Company	121 50
Total	$189 42

The Speaker ordered the above resolution printed in the Journal.

By Mr. Erb:

WHEREAS, Members of this Assembly have been cordially invited as guests of the alumni of the University of California to visit and inspect the State University at Berkeley; and

WHEREAS, The entire membership of this Assembly accepted the invitation to visit the State University and transportation has been arranged for the full membership of this body; and

WHEREAS, There will be no business transacted in the Assembly during Friday and Saturday of this week; therefore be it

Resolved, That the Chief Clerk be, and he is hereby, directed and instructed to declare a holiday for the stenographers of this body for Friday and Saturday.

The Speaker ordered the above resolution printed in the Journal.

MOTION.

Mrs. Dorris moved that Judge James W. Willett, Commander-in-Chief of the Grand Army of the Republic, and wife; Marie L. Basham, National President of the Woman's Relief Corps; Frank Shellhouse, Commander-in-Chief of the Sons of Veterans; Minnie E. Groth, National President Sons of Veterans Auxiliary; Lola S. Groth, National President Daughters of Veterans, and Geo. W. Ficks, Assistant Adjutant General of the Grand Army of the Republic, be extended the privilege of the floor of the Assembly for Wednesday, March 14, 1923, and that the Assembly recess for five minutes on that day for the purpose of allowing Judge Willett to address the Assembly.

Motion unanimously adopted.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 205—An act to amend section 1739*a* of the Political Code, relating to high school districts.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 10, 11, 12 and 13, and insert in lieu thereof the words "to the board of supervisors of any county that any one road which is of general utility and of public convenience and which constitutes the only or principal means of communication between one town or village with another town or village".

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 72, with instructions, reports that the instructions of the Assembly have been carried out.

DONOHUE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system."

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 137 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until 12.30 p.m.

MOTION TO SUSPEND RULE.

Mr. Stow moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway, and making an appropriation for the resurvey, reconstruction and improvement thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 175 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to report that it has carefully considered the applicants for the various positions and desires to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names.

said per diem to be paid out of the fund for the payment of the officers and employees of the Assembly. Said appointments to date from and include the twelfth day of March, 1923, and the Controller is hereby authorized and directed to draw his warrants upon said funds in favor of the following named persons at said per diem and the State Treasurer is hereby authorized to pay the same:

Verne Capelli, Stenographer ..... $5 00 per day
Norma M. Brown, Stenographer ..... 5 00 per day

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badham, Baker, Edwin Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 123 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 2 of article IV thereof, relating to the sessions and business of the Legislature;

Also Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XIII thereof, relating to taxpayers' statements of property,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendments ordered on file for adoption.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them The titles of said bills are as follows

By Messrs Hornblower and Burns An act to repeal an act entitled "An act to enforce the provisions of article XVIII of the amendments to the constitution of the United States; prohibiting all acts or omissions prohibited by the Volstead Act; imposing duties on courts, prosecuting attorneys, sheriffs, and other officers, and extending their jurisdiction; and providing for the disposition of fines and forfeitures; approved May 7, 1921.

By Mr Duval: An act to add a new section to the Penal Code to be numbered 632e, relating to the protection of fish:

By Mr. Baker, Edwin An act to provide for the care of under-nourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Douglas, Dozier, Duval, Eksward, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noves, Pedrotti Pomeroy, Roberts, Rosenshine Saylor, Schmidt Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

MOTION.

On motion of Mr. Eksward, the hour of recess was extended until one p.m.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Messrs. Hornblower and Burns: Assembly Bill No. 1271—An act to repeal an act entitled "An act to enforce the provisions of article XVIII of the amendments to the constitution of the United States; prohibiting all acts or omissions prohibited by the Volstead Act; imposing duties on courts, prosecuting attorneys, sheriffs and other officers, and extending their jurisdiction; and providing for the disposition of fines and forfeitures, approved May 7, 1921.

Bill read first time, and referred to Committee on Public Morals

By Mr Duval: Assembly Bill No 1272—An act to add a new section to the Penal Code, to be numbered 632e, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Baker, Edwin: Assembly Bill No. 1273—An act to provide for the care of under-nourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

Bill read first time, and referred to Committee on Education.

MOTION TO CORRECT JOURNAL.

Mr. Carter moved that the Journal of Monday, March 12, 1923, be corrected to include the roll call adopting the report of the Committee on Introduction of Bills.

Motion carried.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 13, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents;

Also Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Also Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

Also Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County;

Also Senate Bill No 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment;

Also Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 164 read first time, and referred to Committee on Judiciary.

Senate Bill No. 165 read first time, and referred to Committee on Judiciary.

Senate Bill No. 265 read first time, and referred to Committee on Judiciary.

Senate Bill No. 107 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 468 read first time, and referred to Committee on Judiciary.

Senate Bill No. 42 read first time, and referred to Committee on Governmental Efficiency and Economy.

ADJOURNMENT.

At twelve o'clock and forty-six minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 14, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 14, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Ekswärd, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Smith, Mr Croter was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mrs. Dorris, Judge James W. Willett, Commander-in-Chief of the Grand Army of the Republic, and wife; Marie L. Basham, National President of the Woman's Relief Corps; Frank Shellhouse, Commander-in-Chief of the Sons of Veterans; Minnie E. Groth, National President Sons of Veterans Auxiliary; Lola S. Groth, National President Daughters of Veterans, and Geo W. Ficks, Assistant Adjutant General of the Grand Army of the Republic, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Donohue, Mr. John D. Saunders, City Clerk of Sebastopol, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Snyder, Mr. A. G Eames, President of Chico Chamber of Commerce, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Mr. Clyde E. Brown of Napa was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Christian, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

WHEREAS, The home demonstration work of the Agricultural Extension Service as now carried on has done much to make life on the farm more attractive, and

WHEREAS, The amount of money expended for this branch of the service does not by far equal the amount expended for making the work on the farm more profitable, and

WHEREAS, The budget submitted by the Board of Control does not provide the funds necessary to continue this work; therefore, be it

Resolved, That the Riverside County Farm Bureau, by their directors in regular session assembled, hereby enter a strong protest against this action of the Board of Control, as being unfair to the farmers of the State, and be it

Resolved, To urge the State Legislature to pass Senate Bill No 600, which provides the funds necessary to continue the work, and be it further

Resolved, That copies of these resolutions be sent to Gov. Friend Wm. Richardson, Senator Walter Eden and Assemblyman Kline.

H. O. EGGEN,
FRANK COLLIER,
MRS. H. E. DE NYSE,
Committee.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Foster:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to regulate, restrict or prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries; declaring such wells to be public nuisances and providing for the abatement of same.

Referred to the Committee on Introduction of Bills.

MOTION.

Mr Dawson moved that his resolution as printed in the Journal of Tuesday, March 13, 1923, be taken up for adoption at this time without reference to committee.

Motion carried

Resolution by Mr Dawson:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $189.42 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same:

Cascade Towel Supply Company	$43 89
Carithers Sign Company	2 00
Prunell Stationery Company	3 63
Carithers Sign Company	18 40
Bancroft-Whitney Company	121 50
Total	$189 42

Resolution read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badaracco, Baker, C. C., Baker, Edwin; Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McMillan, McPherson, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 637—An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 619—An act to amend section 1808 of the Political Code, relating to the entry of order appointing guardian.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee

AMENDMENT NUMBER ONE.

On page one, line two of the title of the printed bill, strike out the words "Political Code" and insert in lieu thereof the words "Code of Civil Procedure".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page one, line sixteen of the printed bill, strike out the words "of the publisher".

AMENDMENT NUMBER TWO.

On page one, line seventeen of the printed bill, strike out the word "ten" and insert in lieu thereof the word "thirty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 70—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page one, line twenty-two of the printed bill, after the word "transfer" strike out the comma and insert in lieu thereof a period. Also strike out the remainder of line twenty-two, and all of lines twenty-three and twenty-four.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page one, line twelve of the printed bill, strike out the word "duplicate" and insert in lieu thereof the word "duplicates".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission, providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees, declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights, specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions, regulating the appropriation of water, excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act, defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 817—A act to provide for the formation, management, maintenance and dissolution of county fire protection districts.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 42—An act to amend section 1072 of the Political Code relating to compensation of officers of election.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Baker, Edwin, moved a call of the house.

Motion carried.

Time, ten o'clock and fifty-four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifty-eight minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Baker, Edwin.

The roll of absentees was called, and Assembly Bill No. 42 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bromley, Carlson, Carter, Coombs, Crittenden, Davis, Dawson, Dean, Eksward, Emme, Fellom, Fox, Graves, Hornblower, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Schmidt, Spence, Stevenot, Stow, Weller, Whitacre, and Williams—42.

NOES—Baker, C. C., Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Donohue, Dorris, Douglas, Dozier, Duval, Erb, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, McMillan, Miller, Moore, Noyes, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, West, Woodbridge, Wright, and Mr. Speaker—34

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 959 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy,

Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 307 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 476—An act to amend section 7 of an act entitled, "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 11, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 476 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—78.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties; providing for the government of such districts; designating the officers thereof and prescribing their powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 192 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, McDowell, McPherson, Miller, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Rein-

dollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of Joint Highway District No. 3, composing two or more counties of the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 791 passed by the following vote:

AYES—Anderson, Badaracco, Badham Baker, C. C., Baker Edwin, Ball, Bernard, Bromley, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read.

AMENDMENT TO TITLE.

Mr. Noyes offered the following amendment to the title of Assembly Bill No. 791:

AMENDMENT NUMBER ONE.

On page 1 line 7, of the title, strike out all of line seven after the word "highway," and all of line 8, and insert in lieu thereof the words "districts composed of two or more counties of the State of California".

Amendment read, and on motion adopted

Bill ordered to reprint, and to Senate.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1148 passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—66.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An

act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

Bill read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Jones moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "solicited" insert the words "for such employment."

Motion carried.

The Speaker appointed Mr. Jones as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 257, with instructions, reports that the instructions of the Assembly have been carried out.

JONES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 250 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—Graves, and Lyons—2.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Eksward, the hour of recess was extended until the third reading file had been completed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1075 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Christian, Clarke, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Mathews, McDowell, McMillan, Miller,

Mitchell, T. A., Moore, Morrison, Mueller, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Carter, Coombs, Dawson, Emme, Graves, Jones, McPherson, Mitchell, A. G., Noyes, Pomeroy, and Smith—11.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and twenty minutes p. m., on motion of Mrs. Dorris, the Assembly was declared at recess until twelve o'clock and twenty-five minutes p. m. of this day.

REASSEMBLED.

At twelve o'clock and twenty-five minutes p. m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 5—An act to amend section 12 of an act entitled, "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, statutes of California of 1913, page 1429," approved May 31, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Bill read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Connolly moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, after line 6, of the printed bill, add the following

"Sec. 2. The counties in which the road is situated shall provide for its upkeep and maintenance until such time as the State Highway Commission shall see fit to assume entire supervision and control of such road; and the Highway Commission is hereby authorized to allow the proper authorities of such counties to use any necessary machinery and road making appliances belonging to such Commission."

Motion carried.

The Speaker appointed Mr. Connolly as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 847, with instructions, reports that the instructions of the Assembly have been carried out.

CONNOLLY, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 546—An act to amend section 607*e* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page one, line 17, of the printed bill, strike out the word "For" and insert in lieu thereof the word "or".

Motion carried.

The Speaker appointed Mr. Hornblower as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 546, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

Bill read.

MOTION.

During the debate, on request of several members, Mr Fellom moved that consideration of Assembly Bill No 81 go over until next week.

Motion carried.

Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Bill read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Fellom moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 line 3 of the printed bill, as amended, after the word "land", strike out the period and insert a semi-colon and add the words "is hereby designated as Seawall Lot No. 26".

Motion carried.

The Speaker appointed Mr. Fellom as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER. Your Select Committee of One to which was referred Assembly Bill No. 587, with instructions, reports that the instructions of the Assembly have been carried out.

FELLOM, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RE-REFERENCE OF BILL.

On motion of Mr Morris, Assembly Bill No. 887 was recalled from the Committee on Agriculture and referred to Committee on Banking.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. McPherson: Assembly Concurrent Resolution No. 9—Relative to the investigation and report of a board to the extent of the feasibility and existing necessity for the establishment of a State institution for women.

Introduced, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cleveland: Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army.

Introduced, and referred to Committee on Federal Relations.

MOTION TO RESCIND ACTION.

Mr. Eksward moved that the action granting Mrs. Saylor permission to use the Assembly Chamber for a public hearing on the Sonoma

Industrial Farm for Women, for Wednesday evening, March 21, 1923, be rescinded and the record expunged.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR SPEAKER Your Committee on Banking, to which was referred Assembly Bill No. 461—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages on personal property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYONS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Banking, to which was referred Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LYONS, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No 464—An act to amend sections 4130, 4140 and 4300c, of the Political Code, relating to recorders and fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LYONS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Banking, to which was referred Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYONS, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1259—An act making an appropriation to meet the deficiency in the appropriation of mileage for assemblymen for the seventy-third and seventy-fourth fiscal years—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourteenth day of March, 1923, at 11 o'clock a m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 14—Relative to the indorsement of the "Capper-French Truth in Fabric Bill": to require woolen manufacturers to indicate by labels the percentage of virgin wool in fabrics—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourteenth day of March, 1923, at 11 o'clock a.m

ROBERTS, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land by the State of California in said city and county.

Also Assembly Bill No. 972—An act declaring the present county road starting at a point at Angels Camp in Calaveras County, extending through Murphys and connecting with the Alpine State highway at Calaveras big trees in Calaveras County, to be a State highway.

Also Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

DOUGLAS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DOUGLAS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 195—An act making an appropriation for the construction of a highway from the city of Madera, Madera County, to Wawona, Mariposa County.

Also Assembly Bill No. 544—An act declaring the highway extending between Susanville and Bieber, via Willow Creek Valley in Lassen County, to be a State highway and making an appropriation therefor;

Also Assembly Bill No. 755—An act directing the Department of Public Works to construct and maintain the uncompleted portions of the State highway extending from Rio Vista to Fairfield, Solano County, California, and making an appropriation for the same.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to the Committee on Ways and Means.

DOUGLAS, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled, "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.

Also: Assembly Bill No. 272—An act to establish Gold Discovery Day.

Also: Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished,

Also, Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921;

Also Assembly Bill No 290—An act to amend section 2192 of the Political Code relating to the admission of persons into the Home for Feeble-minded and to the support of persons admitted to said home.

Also Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution, relating to the right of suffrage—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1923

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*a*, relating to the salary of superior judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work,

Also Assembly Bill No. 944—An act to add a new section to the Penal Code, to be numbered 211*a*, regarding the definition of robbery and the degrees thereof;

Also Assembly Bill No 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery,

Also Assembly Bill No 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial;

Also Assembly Bill No. 950—An act to amend section 1093 of the Penal Code, relating to the conduct of trial in criminal cases and the order of proceeding on trial;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman

The above reported bills ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO March 13, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 139—An act to establish Gold Discovery Day.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 139 read first time, and referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Douglas:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the appointment of a commission to investigate and report a plan for the control of tuberculosis in the State of California and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Johnson, Frank:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code, to be numbered 4099b, requiring county auditors to make and publish monthly statements of expenditures of school districts, union school districts, joint school districts, joint union school districts, junior high school districts, high school districts, union high school districts, joint union high school districts, county high school districts and junior college districts.

Referred to Committee on Introduction of Bills:

By Mr. Spence:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the Superior Court;

Also: An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles.

Referred to Committee on Introduction of Bills.

By Mr. McPherson:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin Rivers and the bay of San Francisco; authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the cost thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled, "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon the assessments levied by the Reclamation Board upon lands in said district", approved May 7, 1919, to levy such assessments upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof.

Also: An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

Referred to Committee on Introduction of Bills.

ADJOURNMENT

At one o'clock and thirty-eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, March 15, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 15, 1923

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, William Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE

On motion of Mr. Cleary, Mr. Johnson, Frank, was granted leave of absence for the day.

On motion of Mr. Smith, Mr. Croter was granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr. Mitchell, A. G., was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Johnston, J. W., Gladys M. Smythe, teacher of the Fair Oaks School, and the following pupils: Catherine Pace, Thelma Bishop, Faith Fulton, Gladys Cooper, Elizabeth Cooper, Grace Rice, Wilma Spangle, Velda Barger, Irene Wagner, Lena Kale, Iva Rice, Evelyn Zeis, Ruth Staplin, Paul Wantz, Alva Hendershot, Edwin Meader, Henry Chesson, James Thomas, William Hunter, Earl Vincent, Albert Linn, Joseph Buckle and Mildred Jones, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Johnston, J. W., Lora F. Moore, teacher of the Carmichael School, and the following pupils: Gladys McKeown, Margaret Cowan, Leslie Elithorpe, Wallace Broughton, Weir Felters, Elbert Davis, and Oliver Boyer were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Emme, Mr. Frank J. Sullivan of Los Angeles was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Kline, Florence Collins Porter, the first woman presidential elector in the United States and the first woman to vote at the Republican National Convention in Chicago in 1912, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr Crittenden, Mr George Ashley, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Pomeroy, Mr. H. D. Pottenger of Redondo Beach was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Badham, Messrs. Harold W. Kennedy, Harry J. March, and Wallace Breuner, of the U of C., were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal

Through the courtesy of Mr. Pomeroy, Mr. R Holtby Myers of Los Angeles, and Mr. W. R. Robbins of San Francisco, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Whitacre, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal.

By Mr. Kline:

WHEREAS, The Bureau of Light and Power of the city of Los Angeles has caused a bill to be introduced into the California Legislature known as Senate Bill No. 503, and

WHEREAS, This bill seeks to give the city of Los Angeles the right to condemn power plants already serving energy to other cities and counties of California, and

WHEREAS, The passage of this bill will be a grave injustice to the smaller towns and communities of the State, and greatly retard the development of the interior counties now therefore be it

Resolved, That the Riverside Chamber of Commerce protests the passage of this bill and urges its representatives in the Legislature to do all in their power to cause it to be defeated; and be it further

Resolved, That a copy of these resolutions be sent to its representatives at Sacramento.

I certify the above to be a true copy of the resolution passed at a directors' meeting of the Riverside Chamber of Commerce, held Wednesday evening, March 7, 1923, at 7 30 p.m.

ROSS L. HAMMOND, Managing Secretary.

By Mr. Noyes:

To all members of the Senate and Assembly of the State of California.

We, the undersigned, citizens of the State of California, do hereby register our opposition to any act of the Legislature of this State, having for its object the prevention of the use of one dog by hunters in trailing deer

In support of our opposition please be advised

First—That such an amendment will be sought by the stock raisers or at least a few of them, aided and abetted by a few of the game wardens of this State who also are engaged in stock raising.

Second—That these same stockmen have since time immemorable been dog hunting deer hunters themselves, they dog their own cattle and sheep, with dogs bred and trained for that purpose

Third—That if this inhibition becomes a law, the stockmen and their herders will have a monopoly of hunting deer with dogs, as they use their cattle dogs for hunting

Fourth—That the use of the dog in hunting deer tends to the preservation of human life, for the reason that dog-using deer hunters never kill their comrades in mistake for a deer.

Fifth—Still, or "Indian," hunting, causes the loss of a great number of wounded deer, that escape final capture by the hunter, only to rot in the woods; our dog finds them and they come to camp.

Sixth—Upon the reserved lands of this State the stockmen have grazing permits only, while all the citizens of the State are invited there to camp, tramp, hunt and fish. There is room there for all, without selfishness.

Seventh—The sight of a dog in the woods will not stampede cattle any more than the sight of a still hunter, sneaking through the woods.

Eighth—Deer-hunting dogs never directly disturb cattle; they have no use for domestic cattle, sheep, goats or poultry. The sight of a quail dog will disturb cattle just as much as the deer hound will

Ninth—There is no real reason that the hunters in this State should be denied the use of a dog hunting deer than the quail hunter should be denied that right

We thank you.

C. H. FAIRCHILD.
And 376 others.

By Mr. Bernard:

WHEREAS, It is proposed by the Fish and Game Commission of the State of California to introduce a bill before the Legislature of the State of California, preventing the fishing for salmon with beach or other nets above the Sacramento bridge, at Sacramento on the Sacramento River; and

WHEREAS, At this time the salmon fishing season commences January 1 and ends May 1; and

WHEREAS During said time there is but one month, to wit, the month of April, above said point that salmon fishing pays from a commercial standpoint;

Now therefore, We, the undersigned residents and citizens of the counties of Butte, Colusa and Glenn, respectfully petition the Legislature of the State of California not to close the Sacramento River for salmon fishing above Sacramento, and to amend the present law by opening the season one month later and closing one month later.

J. L. GREER.
And 251 others.

By Mr. Moore:

ARCATA, CALIFORNIA, March 12, 1923.

Honorable Fred J Moore,
State Capitol, Sacramento, California.

SIR: At a special meeting of the Associated Student Body of Humboldt State Teachers College and Junior College held this morning, we, the students, resolved unanimously to submit an expression of our feelings in regard to proposed actions affecting this school We wish vigorously and earnestly to protest the cut in appropriations allowed in the budget for the support of this school, as this cut would seriously cripple an institution vital to the northwestern section of the State. We do therefore respectfully petition that this budget be so revised as to meet present demands and assure future growth.

ELLEN FRANKLIN.
And 110 others.

By Mr. Cleary:

To the Honorable C. W. Cleary,
Representative Lindsay District.

SIR It has been brought to the attention of the patrons of the Lindsay schools that the proposed administration budget contemplates the elimination of the State Department of Physical Education, which we feel would be contrary to the interests of the pupils of the California public school system.

Furthermore, we understand that the plan also provides for a very great reduction in the appropriation for the State Teachers Colleges, which will affect the department of physical education particularly, and greatly reduce the efficiency of the elementary teachers of the whole State, at a time when the work as it has been conducted during the past six years has begun to produce such satisfactory results

Therefore, we, the undersigned members of the Parent-Teachers' Association of the Washington School, Lindsay, respectfully request that you convey to proper authorities our remonstrance against this policy, and that you use your personal influence to protect the physical, as well as the educational, welfare of the children of this community by bringing this matter before the Legislature.

MRS J WINSOR.
And 52 others.

By Mr Snyder:

OROVILLE, CALIFORNIA, March 12, 1923.

To the California Assembly

HONORED SIRS: At their March business session the Oroville Woman's Christian Temperance Union, consisting of fifty-two voting citizens, passed resolutions petitioning your honorable body to vote down Assembly Joint Resolution No 1, introduced by Assemblyman Badaracco, or any other bill tending to amend or nullify the Eighteenth Amendment, since the premises of said Assembly resolution are utterly against facts, there being many products of our State whose revenue exceeds tha.

of wine grapes. The output of eggs alone is greater, as figures prove. Neither is there any "agricultural depression," since the grains formerly used for beer now manufacture bread and feed stock. Also, the large majority vote for the Wright bill stamps the seal of approval of California on the Eighteenth Amendment and Volstead Act.

The Union also petitions the Assembly to vote against Assembly Constitutional Amendment No. 6, which would increase the number of rounds in so-called "boxing events," making them veritable "slugging matches." Said bill would also add to the budget the salaries of two secretaries, four deputies, and traveling and other (unspecified and unlimited) expenses.

Your vote against Assembly Bill No. 128, which would repeal the act maintaining the institution and farm for delinquent women, is also requested by the Union.

But this organization does request your affirmative vote for Williams' bill, entitled Assembly Constitutional Amendment No. 9, which would permit the use of the Bible in the public schools, as is allowed in the east and elsewhere.

Respectfully submitted,

OROVILLE WOMAN'S CHRISTIAN TEMPERANCE UNION.
Per (MRS.) L. B. GRAY, Corresponding Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation;

Also Assembly Bill No. 1149—An act to amend section 633*a* of the Political Code, relating to licensing of insurance and surety brokers;

Also Assembly Bill No. 1221—An act to amend section 3666*a* of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof;

Also, Assembly Bill No. 637—An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof;

Also Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921;

Also Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees;

Also Assembly Bill No. 817—An act to provide for the formation, management, maintenance and dissolution of county fire protection districts;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 70—An act to amend section 1181 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses;

Also: Assembly Bill No. 618—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian;
Also: Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names;
Also: Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32*a*, relating to the issuing of refunding bonds of such districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley irrigation districts under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 315—An act to add two new sections to the Political Code, to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code, to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors, to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 719—An act to amend section 35 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes, to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds, to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifteenth day of March, 1923, at ten o'clock a.m.

ROBERTS, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Spalding:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act appropriating money for the construction and equipment of an additional building for the Woman's Relief Corps Home.

Referred to Committee on Introduction of Bills

By Mr. Pedrotti:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to add a new section to the Code of Civil Procedure, to be numbered 2089*a*, relating to the taking of depositions.

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Carter:

WHEREAS, The members of the Legislature have been invited by the Regents of the University of California to visit the University on Friday, March 16, 1923, and

WHEREAS, Many members of both Houses desire to accept such invitation and to visit the University of California at the time aforesaid, now, therefore, be it

Resolved, By the Assembly of the State of California that the consent of the Assembly be, and the same is hereby, granted to the Senate of the State of California to adjourn the session thereof from such hour on Thursday, March 15, 1923, as may be determined by its members until the hour of 11 o'clock a.m. on Monday, March 19, 1923, such consent being given for the purpose of complying with the requirements of section 14 of article IV of the constitution of the State of California, and that notice hereof be transmitted to the Senate.

Resolution read, and on motion of Mr. Carter unanimously adopted.

REPORT OF SPECIAL COMMITTEE

The following report of special committee was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER Your committee appointed under Assembly Concurrent Resolution No 6 to investigate the oil possibilities on the property occupied by the State Hospital at Norwalk, and report back to the Assembly and Senate with recommendations submit the following report for your consideration:

We find that such oil as may be under the surface of the property can be extracted by a proper location of wells, so as not to disturb or seriously limit the usefulness or growth of the institution, and that there is no necessity of moving the institution or of curtailing its normal growth.

We find that the development of oil in the immediate vicinity of the institution indicates that the State may by leasing for oil and gas derive a substantial cash bonus, and if oil is produced on the property, should obtain a considerable monthly income as long as oil in paying quantities may be produced therefrom.

It is the recommendation of the committee that the Legislature pass a general law that will permit the Board of Control in conjunction with the Attorney General and

the Surveyor General to lease any lands for the production of oil, gas and other hydrocarbons belonging to the State not included in the lease law now on the statute books. It is a further recommendation of the committee in reference to the Norwalk property that a lease or leases be made by competitive bidding with one or more financially responsible individuals or companies doing business in California for the development of oil, gas and other hydrocarbons along such lines as will not interfere with the requisite activities and expansion of the hospital, but that will nevertheless conserve to the State its oil and gas values underlying the property, and it is the judgment of the committee that the best results to the State will be obtained in this instance by leasing the north half of the property or portions thereof at this time to one or more financially responsible individuals or companies on the basis of a cash bonus per acre, and a royalty on all oil, gas or other hydrocarbons produced and saved.

Respectfully submitted

Assemblymen:
MERRIAM.
WELLER.
MORRIS.

Senators:
BREED,
GATES, E. J.

The Speaker referred the above report to the Commtitee on Governmental Efficiency and Economy.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Mathews:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the title and an act entitled "An act making an appropriation for the survey, location and construction of a highway between Susanville in Lassen County and a point on the line between California and Nevada, approximately two miles east of Constantia in said county, approved June 1, 1917."

Referred to Committee on Introduction of Bills.

MOTION.

Mr. Kline moved that the decision rendered by Attorney General Webb relative to Constitutional Amendment No. 12 be printed in the Journal.

Motion carried.

RULING OF ATTORNEY GENERAL.

SAN FRANCISCO, March 12, 1923.

Hon. Egbert J. Gates,
Chairman, Finance Committee,
Sacramento, California.

DEAR SIR: I am in receipt of yours of the ninth inst., with which you enclose and ask a reply to a question of the Joint Committee of the Assembly and the Senate now considering the budget. The question submitted is as follows:

> "Does Constitutional Amendment No. 12 passed by the people in the general election of November, 1922, either expressly or by inference direct or divert into the general fund of the State the funds, and revenues of the so called self-supporting institutions, commissions, and boards for which special funds have been created by provision of the codes and statutes of the State?"

Directly answering your question, I am of the view that the constitutional amendment referred to in your resolution does not "either expressly or by inference direct or divert into the general fund of the State the funds, and revenues of the so-called self-supporting institutions, commissions, and boards for which special funds have been created" and the use of which is directed by existing law.

While the statement just made answers the question which you have submitted, my desire to be helpful in the understanding of this constitutional provision, the construction of which is not without difficulty, will perhaps justify additional statement.

The various commissions and boards to which you refer are undoubtedly State agencies and the moneys collected by them are moneys belonging to the State and subject to legislative disposition. If at the time of their collection existing law did not otherwise provide for their disposition, these moneys would find their way into the general fund of the State Treasury. In those instances where existing law provides for another disposition of the funds so collected, the provisions of such law will continue until changed by the Legislature. The constitutional amendment,

without doubt, contemplates that the revenues of the State collected in this fashion, together with revenues derived from all other sources, will make up the total of revenue available for State purposes, and the expenditure of which, except where otherwise directed by existing law, is to be provided for by the budget bill. This will require that before the revenues collected by many, if not by all, of these boards and commissions can be paid into the general fund and made subject to disposition of the budget bill for general purposes, and existing law controlling the funds of such boards and commissions will have to be changed.

Very truly yours, U. S. WEBB, Attorney General.

RE-REFERENCE OF BILL.

On motion of Mr. Stevenot, Assembly Bill No. 320 was recalled from the Committee on Ways and Means and referred to Committee on Roads and Highways.

MOTION TO RE-REFER.

Mr. Baker, Edwin, moved that Assembly Bill No. 54 be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.

Motion carried.

Assembly Bill No. 54 re-referred to Committee on Governmental Efficiency and Economy.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 896—An act to provide for the organization and government of public park districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

After the period at the end of line 1, on page 1 of the printed bill, insert the following:

"Whenever a petition signed by a majority or more of the electors whose names appear upon the last great register of the county as residing within territory definitely described in such petition, requesting that the said territory be organized into a public park district, shall be presented to the board of supervisors of the county in which such territory is situated, at a regular or special meeting of said board, said board of supervisors shall by resolution at said meeting fix a time for the hearing of said petition at not less than two weeks nor more than five weeks from the time of presentation thereof and shall cause notice to be given of the time and place of said hearing by publication in some newspaper of general circulation printed and published in said county for not less than two weeks prior to the time of said hearing. The petition may consist of any number of separate instruments. Said notice shall contain one copy of said petition, but the names attached to said petition need not be included in said notice or publication. Said notice shall state that any person residing or owning property within said proposed district may appear before said board at said hearing and show cause why said petition should not be granted or the boundaries thereof changed.

Sec. 2. At the time fixed for said hearing, said board of supervisors shall hear said petition and shall determine whether or not said petition complies with the requirements hereinbefore set forth and whether or not notice required herein has been published as required, and must hear all competent and relevant testimony offered in support of or in opposition thereto. Said hearing may be adjourned from time to time for the determination of said facts, not to exceed two weeks in all. No defect in the contents of the petition or in the title or to form of the notice or signatures, or lack of signatures thereto, shall vitiate any proceeding thereon, provided such petition or petitions have sufficient qualified signatures attached thereto. The determination of the board shall be expressed by resolution.

Sec. 3. If the board of supervisors shall determine that the petitioners have complied with the requirements herein set forth and that the notice required herein has been published as required it shall thereupon proceed to a final hearing of the matter. Said board shall make such changes in the boundaries of the proposed district as it may deem advisable and shall define and establish such boundaries. Any person residing or owning property within said proposed district may appear

before said board of supervisors at said hearing, in person or by attorney or agent, and oppose the creation of said district or request a change in the boundaries thereof and may produce evidence in support of his opposition or request.

Sec. 4. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California upon suit commenced by the Attorney General. Any such suit must be commenced within one year after the order of the board of supervisors declaring such district organized as herein provided, and not otherwise.

Sec. 5. *Upon the conclusion of the hearing of said matter said board shall*, by an order entered on its minutes approve the said petition, as originally presented, or in a modified form, and declare the territory embraced within the boundaries established by said board as herein provided duly organized as a park district. Said board shall then cause a copy of such order, duly certified to be immediately filed for record in the office of the county recorder of such county. From and after such filing, the organization of such district shall be complete.

Sec. 6. Such park district shall be governed and managed by three trustees, appointed by the board of supervisors from electors residing therein. The trustees *shall hold office for four years and until the appointment and qualification of their* successors, and shall serve without compensation.

Sec. 7. Such park district shall have power to adopt and use a common seal and to sue and be sued by its name.

Sec. 8. Said district shall maintain a park for the use of all inhabitants of the district, and for that purpose shall be capable of holding title to property, taking property by grant, gift, devise, lease, or any other method, and doing all acts necessary or proper for the carrying out of the purposes of this act.

Sec. 9. The said board of park trustees shall annually, at or before the time *fixed by law for the levy of county taxes, estimate and certify to the board of supervisors* the amount of money necessary to be raised by taxation for maintaining the park of the district, and the board of supervisors shall thereupon include in the annual tax levy a tax upon all the property within such park district sufficient to raise the amount so certified by the trustees, but not exceeding two mills on each dollar of assessed valuation within the district.

Sec. 10. Said tax shall be collected by the same officers and in the same manner as other county taxes, and the same, together with all other moneys received by the trustees, shall be paid into the county treasury and shall constitute a separate fund to be expended solely for the purposes of the park district upon warrants issued by the county auditor on orders signed by not less than two of said park trustees.

Sec. 11. The trustees shall, as soon after the first day of July in each year as is practicable, file with the county board of supervisors a report, setting forth all their transactions during the preceding fiscal year, and containing an itemized account of all their receipts and disbursements during said fiscal year, together with proper vouchers therefor.

Sec. 12. The trustees shall make proper rules and regulations for the management of the parks under their control, and all laws now in existence or which may hereafter be enacted, relating to parks and not inconsistent with this act, shall apply to the parks provided for in this act.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300*c*, of the Political Code, relating to recorders and fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 1 and insert in lieu thereof the following.

"Section 1. A new section is hereby added to the Code of Civil Procedure, to be numbered one thousand seven hundred eighteen, and to read as follows:

1718. When the right of any child to receive state aid,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 3, line 11, strike out the comma after the figure "15" and insert in lieu thereof the following: a period.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 972—An act declaring the present county road starting at a point at Angels Camp in Calaveras County, extending through Murphys and connecting with the Alpine State highway at Calaveras big trees in Calaveras County, to be a State highway.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 1, 2, 3, 4 and 5 of the title and in lieu thereof insert the following "An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras Big Trees in the national forest to be a State highway."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 to 5, both inclusive, and in lieu thereof insert the following:

"Section 1. That certain county road in Calaveras County commencing at a point where such highway connects with the Mother Lode State highway at Angels Camp, extending through Vallecita and Murphy and connecting with the Alpine State highway at Calaveras Big Trees in the national forest, is hereby declared to be a State highway and placed under the supervision and control of the State highway commission."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi." approved April 15, 1919.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211*a*, regarding the definition of robbery and the degrees thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 950—An act to amend section 1093 of the Penal Code, relating to the conduct of trial in criminal cases and the order of proceeding on trial.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 2 of article IV thereof, relating to the sessions and business of the Legislature

Assembly Constitutional Amendment No. 4 read.

The question being on the passage of the Constitutional Amendment.

The roll was called, and Assembly Constitutional Amendment No. 4 refused adoption by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Davis, Donohue, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Hornblower, Johnston, Jones, Kline, Lyons, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, and Williams—42

NOES—Baker, Edwin; Bernard, Broughton, Cleary, Coombs, Crittenden, Dean, Dorris, Fox, Heisinger, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Mueller, Noyes, Prendergast, Roberts, Saylor, Schmidt, Spence, Whitacre, Woodbridge, Wright, and Mr. Speaker—28.

NOTICE OF RECONSIDERATION.

Mr. Baker, Edwin, gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 4 was this day refused passage.

MOTION TO SUSPEND RULE.

Mr. Schmidt moved that Rule 71 be suspended for the remainder of the day.

POINT OF ORDER.

Mr. Christian arose to the following point of order: That Mr. Schmidt's motion was out of order.

RULING OF THE SPEAKER.

The Speaker ruled that the point of order was well taken.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 276 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—54.

NOES—None.

Title read, and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Baker, Edwin, moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 6 and 7, strike out the words "Santa Barbara, Ventura".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, line 19, after the comma, following Los Angeles, insert the following "Santa Barbara, Ventura"

Motion carried.

The Speaker appointed Mr. Baker, Edwin, as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 259, with instructions, reports that the instructions of the Assembly have been carried out.

BAKER, EDWIN, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 275 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883 and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 131 passed by the following vote:

AYES—Anderson, Badaracco, Badham Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 272—An act to establish Gold Discovery Day.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 272 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Morris, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 541 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb,

Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Eksward, the hour of recess was extended until the third reading file had been completed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Spence moved a call of the House.

Motion carried.

Time, twelve o'clock and nineteen minutes p. m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and twenty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Spence.

The roll of absentees was called, and Assembly Bill No. 290 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—58.

NOES—Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Connolly, Dawson, Duval, Eksward, Erb, Fox, Graves, Lyons, McMillan, Scott, and Mr. Speaker—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Rosenshine moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, lines 19 and 20, of the printed bill, strike out the words "have plaintiff".

AMENDMENT NUMBER TWO

On page 1, line 21, strike out the word "peiosn" and insert in lieu thereof the word "person".

Motion carried.

The Speaker appointed Mr. Rosenshine as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 495, with instructions, reports that the instructions of the Assembly have been carried out

ROSENSHINE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RESCIND ACTION.

Mr. Wright moved that the action withdrawing Assembly Bill No. 402 from the file and referring it to the Committee on Ways and Means, be rescinded and the record expunged

Motion carried.

Assembly Bill No 205—An act to amend section 1739a of the Political Code, relating to high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 205 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Ekswaid, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Johnston, Jones, Kline, Lyons, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Scott, Smith, Spalding, Stevenot, Stow, Weller, Whitacre, Wright, and Mr. Speaker—52.

NOES—Douglas—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR SPEAKER Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No 19—Relative to the service of the Honorable Dr Earnest Dozier in the United States Army—has had the same under consideration and respectfully reports the same back, and recommends that it be adopted

DAVIS, Chairman

The above reported joint resolution ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737p, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect and repealing all parts of acts in conflict therewith;

Also, Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737p, relating to salaries of judges of the superior court in Stanislaus County;

Also, Assembly Bill No. 203—An act to add a new section to the Political Code to be numbered 738cc, relating to the salaries of superior judges,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

MORRIS, Chairman.

MOTION.

Mr. Johnston moved that Assembly Bills Nos. 226, 214, and 203 be placed on file for passage.

Motion carried.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition,

Also, Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty;

Also, Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale,

Also, Assembly Bill No. 1160—An act to repeal section 1511b of the Penal Code, relating to the viewing of the body by a coroner's jury,

Also, Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses;

Also, Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death,

Also, Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict,

Also, Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial;

Also, Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody, and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School for Girls, and other institutions, establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all

acts or parts of acts inconsistent herewith," approved June 15, 1915, as amended, by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes;

Also Assembly Bill No 941—An act to amend section 460, relating to the degrees of burglary.

Also: Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code;

Also. Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Also. Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1923.

MR. SPEAKER Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to state penitentiaries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEDROTTI, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1023—An act to appropriate money for the rock crusher and pulverizer for making concrete aggregate, and road work at the Folsom State Prison;

Also Assembly Bill No. 1024—An act to appropriate money for an ice house at Folsom State Prison;

Also Assembly Bill No. 1025—An act to appropriate money for contingent requirements and emergencies at Folsom State Prison;

Also Assembly Bill No. 1026—An act to appropriate money for the purpose of repairing cottages at Folsom State Prison;

Also: Assembly Bill No 1027—An act to appropriate money for the repairing of electrical equipment at Folsom State Prison;

Also Assembly Bill No 1028—An act to appropriate money for the erection of cottages for Folsom State Prison;

Also: Assembly Bill No. 1029—An act to appropriate money for general repairs and improvements at Folsom State Prison;

Also. Assembly Bill No 1030—An act to appropriate money for completion of buildings and extensions of walls at Folsom State Prison;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass and be re-referred to Committee on Ways and Means.

PEDROTTI, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C C, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C C, Chairman

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Foster: An act to regulate, restrict or prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries, declaring such wells to be public nuisances and providing for the abatement of the same.

By Mr. Pedrotti: An act to add a new section to the Code of Civil Procedure, to be numbered 2089*a*, relating to the taking of depositions.

By Mr. Spence: An act to add a new section to the Political Code, to be numbered 2192*a*, relating to commitment of imbeciles.

By Mr. McPherson: An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

By Mr. Spalding: An act appropriating money for the construction and equipment of an additional building for the Woman's Relief Corps Home.

By Mr. Spence: An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.

By Mr. Douglas: An act to provide for the appointment of a commission to investigate and report a plan for the control of tuberculosis in the State of California and making an appropriation therefor.

By Mr. Johnson, Frank: An act to add a new section to the Political Code, to be numbered 4099*b*, requiring county auditors to make and publish monthly statements of expenditures of school districts, union school districts, joint school districts, joint union school districts, junior high school districts, high school districts, union high school districts, joint union high school districts, county high school districts and junior college districts.

By Mr. McPherson: An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin Rivers and the Bay of San Francisco, authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the cost thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon the assessment levied by the Reclamation Board upon lands in said District," approved May 7, 1919; to levy such assessment upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said Drainage District, and to provide for the maintenance and operation thereof.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Hornblower, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Foster: Assembly Bill No. 1274—An act to regulate, restrict or prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries; declaring such wells to be public nuisances and providing for the abatement of the same.

Bill read first time, and referred to Committee on Oil Industries.

By Mr Pedrotti: Assembly Bill No. 1275—An act to add a new section to the Code of Civil Procedure, to be numbered 2089*a*, relating to the taking of depositions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Spence: Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192*a*, relating to commitment of imbeciles.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McPherson: Assembly Bill No. 1277—An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Spalding: Assembly Bill No. 1278—An act appropriating money for the construction and equipment of an additional building for the Womans' Relief Corps Home

Bill read first time, and referred to Committee on Ways and Means.

By Mr Spence· Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr Douglas: Assembly Bill No. 1280—An act to provide for the appointment of a commission to investigate and report a plan for the control of tuberculosis in the State of California and making an appropriation therefor

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Johnson, Frank (by request). Assembly Bill No. 1281—An act to add a new section to the Political Code, to be numbered 4099*b*, requiring county auditors to make and publish monthly statements of expenditures of school districts, union school districts, joint school districts, joint union school districts, junior high school districts, high school districts, union high school districts, joint union high school districts, county high school districts and junior college districts.

Bill read first time, and referred to Committee on Education.

By Mr. McPherson: Assembly Bill No 1282—An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin rivers and the bay of San Francisco; authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the cost thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin drainage district, based upon the assessment levied by the Reclamation Board upon lands in said district," approved May 7, 1919; to levy such assessments upon the lands within the said Sacramento

and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

MOTION

Mr. Erb moved that his resolution as printed in the Journal of Tuesday, March 13, 1923, be taken up for adoption at this time.

Motion carried.

Resolution by Mr. Erb:

WHEREAS, Members of this Assembly have been cordially invited as guests of the alumni of the University of California to visit and inspect the State University at Berkeley, and

WHEREAS, The entire membership of this Assembly accepted the invitation to visit the State University and transportation has been arranged for the full membership of this body; and

WHEREAS, There will be no business transacted in the Assembly during Friday and Saturday of this week therefore be it

Resolved, That the Chief Clerk be, and he is hereby directed and instructed to declare a holiday for the stenographers of this body for Friday and Saturday.

Resolution read, and on motion of Mr. Erb, unanimously adopted.

NOTICE TO REPEAL RULE.

Notice is hereby given that the undersigned, a member of the Assembly, will, on the next Legislative day, move that Rule 71 be repealed

CORA M. WOODBRIDGE.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 14, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on March 14 adopted the following resolution:

WHEREAS, The members of the Legislature have been invited by the Regents of the University of California to visit the University on Friday, March 16, 1923, and

WHEREAS, Many members of both houses desire to accept such invitation and to visit the University of California at the time aforesaid; now, therefore, be it

Resolved, By the Senate of the State of California that the consent of the Senate be, and the same is hereby, granted to the Assembly of the State of California to adjourn the session thereof from such hour on Thursday, March 15, 1923, as may be determined by its members until the hour of 11 o'clock a.m. on Monday, March 19, 1923, such consent being given for the purpose of complying with the requirements of section 14 of article IV of the constitution of the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO March 14, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Also: Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036*a*, relating to foreign depositions.

Also. Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes;

Also Senate Bill No. 553—An act to amend section 1142*a* of the Political Code, relating to election laws;

Also. Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers;

Also Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37*f*, relating to compensation and travel expenses of water masters.

Also Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*a*, relating to hearings upon applications for a permit to appropriate water, and 1*b*, relating to actions for review and to priority of right.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 302 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 156 read first time, and referred to Committee on Judiciary.

Senate Bill No 157 read first time, and referred to Committee on Judiciary.

Senate Bill No. 553 read first time, and referred to Committee on Elections.

Senate Bill No. 554 read first time and referred to Committee on Elections.

Senate Bill No. 487 read first time, and referred to Committee on Irrigation.

Senate Bill No. 495 read first time, and referred to Committee on Irrigation.

ADJOURNMENT.

At one o'clock and eight minutes p m., on motion of Mr Carter, the Speaker declared the Assembly adjourned this day until eleven o'clock a m., Monday, March 19, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 19, 1923.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Ball, Mr. Stevenot was granted leave of absence for the day.

On motion of Mr. Schmidt, Messrs. Mitchell, T. A., and Hornblower were granted leave of absence for the day.

On motion of Mr. Badaracco, Messrs Morrison and Fellom were granted leave of absence for the day.

On motion of Mr. Dean, Mr. Crittenden was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Davis, Mr. Will S. Fawcett Mayor of El Centro, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Roberts, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

RIVERSIDE, CALIFORNIA, February 14, 1923.

Sen. Chester W. Kline,
Hemet, California.

Dear Sir: We, the women of the Home Department of Jurupa Farm Center, are resolved that we are heartily in favor of continuing the Home Demonstration work in its present form, as it is exactly fitted to the local and individual needs of the women on the country farms.

Please consider carefully the appropriation for this particular work.

(Signed)

MARY E. BRIDSON.
ORRIE M. KIDDER.
MARY J. GALLWAS.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to reapportionments—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, establishing a State Athletic Commission and regulating boxing and sparring in the State—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno, and the floor of the Kings River Canyon at or near Cedar Grove hotel in said county;

Also Assembly Bill No. 683—An act to amend sections 12, 14 and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

DOUGLAS, Chairman.

The above reported bills ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1923

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1116—An act to amend section 633*b*, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder, prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

Also Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629*a*, relating to group insurance by life insurance companies and valuation of group insurance policies.

Also Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.

Also Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

SACRAMENTO, March 15, 1923.

To the Assembly of the State of California

Senate Bill No. 188, authorizing the State Board of Control to lease certain lands belonging to the State of California situated in the county of Los Angeles, is, in my opinion, an urgency measure and I therefore recommend its passage as an emergency bill.

Respectfully submitted

FRIEND WM RICHARDSON, Governor

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State Treasury and providing for exemption from fees.

Also: Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*c*, relating to acquisition of rights by appropriation to the use of water, and 1*d*, relating to matters prerequisite to the issuance of a permit to appropriate water

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 485 read first time, and referred to Committee on Irrigation.

Senate Bill No. 496 read first time, and referred to Committee on Irrigation.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 4 was refused adoption, be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1149—An act to amend section 633*a* of the Political Code, relating to licensing of insurance and surety brokers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1221—An act to amend section 3666*a* of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "irrigation" strike out the word "districts" and insert in lieu thereof the word "district".

AMENDMENT NUMBER TWO.

On page 3, line 9, of the printed bill, after the syllable "tion" strike out the word "districts" and insert in lieu thereof the word "district".

AMENDMENT NUMBER THREE.

On page 3, line 20, of the printed bill, after the word "power" strike out the word "or".

AMENDMENT NUMBER FOUR.

On page 3, line 22, of the printed bill, after the syllable "gation" strike out the word "districts" and insert in lieu thereof the word "district".

AMENDMENT NUMBER FIVE.

On page 3, line 51, of the printed bill, after the word "irrigation" strike out the word "districts" and insert in lieu thereof the word "district".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 8 to 16 inclusive and insert in lieu thereof the following

"Sec. 28. In any district the board of directors thereof must, if a petition therefore signed by a majority of the holders of title or evidence of title to the lands within said district representing a majority in value of said lands shall have been filed in the office of the board at least seventy days before the next ensuing general irrigation district election, make an order that the number of directors in said district shall be changed to three or five, or that the directors shall be elected by the district at large or by divisions, or that both the number of directors and the method of their election shall be thus changed, as may be requested in said petition; or, the board of directors on its own initiative, by resolution adopted not less than fifty days before the next ensuing general irrigation district election, may, and said board must, if a petition therefor signed by at least five hundred holders of title or evidence of title to lands within said district representing at least twenty per cent in value of the lands within said district shall have been filed in the office of the board at least seventy days before the next ensuing general irrigation district election, submit to the qualified electors of the district at said election the question whether the number of directors in said district shall be changed to three or five, or whether the directors shall be elected by the district at large or by divisions, or whether both the number of directors and the method of their election shall be thus changed. If upon the submission of said question at an election as aforesaid, a majority of the electors voting thereon in said district and a majority of the electors voting thereon in each division of a majority of the divisions within said district shall approve the change, or changes, proposed in the proposition submitted, the board of directors shall make an order in accordance with such approval. If an order made by the board of directors as in this section provided shall require a change in the method of electing directors, all directors thereafter elected in said district shall be elected by divisions or by the district at large as may be provided in said order. If such an order shall require a change in the number of directors, the board of directors shall forthwith redivide said district into the number of divisions corresponding to the number of directors specified in said order, and the terms of office of all the directors of the district shall expire on the first Tuesday in March following the next general irrigation district election, and at said election the number of directors designated in said order shall be elected and shall enter upon the duties of their office on the first Tuesday in March next following their election, and shall classify themselves and determine the length of their respective terms in the manner provided in this act in the case of directors elected upon the organization of a district. The provisions of section one of this act regarding evidence of the genuineness of signatures and place of residence of petitioners shall apply to the petitions provided for in this section. If a question is submitted to the electors of a district as in this section provided, it shall be stated on the ballot, and the method of voting thereon shall be, as nearly as practicable in conformity with the provisions of section thirty *c* of this act and the notice of election shall contain a statement showing what change or changes are proposed in the question thus to be submitted."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32*a*, relating to the issuing of refunding bonds of such districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title in the printed bill after the words "issuing of", insert the following: "funding or".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill after the words "purposes of", insert the following "funding or".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill after the word "such", insert the following: "funding or".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill after the word "to", insert the following: "funding or".

AMENDMENT NUMBER FIVE.

On page 1, line 23, of the printed bill after the word "said", insert the following: "funding or".

AMENDMENT NUMBER SIX.

On page 1, strike out all of lines 24 and 25 of the printed bill and insert in lieu thereof the following: "of said district, but in no case shall the".

AMENDMENT NUMBER SEVEN

On page 2, line 2, of the printed bill after the word "such", insert the following: "funding or".

AMENDMENT NUMBER EIGHT.

On page 2, line 5, of the printed bill after the word "such", insert the following: "funding or".

AMENDMENT NUMBER NINE.

On page 2, line 6, of the printed bill after the word "so", insert the following: "funded or".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, after the word "clerk" insert "or registrar of voters".

AMENDMENT NUMBER TWO

On page 1, line 18, strike out the word "forty" and insert in lieu thereof the word "sixty".

AMENDMENT NUMBER THREE.

On page 2, line 10, after the word "state" insert "county clerk or registrar of voters".

AMENDMENT NUMBER FOUR.

On page 2, line 14, after the word "state" insert "and county clerk or registrar of voters".

AMENDMENT NUMBER FIVE.

On page 2, lines 20, 21 and 22, strike out "from the first fifty ballots" and "from the first hundred ballots".

AMENDMENT NUMBER SIX.

On page 2, lines 25 and 26, strike out the word "completely" and insert in lieu thereof the word "thus".

AMENDMENT NUMBER SEVEN.

On page 2, lines 35 to 41, inclusive, beginning with the word "upon" strike out balance of line 35 and lines 36 to 41, inclusive, and insert in lieu thereof the following "Upon the completion of the first seventy-five ballots thus canvassed, and upon the canvassing of all the ballots, the inspector must ascertain and report the total figures, as above provided upon the completion of the canvass of the first twenty-five ballots, except that he need not report the total votes cast more than once."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 1 following the period and all of lines 2 to 20, both inclusive, and all of pages 2, 3, 4, 5 and 6 and insert in lieu thereof the following: "A new chapter is hereby added to title two of part three of the Political Code, to be numbered chapter fifteen, and to read as follows:

Section 1. (a) Any duly registered voter, who, by reason of his occupation is regularly required to travel about the state, and who will be absent from his election precinct on the day on which any primary or general election is held, or who by reason of his being engaged in the military or naval service of the United States or of the State will be absent from his election precinct on the day on which any primary or general election is held, may procure a ballot of his election precinct from the county clerk or registrar of voters of the county or city and county of his residence, and cast said ballot, upon complying with the provisions of this chapter.

(b) Not more than ten days nor less than five days before any of the elections mentioned in this chapter, any such voter may make his application in writing to the county clerk or registrar of voters of the county or city and county of his residence for such ballot, accompanied by his affidavit; which application and affidavit shall be substantially in the following form:

State of California. }
County of _____ } ss.

_____ being first duly sworn, deposes, and says: I am a resident of _____ county in said state, and a duly registered voter therein. I am by reason of my occupation required to travel about the State of California, (or engaged in the military or naval service of the United States, or of the State), and will be absent from my said precinct on

the day of the next ensuing election. I hereby apply for an official ballot of my precinct, to be mailed to me at _____.

_____
(Signature of applicant)

_____
(Home address of applicant)

Subscribed and sworn to before me this _____ day of _____ 192 .

_____
Notary Public (or other officer)

(c) Upon receipt of such application and affidavit within the time mentioned, it shall be the duty of the county clerk or registrar of voters receiving same to deliver to said applicant personally, or by registered mail at the mailing address given in said application, an official ballot of the precinct of said applicant, together with an identification envelope and a return envelope, and a small rubber stamp and stamp pad for marking said ballot; *provided, however*, that before delivering or mailing such ballot and supplies the county clerk or registrar of voters shall satisfy himself from the affidavit of registration of such voter as to the truth of said affidavit, and may refuse in a proper case to deliver or send said ballot; *and provided further*, that the county clerk or registrar of voters shall not be required to mail a ballot to any address within the city or city and county or town of residence of said applicant and in which the office of said officer is situated. Upon delivering or mailing such ballot the said officer shall enter the number of the ballot and the date of delivering or mailing of same upon the application affidavit of such voter, or upon the affidavit of registration of said voter, and before the election said officer shall send to the inspector of each precinct in his county or city and county a list of the voters in his precinct applying for and receiving ballots under the provisions of this chapter.

(d) Should such voter return to his home precinct on election day, he shall not be allowed to vote until he shall have surrendered to the inspector of the precinct election board the absent voter's ballot, mailed to him and other supplies with which he may have been furnished. The inspector of election shall return the unused absent voter's ballot with the unused ballots of his precinct

(e) In case the election for which such voter applies for a ballot is the May presidential primary election, such voter shall state in his application affidavit, in addition to the statements set forth in the foregoing affidavit, the name of the political party with which he intends to affiliate in voting for candidates for office at the next ensuing November election, and said voter shall be given the ballot of that political party only with which he thus declares himself affiliated, according to the presidential primary law or acts amendatory thereof or supplemental thereto

In case such election is the August primary election, the county clerk or registrar of voters shall deliver or mail to said voter a ballot only of such political party with which said voter is registered as intending to affiliate, as shown by his affidavit of registration, if such political party is participating in such election. If said voter is not registered as intending to affiliate with any one of the political parties participating in said primary election, he shall be furnished a non-partisan ballot, and no other.

(f) All supplies mentioned in this chapter and necessary for the use of the voter in preparing and returning his ballot shall be prepared and furnished by the county clerk or registrar of voters of the county or city and county of which such voter is a resident, and no officer shall make any charge for services rendered to any voter under the provisions of this chapter.

Sec. 2 (a) The identification envelope and return envelope provided for herein shall be of such form, size and weight as may be necessary and convenient, as prescribed by the county clerk or registrar of voters. The identification envelope shall have printed on its face an affidavit in the following form

State of California. ss.
County of _____

I, _____ do solemnly swear that I am a resident of and a qualified voter in _____ in the city of _____, county of _____, in said state, that I have not heretofore voted for the election for which I am now casting my ballot, that I have the legal right to vote at said election, and that I have herein enclosed my ballot for such election, duly marked as required by law in the presence of _____, a _____,
(official title)
in and for _____ county, State of California.

_____
(Signature)

_____
(Residence address)

Subscribed and sworn to before me, a _____ in and for _____ county, State of California, this _____ day of _____ _____ 192 ; and I hereby

certify that the affiant presented himself before me on the day above named in the city (or town) of _____, county of_____ _____, State of California; that he exhibited to me the enclosed ballot and that same was unmarked; that he before me at the same time and place marked his ballot, but in such a manner that I did not see his vote; that he then folded and enclosed said ballot, so marked, in this envelope, which envelope he handed to me sealed, whereupon I wrote or stamped my name across the seal of said envelope and returned said envelope to him to be forwarded by him by registered mail to the county clerk or registrar of voters of the county of _____, State of California.

(Signed) _____
_____, in and for the county
of _____
State of California

Sec. 3. (a) Any voter applying for and receiving a ballot as hereinbefore provided, and who has not before voted for said election, may, on any day prior to the day of the election for which such ballot is to be voted, appear at the office of the county clerk or registrar of voters of the county or city and county in which such voter resides, and stamp and seal his ballot under the scrutiny of such officer, and in the following manner: The voter shall first display the ballot to such officer as evidence that the same is unmarked, and shall then proceed to mark the ballot in the presence of such officer, but in such manner that such officer is unable to see how the same is being marked, and shall then fold said ballot and enclose the same in the identification envelope. The voter shall then make out and swear to the affidavit printed on the face of such envelope and deliver the same properly sealed to the officer before whom the ballot was marked. Said officer shall certify to the affidavit printed on the identification envelope and enclose said envelope in the return envelope and seal same, and after writing or stamping his name across said seal shall deposit said envelope in a safe place in his office, to be kept by him and thereafter delivered to the proper election board as hereinafter provided, and the certificate of such officer on the identification envelope shall state, in the last sentence thereof, such deposit of such envelope in his office, and not its return to the voter.

(b) In case said voter is absent from the county or city and county of his residence on election day, and has not before voted for said election, he may appear before the clerk, or any notary public, of the city, city and county, county or town, within the State of California, in which he may be on said day, and stamp and seal his ballot under the scrutiny of such officer, in the manner hereinabove set forth. Such officer shall then certify to the affidavit printed on the identification envelope, and enclose said envelope in the return envelope and seal same, and, after writing or stamping his name across said seal, shall deliver said envelope to the voter to be by him return by registered mail to the office of county clerk or registrar of voters, as the case may be from whom such ballot was received.

(c) In case said voter is engaged in the military or naval service of the United States or of the State and is absent from his county or city and county on election day, and has not before voted for said election, he may appear before the county clerk or registrar of voters, or any notary public of the county or city and county, where he may be, or before any officer authorized for that purpose, and at a place fixed, by the proper military or naval authorities where he may be on said day, and stamp and seal his ballot in the manner hereinabove set forth. Such officer shall then certify to the affidavit printed on the identification envelope and enclose said envelope in the return envelope and seal same, and after writing or stamping his name across said seal, shall deliver said envelope to the voter to be by him returned by registered mail to the office of the county clerk or registrar of voters, as the case may be, from whom such ballot was received.

Sec. 4. (a) All ballots cast under the provisions of this chapter must, in order that they may be counted, be received by the county clerk or registrar of voters, of the county or city and county in which such voters are registered, within fourteen days after the date of the election in which such ballots are to be counted.

Sec. 5. (a) Fifteen days after any election mentioned herein, it shall be the duty of each county clerk or registrar of voters to deliver to the board of supervisors, board of election commissioners or election board of the county, city and county, city or town, for which such election is held, all ballots received by him under the provisions of this chapter. The board of supervisors, board of election commissioners, or election board, shall meet at the usual place of such meeting, or any other place permitted by law, at ten o'clock in the forenoon of the sixteenth day after any primary or general election is held to canvass the returns, at which time the board of supervisors, or the board of election commissioners, or election board, shall canvass all of the ballots delivered to them by the county clerk or registrar of voters and shall proceed to canvass and count the same personally, or by an election board, consisting of five electors, appointed by them for that purpose. At the August primary election or the May presidential primary election, the canvass shall be made in the manner prescribed by section twenty-one of the direct primary law, excepting as hereinafter provided, and the canvass of votes for any general election shall be according to the laws now in force pertaining to such general election, except as hereinafter provided.

Sec. 6. (a) The board of supervisors, board of election commissioners or election board appointed as hereinbefore provided shall proceed to count said ballots in the following manner, they shall take up such return envelopes containing such ballots separately in the presence of a majority of the members of the board of supervisors, board of election commissioners or election board, and of the public who may be present, and compare the signature of the voter on each of such envelopes with that on the registration affidavit of such voter, and the board being satisfied that the signature on the voter's identification envelope is the signature of such voter, shall announce in an audible voice the name of such voter, and shall then open such identification envelope without defacing the affidavit printed thereon or mutilating the enclosed ballot, and without untolding said ballot deposit same in the ballot box provided for such purpose, after removing the number therefrom. After all of the ballots are deposited in said box they shall then be taken out, after said box is thoroughly shaken, and the votes counted in the usual manner by the board of supervisors, board of election commissioners, or election board appointed for that purpose and the result of such count for each candidate voted for, and for and against each proposition voted upon, in such ballots, for each precinct shall be added by the board having charge of said election to the result found by said board at the official canvass of the votes cast at said election for each of said candidates, and for and against each proposition voted upon, in each of the precincts affected by the ballots cast under the provisions of this chapter, in order that the total vote cast at said election may be found, and the total so found shall be the total vote for such precinct for such election, and for each of the candidates and propositions voted upon. The identification envelopes shall be preserved and returned to the county clerk or registrar of voters to be retained in his office as a record for the period not exceeding two years, and the ballots so counted shall be preserved in the same manner as other ballots cast at such election. If in any case a majority of the board find that the signature on any identification envelope is not the same as that appearing on the original registration affidavit of said voter, said board shall refuse to open such envelope or count such ballot and shall endorse the cause of such rejection on the face of said envelope and must be signed by a majority of said board; but no ballot shall be rejected for such cause after the envelope containing same shall have been opened.

(b) The duties imposed by this chapter upon the county clerk or registrar of voters shall be performed by such registrar of voters in all cases where the office of registrar of voters exists.

Sec. 7. Any person attempting to aid or abet fraud in connection with any vote cast or to be cast, or attempted to be cast, under the provisions of this chapter, shall be guilty of a felony, and upon conviction shall be sentenced to the penitentiary for not less than one nor more than five years. Any person attempting to vote by fraudulently signing the name of a regularly qualified voter shall be guilty of forgery. Any public official, who knowingly violates any of the provisions of this chapter, and thereby aids in any way the illegal casting, or attempting to cast, a vote, or who shall connive to nullify any of the provisions of this chapter in order that fraud may be perpetrated, shall forever be disqualified from holding office in this State, and shall forever be disqualified from exercising the right of franchise and upon conviction shall be sentenced to the penitentiary for not less than one nor more than five years.

Sec. 8. The provisions of this chapter shall be liberally construed in favor of the absent voter.

Sec. 9. If any section, subdivision, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portions of this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" Act and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 1 following the period, and all of lines 2 to 6, both inclusive, and insert in lieu thereof the following: "The people of the State of California, do hereby through their legislative authority accept the

provisions and benefits of an act of Congress entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes,' approved November 23, 1921. The Bureau of Child Hygiene of the California State Board of Health is hereby empowered and directed to cooperate with the Children's Bureau in the administration of said act.

SEC. 2. It is hereby made the duty of the Bureau of Child Hygiene of the California State Board of Health to formulate a plan of cooperation in accordance with the provisions of said act and provide that no officer, or agent or representative in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of said child.

SEC. 3. Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737 *p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737 *p*, relating to salaries of judges of the superior court in Stanislaus County.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 203—An act to add a new section to the Political Code to be numbered 738 *cc*, relating to the salaries of superior judges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code relating to the viewing of the body by a coroner's jury.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, as amended, by adding a new section to be numbered 22*a*, relating to maintenance of public schools in detention homes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "power" strike out the words "and it shall be its duty"

AMENDMENT NUMBER TWO

On page 2, line 14, of the printed bill, after the word "ordinance" strike out the word "shall" and insert in lieu thereof the word "may"

AMENDMENT NUMBER THREE

On page 2, line 28, of the printed bill, strike out all of line 28 and insert in lieu thereof, the following: "whenever such a school has been established in accordance with the provisions of this section the board of supervisors shall provide suitable grounds.".

AMENDMENT NUMBER FOUR.

On page 3, line 8, of the printed bill, after the word "is" insert a comma and the words "or may be" and a comma.

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "dangerous or".

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, strike out the words "or in committing any crime in such building or in escaping therefrom".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460*a* and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "has usually been" and insert in lieu thereof the word "is".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 6 and 7 of the printed bill strike out the words "In the discretion of the trial court".

AMENDMENT NUMBER TWO.

On page 1, line 11 of the printed bill strike out the "period" after the word "prison" and insert in lieu thereof the words "provided that when the defendant pleads guilty to an offense under subdivision one of section two hundred sixty one of the Penal Code, the punishment shall be in the discretion of the trial court, either

by imprisonment in the county jail for not more than one year or in the state prison for not more than fifty years".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 863—An act to amend section 1200*a* of the Penal Code, relating to persons sentenced to State penitentiaries.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

1202*a* If the judgment is for imprisonment in the state prison it shall direct that the defendant be taken to the warden of the state prison at San Quentin; *provided, however*, that if the defendant shall have previously been convicted of a felony, or if the Court in the exercise of its discretion shall deem it a proper case so to do, it shall direct that the defendant be taken to the warden of the state prison at Folsom. Thereafter, and until the termination of the sentence, the state board of prison directors may transfer the defendant from one state prison to the other as in the opinion of the board conditions may require.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "than" strike out the word "two" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Bill read second time, ordered to engrossment, and third reading.

MOTION TO RE-REFER.

Mr. Kline moved that Assembly Bills Nos. 402, 214, 203, and 226 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Bills Nos. 402, 214, 203, and 226 re-referred to Committee on Ways and Means.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, March 12, 1923, Tuesday, March 13, 1923, Wednesday, March 14, 1923, and Thursday, March 15, 1923 be approved as corrected by the Minute Clerk.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage.

Assembly Constitutional Amendment No 24 read.

The question being on the passage of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 24 adopted by the following vote:

AYES—Badaracco, Badham, Baker C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 24 ordered transmitted to the Senate.

Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 230 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 72 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—63

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 386 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding; Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 496—An act to amend section 927*a* of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 496 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Douglas, Duval, Eksward, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 725 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Erb, Foster, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson,

Miller, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1036 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Eksward, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1037 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Douglas, Duval, Eksward, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 93 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy,

Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—Carter—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Coombs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 93 was this day passed.

Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read third time.

MOTION.

Mr. Mueller moved that consideration of Assembly Bill No. 637 go over until the next legislative day.

Motion carried.

MOTION.

Mr. Mathews moved that 500 extra copies be printed of Assembly Bill No. 1041, as amended.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

REINDOLLAR, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court, providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking of evidence; providing also other incidental powers and duties of the court—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 15—Relative to the passage of an act providing for adjusted compensation for World War veterans—and reports that the same has been correctly enrolled, and presented the same to the Governor on this nineteenth day of March, 1923, at ten o'clock and thirty minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 546—An act to amend section 607c of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals;

Also Assembly Bill No 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same,

Also Assembly Bill No 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913;

Also Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway;

And reports that the same have been correctly re-engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Also: Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property;

Also Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919;

Also Assembly Bill No. 950—An act to amend section 1093 of the Penal Code, relating to the conduct of trial in criminal cases and the order of proceeding on trial;

Also Assembly Bill No 464—An act to amend sections 4130, 4140, and 4300c of the Political Code, relating to recorders and fees,

Also Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State;

And reports that the same have been correctly engrossed.

ROBERTS Chairman

The above reported bills ordered on file for third reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1923.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 210—An act to amend section 360c of the Political Code, relating to records—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

By Mr. Mathews. An act to amend the title and an act entitled "An act making an appropriation for the survey, location and construction of a highway between

Susanville in Lassen County and a point on the line between California and Nevada, approximately two miles east of Constantia in said county, approved June 1, 1917."

FOX, Chairman.

Report read

Mr Fox moved the adoption of the report.

The question being on the adoption of the report.

The roll was called and the report adopted by the following vote:

AYES—Anderson, Badham, Baker, Edwin: Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleveland, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Mathews: Assembly Bill No. 1283—An act to amend the title and an act entitled "An act making an appropriation for the survey, location and construction of a highway between Susanville in Lassen County and a point on the line between California and Nevada, approximately two miles east of Constantia in said county, approved June 1, 1917"

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cleveland: Assembly Concurrent Resolution No. 10—Relative to approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923.

Introduced, and referred to Committee on Municipal Corporations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Noyes:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act appropriating money for the construction of an engineers building at the University of California Farm School, at Davis, California.

Referred to Committee on Introduction of Bills.

By Mr. Cleveland:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

Referred to Committee on Introduction of Bills.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 15—Approving the charter of the

city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 15 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California;

Also: Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife,

Also Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class;

Also: Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries;

Also Senate Bill No 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2269, both inclusive, relating to the education of the deaf and the blind;

Also Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 285 read first time, and referred to Committee on Judiciary.

Senate Bill No. 228 read first time, and referred to Committee on Judiciary.

Senate Bill No. 480 read first time, and referred to Committee on County Government.

Senate Bill No. 428 read first time, and referred to Committee on County Government.

Senate Bill No. 318 read first time, and referred to Committee on Education.

Senate Bill No. 131 read first time, and referred to Committee on Education.

MOTION.

Mrs. Woodbridge moved that the consideration of her notice to move to repeal Rule 71 go over till the next legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite his name be stricken from the roll, to date from and including the eighteenth day of March, 1923.

Jack D. Walker, Committee Clerk.....$4 00

The committee further reports that the following named persons be and they are hereby appointed and employed for the position and at per diem set opposite their respective names Said employment to date from and be effective as follows

Effective March 18, 1923:

Jack D Walker Assistant Engrossing and Enrolling Clerk.....$5 00

Effective March 19, 1923:

Mrs. Lena F Heisinger, Committee Clerk.....$4 00

Be it further,

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named persons upon the appropriations for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Miller, Moore, Morris, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—57.

NOES—None.

COMMUNICATION.

The following communication was filed:

By Mr. Speaker:

The Uniform Rank of the Veteran Firemens Association of San Francisco Inc., cordially invite you to attend the unveiling of the group picture of members who represent three generations and to perpetuate the memories of the pioneers by Mayor Rolph at M. H. de Young Memorial Museum, Golden Gate Park, Sunday, March 25, 1923, at 2 p. m., under auspices of the San Francisco Club who are celebrating Founders Day.

Chief Murphy will present Mr M de Young with the gold badges of deceased members which will be placed in the museum.

The San Francisco, Oakland and Sacramento Fire Department bands and the police department will lead the Uniform Rank and their invited guests who will assemble at Haight and Stanyan Streets, at 1 p m

PHIL J. DIEZ, President.
J. BRADY, Secretary-Treasurer

ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Mr Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m, Tuesday, March 20, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 20, 1923.

At nine o'clock and thirty minutes a m, pursuant to adjournment, the Assembly was called to order

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C, Baker, Edwin, Ball, Bernard, Bromley Broughton, Burns Carlson, Carter, Christian, Clarke Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T A, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Emme, Mr. Stevenot was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Clarke, Mr. Maurice Brown, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Morris, Mr. Morris Burke of Hollywood was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Dean, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Fox:

COUNCIL OF THE CITY OF BERKELEY
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

Resolution No. 12,508 N. S.—Endorsing Assembly Bill No. 278, granting the Railroad Commission power to require street railways to grant half-fares to school children.

Be it resolved, By the council of the city of Berkeley, as follows:

That the members of the Assembly and of the Senate from Alameda County be and each of them are hereby respectfully urged and solicited to do everything in their power to secure the passage of Assembly Bill No. 278, introduced by Assemblywoman Anna L. Saylor, in order that street car companies may be compelled to grant half fares to school children; and, be it further

Resolved, That the city clerk be and she is hereby directed to send a certified copy of this resolution to each member of the Assembly and Senate in Alameda County.

Dated March 9, 1923.

Adopted by the council of the city of Berkeley by the following vote: Ayes, Councilmen Bartlett, Harms, Heywood, Schmidt, and President Bartlett. Noes, none. Absent, none.

LOUIS BARTLETT,
Mayor and President of the City Council.

Attest: E. M. HANN,
City Clerk and Clerk of the Council.

Also:

Assemblyman Chas. B. Fox,
The Capitol, Sacramento, California.

We, the undersigned citizens of California, endorse Assembly Bill No. 89 introduced by Assemblyman Roy Fellom, providing for the abolition of the death penalty in California and hereby respectfully petition you to support this bill and assist in securing its enactment.

MRS. A. J. M. ROBERTSON,
And 24 others.

By Mr. Kline:

WHEREAS, The traffic in narcotic drugs in the United States and particularly in the State of California, has grown and is growing by leaps and bounds; and

WHEREAS, The use of said narcotic drugs is being fostered in people of all ages and conditions in life, and is at the present time being extended to even the children in the public schools by traffickers in said drugs; and

WHEREAS, The public officers of the State of California, and of the county of Riverside are hindered in their efforts to stamp out this traffic by reason of the

grossly inadequate penalties prescribed by law for the sale and possession of said narcotic drugs, and

WHEREAS, In the experience of the officers of this county and State about eighty-five per cent of drug addicts have criminal records and never are broken from the habit, now, therefore be it

Resolved, That this Grand Jury urges upon the Legislature of the State of California, a radical change of the laws of this State with reference to punishment for sale or possession of narcotic drugs as follows

First—That the maximum penalty for either selling or having the same in possession for the first offense shall be not less than two nor more than six years imprisonment in the State prison, and for the second offense not less than ten years nor more than twenty years

Adopted by the Grand Jury of Riverside County for the years 1922-1923 this first day of March, 1923.

FRANK D. TROTH,
Foreman of the Grand Jury of Riverside County.

Attest E. V. DAILES, Secretary

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER SACRAMENTO, March 20, 1923

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1277—An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred Assembly Bill No 1282—An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin rivers and the Bay of San Francisco—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1923.

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DONOHUE, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 15—Approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DONOHUE, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases;

Also: Assembly Bill No. 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to reapportionments—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial;

Also: Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work;

Also: Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211*a*, regarding the definition of robbery and the degrees thereof;

Also: Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery;

Also: Assembly Bill No. 896—An act to provide for the organization and government of public park districts;

Also: Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death;

Also: Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict;

Also: Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial;

Also: Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal;

Also, Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Also: Assembly Bill No. 1149—An act to amend section 633*a* of the Political Code, relating to licensing of insurance and surety brokers.

Also: Assembly Bill No. 1221—An act to amend section 3666*a* of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State and providing for statements by insurance companies, to Insurance Commissioner.

Also: Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume;

Also: Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition;

Also: Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

Also: Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale.

Also: Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code, relating to the viewing of the body by a coroner's jury.

Also: Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses.
And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 562—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof, and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain

information in regard thereto to be furnished for help, and vesting authority in the commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11*a*, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

Also: Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BURNS, Chairman.

The above reported bills ordered on file for second reading.

ON LIVE STOCK AND DAIRIES

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 880—An act to provide for the county boards of supervisors paying indemnities for breeding dairy cattle branded as tubercular reactors by representatives of the United States Department of Animal Industry or the State Division of Animal Industry in the counties where bovine tuberculosis eradication and control work is being carried on under the provisions of an act entitled "An act to prevent, control and eradicate tuberculosis in cattle in the State of California; to empower the Director of Agriculture to establish tuberculosis eradication or free areas; providing penalties for the violation hereof," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MOORE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 879—An act to provide for the maintenance of a uniform high standard of quality in California dairy products, to prevent the manufacture and sale of unwholesome or adulterated dairy products, to provide for the grading of

market milk and cream and prevent the manufacture and sale of products from unhealthy cows, to prevent deception or fraud in the production and sale of dairy products and in the manufacture, advertising and sale of renovated butter and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the licensing of dairy products plants and to provide for the accumulation of dairy statistics, to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof; and to repeal all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MOORE, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Noyes: An act appropriating money for the construction of an engineers building at the University of California farm school at Davis, California.

By Mr. Cleveland: An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Cloter, Davis, Dean, Donohue, Dorris, Douglas, Doziel, Duval, Eamie, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Noyes: Assembly Bill No. 1284—An act appropriating money for the construction of an engineers building at the University of California farm school at Davis, California.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Cleveland: Assembly Bill No. 1285—An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

Bill read first time, and referred to Committee on Education.

MOTION TO SUSPEND RULE.

Mr. Douglas moved that Rule 71 be suspended for the remainder of the day.

REQUEST FOR ROLL CALL.

On request of Messrs. Douglas, Mitchell, T. A., Morrison, Lyons and Rock, the Speaker ordered a roll call taken on the motion to suspend Rule 71.

The question being on the motion to suspend Rule 71.

The roll was called, and the motion to suspend Rule 71 lost by the following vote:

AYES—Anderson, Baker, Edwin; Burns, Carlson, Christian, Cleveland, Coombs, Croter, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Emme, Erb, Fox, Johnston, Jones, Lyman, Lyons, McPherson, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Pedrotti, Rock, Schmidt, Scott, Smith, West, Whitacre, and Woodbridge—34.

NOES—Badham, Baker, C. C., Ball, Bernard, Carter, Clarke, Cleary, Crittenden, Davis, Foster, Graves, Johnson, Moore, Noyes, Pomeroy, Prendergast, Roberts, Spalding, Weller, Williams, Wright, and Mr. Speaker—22.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards"—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Municipal Corporations.

SMITH, Chairman.

The above reported bill ordered re-referred to Committee on Municipal Corporations.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 31—An act to amend section 19c10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers;

Also: Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State;

Also: Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers;

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 516—An act to add a new section to the Political Code, to be numbered 4041*a*, relating to the powers of boards of supervisors;

Also: Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p*, inclusive of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

SMITH, Chairman.

The above reported bills ordered on file for second reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions.

Also Senate Bill No 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys;

Also Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act

Also Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act,

Also Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 270 read first time, and referred to Committee on Judiciary

Senate Bill No. 263 read first time, and referred to Committee on Judiciary.

Senate Bill No. 105 read first time, and referred to Committee on Banking.

Senate Bill No. 106 read first time, and referred to Committee on Banking.

Senate Bill No 122 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court;

Also Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure, to be numbered 287a, relating to the taking of depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof;

Also Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims,

Also Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379a, 379b, 379c, and 391, relating to joinder of parties to civil actions;

Also Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration;

Also Senate Bill No 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code, to be numbered 301, relating to admission to the practice of law.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 94 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 267 read first time, and referred to Committee on Judiciary

Senate Bill No. 266 read first time, and referred to Committee on Judiciary.

Senate Bill No 264 read first time, and referred to Committee on Judiciary.

Senate Bill No. 163 read first time, and referred to Committee on Judiciary

Senate Bill No 269 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No 16 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on March 15 passed Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 284 read first time, and referred to Committee on Judiciary

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Fox and Mrs. Saylor:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR SPEAKER We ask permission to introduce the accompanying bill, the title of which reads as follows

An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction of any part thereof.

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyman asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIFTEEN.

Senate Concurrent Resolution No 15—Approving the charter of the City of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923

Senate Concurrent Resolution No. 15 read.

The question being on the adoption of the resolution

The roll was called, and Senate Concurrent Resolution No. 15 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker C. C., Baker Edwin, Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier,

Duval, Emme, Erb, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 15 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 15.

Approving the charter of the city of Piedmont, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of February, 1923.

RECONSIDERATION WAIVED.

Mr. Coombs waived his motion to reconsider the vote whereby Assembly Bill No. 93 was passed.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 4 was refused adoption be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

After the word county in line 11 of the printed bill strike out the period, and insert in lieu thereof the following: ", is hereby declared to be a state highway and placed under the management and control of the State Highway Commission."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno, and the floor of the Kings River Canyon, at or near Cedar Grove hotel in said county.

COMMITTEE AMENDMENTS

During second reading of the bill the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "act", all of lines 2, 3 and 4 thereof, and insert in lieu the following: "declaring the Kings river canyon highway to be a part of the seven per cent state highway system, and providing for the construction and maintenance thereof."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, and all of lines 2 to 19, both inclusive, inserting in lieu thereof the following: "That certain state highway known as the Kings river canyon highway, with its eastern terminus at or near Cedar Grove in the floor of the Kings river canyon, Fresno county, with its western terminus one mile east of the town of Orange Cove in Fresno county, is hereby declared to be a seven per cent state highway and shall be completed out of funds derived from the United States government, together with such state funds as shall be available from time to time."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 27, after the period insert the following: "The said highway commission is hereby authorized and empowered to enter into agreements with the board of supervisors of Fresno and Tulare county or either of said boards for the maintenance of said state highway."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 683—An act to amend sections 12, 14 and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 7, the word action should read "act".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1116—An act to amend section 633*b*, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, insert after the word "principal" on line 24 the words "or obligee".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 518—An act to add a new section to the Political Code, to be numbered 629*a*, relating to group insurance by life insurance companies and valuation of group insurance policies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out the words "Ico-acturial" at the beginning of line 11, and insert in lieu thereof the words "Ico-Actuarial"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill strike out the balance of line 15 following the period after the word "Country" and all of lines 16 to 19 inclusive.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill strike out the word "liability" following the word "its" on line 13 and insert in lieu thereof the following word "liabilities".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 210—An act to amend section 360*e* of the Political Code, relating to records

Bill read second time, ordered to engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO March 20, 1923.

MR. SPEAKER Your Committee on Mines and Mining, to which was referred Assembly Bill No 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing

for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court;

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

MOTION TO RE-REFER.

Mr. Williams moved that Assembly Constitutional Amendment No. 28 be withdrawn from the file, and ordered re-referred to Committee on Irrigation.

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Williams, Snyder, Davis and Mueller, the Speaker ordered a roll call taken on the motion to re-refer.

The question being on the motion to re-refer.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Bernard, Broughton, Cleveland, Crittenden, Croter, Dean, Dorris, Duval, Johnston, Noyes, Rock, and Snyder—12.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Donohue, Douglas, Dozier, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Smith, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

MOTION TO RE-REFER.

Mr. Coombs moved that Assembly Constitutional Amendment No. 28 be withdrawn from the file, and ordered re-referred to Committee on Constitutional Amendments.

Motion carried.

Assembly Constitutional Amendment No. 28 re-referred to Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 847 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Emme,

Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "and" and insert in lieu thereof the word "in".

Motion carried.

The Speaker appointed Mr. Mueller as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 637, with instructions, reports that the instructions of the Assembly have been carried out.

MUELLER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 70—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 70 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Emme, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation

of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights, declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 112 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 373 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Douglas, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—Donohue—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1016 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Coombs, Croter, Dawson, Donohue, Dorris, Douglas, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS

Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act

Bill read second time, and ordered on file for third reading.

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley irrigation districts under the provisions of an act of the Legislature of the State of California, approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER)

Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 587 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Pedrotti, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 81 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, Miller, Mitchell, A G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—Scott—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 546—An act to amend section 607c of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 546 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore,

Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, and Wright—64.

NOES—Duval, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 257 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—Graves, Lyman, Mitchell, A. G., and Pomeroy—4.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE

March 21, 1923.

I desire to make the following explanation of my failure to vote on Assembly Bill No. 257.

During the consideration of the bill I was called to the phone and the roll had been taken before my return. Had I been present I most certainly would have cast my vote for the bill, as this is a question I desired to vote for.

HARRY F. MORRISON.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr. Baker, Edwin: Assembly Concurrent Resolution No. 11—Relative to entertaining Hon. Samuel M. Shortridge.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Baker, Edwin, asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 11 at this time, without reference to committee or printer, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ELEVEN.

Assembly Concurrent Resolution No. 11—Relative to entertaining Hon. Samuel M. Shortridge.

Assembly Concurrent Resolution No. 11 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman,

Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 11 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 11.

Relative to entertaining Hon. Samuel M. Shortridge.

WHEREAS, The Governor has been advised that United States Senator Samuel M. Shortridge will arrive in Sacramento tomorrow upon his return from Washington; now, therefore, be it

Resolved, That a joint committee consisting of three members of the Senate to be appointed by the Lieutenant Governor, and three members of the Assembly to be appointed by the Speaker, be delegated to meet United States Senator Samuel M. Shortridge upon the arrival of the overland limited train on March 21, 1923, and escort him to the Legislature. Be it further

Resolved, That upon the arrival of Senator Shortridge, that the Senate and the Assembly meet in joint session for the purpose of receiving and greeting him.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 805—An act making an appropriation to be used for improvements at Davis Farm—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

STOW, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DONOHUE, Chairman.
BADHAM.
POMEROY.
EMME.
JONES.
PEDROTTI.
DOZIER.
SCHMIDT.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill herewith returns the same with the recommendation that the authors be permitted to introduce it. The title of said bill is as follows:

By Mr. Fox and Mrs. Saylor: An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated

territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction of any part thereof

FOX, Chairman.

Mr. Pedrotti moved the adoption of the report.

The question being on the adoption of the report

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

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heismger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—66

NOES—None.

MOTION.

Mrs. Woodbridge moved that the consideration of her notice to move to repeal Rule 71 go over till the next legislative day.

Motion carried

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr. Fox and Mrs Saylor: Assembly Bill No 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, sea walls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting power to said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefore, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction of any part thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At twelve o'clock and six minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, March 21, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 21, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pelrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Mueller, Mr. Bromley was granted leave of absence for the day.

On motion of Mr. Morris, Mr. Hawes was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Crittenden, Hon. John R. Cronin, a former member of the Assembly, was extended the privilege of the floor of the Assembly on this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. McPherson, Mr. J. Louis Martin of Vallejo, a former attache of the Senate, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Badaracco, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

WHEREAS, The city of Los Angeles proposes by the adoption of Senate Bill No. 503 to make the distribution of the natural water and power resources of the State to the lesser political subdivisions subservient to and dependent upon the wishes of the said city of Los Angeles, and

WHEREAS, The proposed bill seeks to enact special legislation to accomplish the taking over for its own use the use of water and power resources now dedicated to the territory outside the city of Los Angeles, which principle was recently held unlawful by the United States Circuit Court of Appeals in the Owens River Gorge Case, be it

Resolved, That Elsinore Chamber of Commerce is unalterably opposed to the passage of this pernicious measure, and hereby urge our representatives to work and vote against it

J B LEHIGH, President

Attest J. C. NEBLETT, Secretary
Dated February 23, 1923

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court

Also Assembly Bill No 167—An act to amend section 633 of the Code of Civil Procedure relating to special decisions of the court

Also Assembly Bill No 170—An act to amend section 663 of the Code of Civil Procedure relating to vacation of judgments.

Also Assembly Bill No 171—An act to amend section 663*a* of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of new trial.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 168—An act to amend section 664 of the Code of Civil Procedure relating to entry of judgment.

Also Assembly Bill No 169—An act to repeal section 634 of the Code of Civil Procedure, relating to waiver of findings of fact

Also Assembly Bill No 299—An act to amend section 537 of the Code of Civil Procedure, relating to attachment.

Also Assembly Bill No 303—An act to amend section 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of said code, relating to judgment liens and transcripts of judgments

Also Assembly Bill No 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

MORRIS, Chairman

The above reported bills ordered on file for second reading.

SENATE MESSAGES

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO March 20, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof

Also Senate Bill No 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No 313 read first time, and referred to Committee on Hospitals and Asylums.

Senate Bill No 153 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 19 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No 12—Relative to the employment of war veterans at the soldiers homes at Sawtelle and at Yountville

J A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 12 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 2—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Constitutional Amendment No 2 read, and referred to Committee on Constitutional Amendments

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the re-establishment and redefinition of the boundaries of the counties of the State of California.

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No 315 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease.

Also Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

Also Senate Bill No 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities.

Also Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes:

Also Senate Bill No 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California

J A BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary

Senate Bill No. 190 read first time, and referred to Committee on Judiciary.

Senate Bill No. 19 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 77 read first time, and referred to Committee on Roads and Highways.

Senate Bill No 310 read first time, and referred to Committee on Roads and Highways.

Senate Bill No 11 read first time, and referred to Committee on Military Affairs.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 11—relating to entertaining Hon. Samuel M. Shortridge

J. A BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary.

The above reported Assembly Concurrent Resolution ordered to engrossment

APPOINTMENT OF SELECT COMMITTEE.

In accordance with Assembly Concurrent Resolution No 11, the Speaker appointed Mr. Baker, Edwin; Miss Broughton, and Mr Johnston, J. W., as such select committee.

COMMUNICATION.

The following communication was filed:

By the Chief Clerk:

CALIFORNIA HIGHWAY COMMISSION,
SACRAMENTO, March 16, 1923

Mr Arthur A Ohnimus,
Chief Clerk, Assembly,
Sacramento, California

DEAR SIR With reference to your letter of January 26 transmitting Assembly resolution requesting a statement of the cost of surveys and construction of the State highway from McDonalds to the mouth of the Navarro River in Mendocino County, known as Route 48, and the State highway known as the "Tahoe-Ukiah Road," designated Route 15

I am not sure that we can arrive at a definite statement as to the number of surveys which have been made on these roads It depends upon what is meant by the word "survey" On some sections, reconnoissance surveys only have been made, on others reconnoissance and preliminary surveys, and on others reconnoissance, preliminary and location surveys have been made. In several cases, such as in Lake County between Upper Lake and the Colusa County line, reconnoissance surveys have been made of several possible routes

Where work has been let for contract and construction completed, the usual preliminary, location, construction and final surveys have been made

The records of this office show that to December 31, 1922, the sum of $31,065 38 has been expended on preliminary and location surveys and plans on Route 48 This covers mileage as follows

I-Men-48-A—McDonalds to Booneville	20 miles
I-Men-48-B—Booneville to Navarro	18 miles
I-Men-48-C—Navarro to the Coast	15 miles

On the "Tahoe-Ukiah Road," Route 15, the following amounts have been expended to December 31, 1922, on the mileage of surveys noted:

Mendocino County	$5,828 43	13.0 miles
Lake County	13,198 00	48.0 miles
Colusa County (Sections B to E, see explanation below)	11,841 04	34 4 miles
Sutter County	9 873 42	14 8 miles
Yuba County	8,006 05	23.9 miles
Nevada County	34,200 24	37 8 miles
Total	$82,947 27	171 9 miles

The section between Williams and Colusa, known as Section A, Route 15, was part of the original highway system, prior to the inception of the "Tahoe-Ukiah Road," and expense on this section for surveys and plans amounted to $1,680.52 for 8 7 miles

The attached tabulation gives construction costs, lengths and cost of inspection during construction, on both of the routes mentioned in the Assembly resolution.

Yours very truly,

R. M. MORTON, State Highway Engineer

TABULATION SHOWING CONSTRUCTION COSTS AND COST OF ENGINEERING INSPECTION

On Route 48, McDonalds to Mouth of Navarro River, and Route 15, Tahoe-Ukiah Road, to December 31, 1922

Section	Contract number	Length miles	Allotted	Expenditures		Total
				Construction	Engineering on contracts	
Route 48						
Wending to the mouth of the Navarro River, 1-Men-48-C	340	12.0	$243,098 68	$205,805 84	$13,335 93	$219,141 77
	D-488	11 98	74,382 00	48,564 11		48,564 11
Totals			$317,480 68	$254,369 95	$13,335 93	$267,705 88
Route 15						
1-Men-15-A from point 2½ miles North of Ukiah to Easterly Boundary of Mendocino County	284	13 06	$187,124 26	$120,160 28	$11,410 15	$131,570 43
	398	Bridge	17 339 09	12 214 80	86 41	12 301 21
	401	Bridge	9,239 79	6,708 45	51 99	6,760 44
	402	Bridge	10,655 30	4,582 35	33 25	4,615 60
	D-383	6 5	48 300 00	37,369 01	219 00	37,588 01
	D-518	Bridge	6,008 75			
Total, Mendocino County			$278,667 28	$181,034 89	$11,800 80	$192,835 69
1-Lak-15-A, from Westerly Boundary Lake County to Upper Lake	361	9.01	$204,995 01	$102,469 61	$5,210 99	$107,680 60
Total, Lake County			$204,995 01	$102,469 61	$5,210 99	$107,680 60
III-Col-Sut-15, B & A, Colusa to Long Bridge	393	10 86	$315,267 12	$6,979 62	$1,271 33	$8,250 95
III-Sut-15-B, from 1 mi South of Sutter City to Yuba City	273	6 67	204,525 82	173,774 79	7,221 90	180,997 69
Total, Colusa and Sutter Counties			$519,792 94	$180,754 41	$8,493 23	$189,248 64
Route 15 (portion included in original highway system)						
III-Col-15-A, from Williams to Colusa	117	8 43	$149,578 44	$103,291 18	$5,579 81	$108,780 99
	274	0 35		6 181 82	289 87	6,471 69
	D-257	6 74		12 604 17	83 70	12,687 87
	D-359	0 70		21 206 48	431 41	21,637 89
Totals			$149,578 44	$143,193 65	$6,584 79	$149,578 44

Communication read and ordered printed in the Journal

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921;

Also: Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain,

Also: Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to State penitentiaries.

Also: Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary,

Also: Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code,

Also: Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32a, relating to the issuing of funding or refunding bonds of such districts,

Also: Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the state or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions, to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith,

Also: Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education;

Also: Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape,

Also: Assembly Bill No. 210—An act to amend section 360e of the Political Code, relating to records,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Erb:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 429 of the Civil Code of the State of California, relating to fire and marine insurance corporations.

Referred to Committee on Introduction of Bills.

By Mr. Graves:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act relating to the care of mentally sick or near insane persons; creating the office of psychopathic probation officer in the several counties of the State, providing for the appointment of such officer and for necessary deputies, prescribing the powers and duties of such officers and providing for the salaries thereof.

Referred to Committee on Introduction of Bills.

By Mr. Coombs

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILL

The following bill was introduced, and referred as indicated:

By Mr. Smith: Assembly Constitutional Amendment No. 48—Proposed amendment to article XX of the constitution, relative to the term of office of any officer or commissioner when the term of office of such officer or commissioner is not fixed by the constitution.

Introduced, and referred to Committee on Constitutional Amendments.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 1277—An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1282—An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin rivers and the bay of San Francisco; authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof and to prepare plans and specifications and estimates of the costs thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, to levy such assessments upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines telephone and telegraph lines, and sewers and appurte-

nances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 562—An act to amend sections 2, 3, 4 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 51, of the printed bill, strike out the word "described" and insert in lieu thereof, the word "prescribed"

AMENDMENT NUMBER TWO.

On page 3, line 9, of the printed bill, strike out the figures "1923", and insert in lieu thereof the figures "1928"

AMENDMENT NUMBER THREE.

On page 4, line 5, of the printed bill, strike out the word "approvad", and insert in lieu thereof the word "approved".

AMENDMENT NUMBER FOUR.

On page 4, line 25, of the printed bill, strike out the word "pharamceutical" and insert in lieu thereof the word "pharmaceutical".

AMENDMENT NUMBER FIVE

On page 4, line 26, of the printed bill, strike out the word "practitoners" and insert in lieu thereof the word "practitioners".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 24, strike out the semi-colon (;) after the word 'contract' and strike out the balance of line 24, all of lines 25, 26, 27 and that part of 28 to the period.

AMENDMENT NUMBER TWO.

On page 2, line 29, of the printed bill strike out the word "nature" and insert in lieu thereof the word "facts".

AMENDMENT NUMBER THREE.

On line 36, page 2, of the printed bill, after the comma strike out the words "the reason why he refused to employ the applicant or".

AMENDMENT NUMBER FOUR.

On page 3, line 1, of the printed bill, after the word "the" insert "blank forms of".

AMENDMENT NUMBER FIVE.

On page 3, line 7, of the printed bill, after the first "the" strike out "reason why" and insert in lieu thereof "fact that".

AMENDMENT NUMBER SIX.

On page 3, line 27, of the printed bill, after the word "appealed" insert "within ten days".

AMENDMENT NUMBER SEVEN.

On page 3, line 28, of the printed bill, strike out the period and insert thereafter: "where the same shall be heard de novo, and to stay any award for money, the party aggrieved shall execute a bond to be approved by said superior court in a sum not exceeding twice the amount of said judgment. In all other cases said bond shall be in a sum of not less than $1,000.00 to be approved by the said superior court."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11*a*, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 880—An act to provide for the county boards of supervisors paying indemnities for breeding dairy cattle branded as tubercular reactors by representatives of the United States department of animal industry or the State Division of Animal Industry in the counties where bovine tuberculosis eradication and control work is being carried on under the provisions of an act entitled "An act to prevent, control and eradicate tuberculosis in cattle in the State of California, to empower the Director of Agriculture to establish tuberculosis eradication or free areas; providing penalties for the violation hereof," approved June 3, 1921

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following

"To provide authority to any county in California to cooperate with the U. S. department of agriculture and the California department of agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter seven hundred fourteen, statutes 1921."

AMENDMENT NUMBER TWO.

After the word "Section 1", strike out all of the printed bill and insert in lieu *thereof, the following*

SECTION 1. The board of supervisors of any county in which the control and eradication of tuberculosis among cattle is conducted by the California department of agriculture under the provisions of chapter seven hundred fourteen, statutes 1921, in cooperation with the U. S. department of agriculture may appropriate for the aid and support of such work and for indemnities paid for reacting animals such sums as the board of supervisors may deem adequate and necessary.

SEC. 2. No indemnity shall be paid in any county for any cattle affected with or slaughtered on account of tuberculosis if such cattle have not been permanently located in the county for at least six months prior to the discovery of their condition unless the owner or person in charge exhibits a certificate of health issued by an agent of the California or U. S. department of agriculture or a similar agent of another state showing such animals to have been free from tuberculosis within fifteen *days of their arrival in said county*

SEC. 3. All cattle known to be affected with tuberculosis or classed as reactors and for which indemnity is claimed by the owner must be slaughtered under the direction of the California or U. S. department of agriculture. No indemnity shall be paid to an owner not having all breeding and dairy cattle owned by him or in his control tuberculin tested by an agent of the state department of agriculture or federal department of agriculture.

SEC. 4. Cattle slaughtered for tuberculosis under the supervision of the state or federal department of agriculture may be appraised as follows: An agent of the state department of agriculture or an agent of the federal department of agriculture engaged in cooperative tuberculosis control in the State of California with the owner of said cattle shall jointly constitute an appraising committee of two. If such committee fails to reach an agreement a disinterested third party shall be engaged and *the majority decision shall be final. In making appraisements each individual head* of cattle shall be appraised at its actual value giving due consideration to breeding as well as to dairy or meat value. An itemized statement of the appraisement of each animal in each lot so appraised shall be prepared in quadruplicate and signed by each member of the appraising committee on blanks furnished by the county clerk of any county in a form prescribed by the department of agriculture. Two copies shall forthwith be forwarded to the federal inspector in charge of tuberculosis eradication, one copy delivered to the owner of said appraised animal or animals and one copy forwarded to the clerk of the board of supervisors. A report of the net sum of the salvage thereof resulting from the sale of such cattle shall be forwarded to the said federal inspector in charge together with a copy of the report of the result of post-mortem findings. The amount of such salvage shall be deducted from the appraisement of said cattle and in case where the federal and county governments jointly pay indemnity the county shall pay in amount not to exceed one-third of the difference between the appraised value of said cattle and the salvage thereof *provided* that in no case shall the county pay more than twenty-five dollars as indemnity on

any one head of such grade meat cattle nor shall the county pay more than fifty dollars on any one head of such registered purebred meat cattle."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 879—An act to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to provide for the grading of market milk and cream and prevent the manufacture and sale of products from unhealthy cows, to prevent deception or fraud in the production and sale of dairy products and in the manufacture, advertising, and sale of renovated butter and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the licensing of dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; and to repeal all acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the title of the printed bill, after the words "An act" strike out the remainder of the title and insert in lieu thereof the following: "to refer to its provisions as the general dairy law of California, to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine, to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese, to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor", and to repeal all acts and parts of acts inconsistent with this act" Approved April 21, 1911; and to repeal all parts of acts in conflict herewith."

AMENDMENT NUMBER TWO.

On page 1, in line 1 of the printed bill after the period, strike out the remainder of the bill and in lieu thereof insert the following "This act shall be known as the General Dairy Law of California.

SEC. 2 (a) It shall be unlawful for any person, firm or corporation, by themselves or their agents or employees, to sell, offer or expose for sale or exchange, present or deliver to any creamery, cheese factory, milk condensing factory, milk pasteurizing plant, or other buyer, consumer or user of milk or products of milk, or to knowingly purchase, any impure, polluted, tainted, unclean, unwholesome, stale or adulterated milk or cream, or any product manufactured wholly or in part therefrom. It shall be unlawful for any person, firm or corporation by themselves or their agents or employees, to sell, offer or expose for sale or exchange, present or deliver to any creamery, cheese factory, milk condensing factory, milk pasteurizing plant, or other

buyer, consumer or user of milk or products of milk or to knowingly purchase any milk that does not conform to the standards established by this act, or any products of milk as and for any of the products defined by the provisions of this act, unless they shall conform to such definitions and standards as are established by this act.

(*b*) It shall be unlawful for any person, firm or corporation by themselves, or their agents or employees, to sell, expose for sale, or offer for sale or exchange, present or deliver to any creamery, cheese factory, milk condensing plant, milk pasteurizing plant, or other buyer, consumer or user of milk or products of milk, or to knowingly purchase any milk or product of milk which has been produced in or by a dairy or factory of dairy products in an insanitary condition, or that is handled by any carrier or in any store or depot that is in an insanitary condition; or that is produced from cows affected by any disease, except as hereinafter provided.

SEC. 3. (*a*) Milk is the unadulterated, fresh, clean, lacteal secretion, all parts of which shall have been obtained from the udder by the complete milking of one or more healthy cows properly fed and kept, excluding that obtained within five days after or fifteen days prior to parturition, free from foreign substances detrimental to its quality or the quality of products prepared therefrom, and containing not less than three percent of milk fat and not less than eight and five tenths percent solids not fat; *provided*, that nothing herein shall be construed to prohibit the standardization of milk at a uniform fat content not less than three percent of milk fat. Milk for manufacturing purposes shall either be produced from non-reacting tuberculin tested cows as determined by a test applied by a qualified veterinarian under the supervision of the department of agriculture of the State of California, or pasteurized, or heated to a temperature more efficient in the destruction of bacteria than pasteurization and may be repasteurized not exceeding once, and shall otherwise conform to the requirements adopted by said department of agriculture as provided for in section twenty-one of this act.

(*b*) Goat's milk is the unadulterated fresh, clean, lacteal secretion, free from colostrum, obtained by the complete milking of one or more healthy goats, properly fed and kept.

(*c*) Sheep's milk or ewe's milk is the unadulterated, fresh clean lacteal secretion, free from colostrum, obtained by the complete milking of one or more healthy ewes, properly fed and kept.

(*d*) Milk unfit for human consumption is the product of the mammary glands of animals which does not conform to the requirements for milk or goat's milk or ewe's milk as defined in this act or which has been produced in an insanitary dairy or factory of dairy products, or other place or handled in an insanitary manner.

SEC. 4. Cream is that portion of milk, rich in milk fat, which rises to the surface of milk on standing or is separated from it by centrifugal force. Cream offered for sale for manufacturing purposes shall be produced from non-reacting tuberculin tested cows as determined by a test applied by a qualified veterinarian under the supervision of the department of agriculture of the State of California, or pasteurized, or heated to a temperature more efficient in the destruction of bacteria than pasteurization, and may be repasteurized not exceeding once and shall otherwise conform to the requirements adopted by said department of agriculture as provided in section twenty-one of this act.

SEC. 5. (*a*) Evaporated or condensed milk is milk from which a considerable portion of moisture has been evaporated. The standard of composition for evaporated or condensed milk, whether sweetened or unsweetened, shall be that proclaimed and established by the Secretary of the United States Department of Agriculture.

(*b*) Evaporated cream or clotted cream is cream from which a considerable portion of moisture has been evaporated.

(*c*) Evaporated or condensed skim milk is skim milk from which a considerable portion of moisture has been evaporated and contains not less than eighteen percent milk solids.

(*d*) Evaporated or condensed goat's milk is goat's milk from which a considerable portion of moisture has been evaporated and shall otherwise conform to the requirements adopted by the department of agriculture of the State of California.

SEC. 6. (*a*) Butter is the clean, non-rancid product made by gathering the fat of fresh or ripened cream into a mass, which also contains a small portion of other milk constituents, with or without salt, and a harmless coloring matter, and contains not less than eighty percent of milk fat and not more than sixteen percent of moisture.

(*b*) Butter made from cream produced from cows which have passed an official tuberculin test shall be marked with the words, "From non-reacting tuberculin tested cows," that made from pasteurized cream shall be marked with the word "Pasteurized." Butter may be made from cream which does not conform to the requirements of section four of this act, to be sold only in bulk to the manufacturers of foodstuffs; *provided*, that said butter shall be used by manufacturers of foodstuffs only and in the manufacture of such foodstuffs said butter shall be subjected to a minimum temperature of two hundred twenty-five degrees Fahrenheit; *and provided further*, that it shall be unlawful to use any such butter except in the manufacture of food subjected to said temperature. Butter, which by the provisions of this

section is permitted to be used for cooking and baking purposes only, shall be marked with the words, "For cooking and baking only".

(c) Butter sold or offered for sale shall be labeled with the name and address of the manufacturer, the wholesale distributor, or the retailer. The words, "manufactured by", shall appear above the name, when the name of the manufacturer is given; the words, "distributed by", shall appear above the name when the name of the wholesale distributor is given, and the words, "put up for" or "put up by", as the case may be, shall appear above the name when the name of the retailer is given. The name of any city, county or other geographical designation or any word which may be pronounced the same as any city, county, or geographical designation, other than the address of the manufacturer, wholesale distributor or retailer, shall not appear in any manner on the package or wrapper; *provided*, that nothing in this section shall be construed to prohibit the use of a trademark or brand having a geographical name, copyrighted prior to the first day of January, 1923, A. D.

SEC. 7. Cheese is the sound, solid or semi-solid product made from milk, skim milk, or cream by coagulating the casein thereof with rennet, pepsin or lactic acid, with or without the addition of ripening ferments and seasoning and with or without salt and with or without harmless coloring matter. All cheese sold or offered for sale must be labeled to indicate the variety and, if made in California, it must be labeled with the manufacturer's factory number, assigned by the department of agriculture of the State of California under the rules and regulations provided for in section twenty-one of this act. If made outside of the State of California, it must be labeled with the name of the manufacturer or distributor. Cheddar, granular (California type) and Monterey (Jack) cheese shall be labeled to indicate the grade; whether full-cream, half skim or skim. Full cream cheese must contain not less than fifty percent of pure milk fat in its waterfree substance. Half skim cheese must contain not less than twenty-five percent of pure milk fat in its waterfree substance. Skim cheese is cheese which contains less than twenty-five percent of pure milk fat in its waterfree substance. Cheddar cheese must contain not more than thirty-eight percent of moisture. Granular (California type) cheese must contain not more than forty percent of moisture. Monterey (Jack) cheese must contain not more than forty-two percent of moisture. Cottage cheese shall be made from pure milk or skim milk which has been pasteurized as provided in section fifteen of this act. The standards of composition and requirements for labeling for other varieties of cheese shall be those promulgated by the Director of Agriculture of the State of California.

SEC. 8. (a) Ice cream is a frozen product made with pure, sweet milk, cream, skim milk, condensed milk, condensed skim milk, dried milk, dried skim milk, wholesome sweet butter, pure milk fat or any combination of any such products, with or without sweetening and with or without the use of harmless flavoring and coloring and containing not less than ten percent of milk fat nor more than six-tenths of one percent of pure, harmless, edible vegetable gum or gelatine. All manufacturers of ice cream who manufacture ice cream from homogenized butter shall first secure from the department of agriculture of the State of California a permit to do so. Said permit shall be issued subject to the rules and regulations made and promulgated by said department of agriculture and may be revoked for violation thereof after due hearing by the Director of Agriculture.

(b) Fruit ice cream is ice cream which contains not less than eight per cent of milk fat and not less than three percent by weight of clean, mature, sound fruit or the juice thereof, with or without the use of harmless flavoring and coloring and containing not more than six-tenths of one percent of pure, harmless, edible, vegetable gum or gelatine.

(c) Nut ice cream is ice cream which contains not less than eight percent of milk fat and not less than one percent by weight of sound non-rancid nut meats, with or without the use of harmless flavoring and coloring, and containing not more than six-tenths of one percent of pure, harmless, edible, vegetable gum or gelatine.

(d) Ice milk is a frozen product containing less milk fat than ice cream and made from pure sweet milk and sugar, with or without harmless flavoring and coloring and containing not less than two and four-tenths per cent of milk fat and not more than six-tenths of one percent of pure, harmless, edible vegetable gum or gelatine. All containers of ice milk shall be conspicuously labeled and wagons conveying ice milk and places where ice milk is sold shall display a conspicuous sign containing the words, "Ice milk sold here", in letters not less than six inches high, and no person shall use the name, "ice cream", in connection therewith either orally or written.

SEC. 9. The following products of milk enumerated in this section shall be deemed adulterated, if they shall not conform to the following definitions and standards:

(a) Milk fat or butter fat is the fat of milk and has a Reichert-Meissl number not less than twenty-four and a specific gravity not less than nine hundred five thousandths (0.905) (milk fat at forty degrees centigrade compared with water at forty degrees centigrade). By Reichert-Meissl number is meant the number of milliliters of decinormal alkali required to neutralize the acidity of the distillate

from five grams of fat treated in the manner described in the book entitled, "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", published by that association in the month of September, in the year one thousand nine hundred twenty, Anno Domini. (September, 1920, A. D.)

(*b*) Skim milk is milk from which a part or all of the milk fat has been removed, which contains less than three per cent of milk fat and not less than eight and eight tenths per cent of milk solids.

(*c*) Buttermilk is that portion of cream which remains after the separation and removal therefrom of milk fat in the process of churning, without the addition of water.

(*d*) Milk or skim milk, properly pasteurized and combined with fruit or fruit juices, chocolate, chocolate syrups or other harmless syrups, with or without the addition of harmless coloring, may be used in the manufacture and sale of soft drinks under a trade name *provided*, said trade name does not contain the words, "milk" or "cream", or any words resembling milk or cream *and provided further*, that said product shall be so colored or contain ingredients that cause it to look unlike milk or cream or any product thereof.

(*e*) Pasteurized skim milk or whole milk, or combination thereof, may be treated with lactic acid micro-organisms and sold under a trade name which shall not contain the words, "milk", "cream" or "buttermilk."

SEC. 10. No person, firm or corporation shall produce, manufacture or prepare for sale, or sell, offer for sale or have on hand for sale, any milk, cream, or other product of milk to which has been added, or that may contain, any compound of boron, salicylic acid, formaldehyde or other chemical or substance for the purpose of preventing or delaying fermentation or souring. It shall be unlawful for any person to produce, manufacture or prepare for sale, or to sell, or to offer for sale, or to have on hand for sale, any milk or product of milk, to which any coloring matter, except as otherwise provided in this act, has been added by any person or to which any gelatine or other substance, except as otherwise provided in this act, has been added by any person to increase the consistency of such milk, or product of milk, so as to make it appear richer or of better quality, even though the substance added is a product of milk. This section shall not be construed to prohibit the use of harmless coloring matter and common salt (chloride of sodium) in butter and cheese, the use of gelatine or other substances named in section eight of this act in the manufacture of ice cream, or the use of alkalies approved by the department of agriculture of the State of California in the manufacture of butter.

SEC. 11. All products defined in this act, when sold or offered for sale to the retail trade, shall be labeled with the correct name of the product as herein defined, and shall conform to all other requirements for special labeling of the products as otherwise provided in this act, or the rules and regulations for its enforcement. No person shall use the name of any product defined in this act in connection with its sale, either verbally, printed or written, unless the product conforms to the definitions and standards herein required.

SEC. 12. (*a*) Imitation milk is: (1) Any mixture combined with or composed of skim milk, condensed, evaporated or dried milk and any edible oil or fat, other than natural milk fat whether with or without any other ingredients, except that chocolate when used in combination with either whole or skim milk and sweetening shall not be deemed to be imitation milk. (2) Any mixture or compound made in imitation or semblance or having the appearance or semblance of milk or condensed or evaporated milk, or when so made or having such appearance or semblance calculated or intended, whether by intent of the compounder or other person, or by reason of the appearance or other characteristic of the mixture or compound, for use or disposition as or for milk, or as or for condensed or evaporated milk, or to induce its purchase, or use as or for milk or condensed or evaporated milk. Imitation milk shall contain not less than three per cent of edible oils or fats and, if evaporated or condensed, shall contain not less than seven and eight-tenths per cent of edible oils or fats. The manufacture and sale of imitation milk as herein defined shall, otherwise, be in accordance with chapter fifty-nine of Statutes of 1919.

(*b*) For the purposes of this act certain manufactured substances, certain extracts, and certain mixtures and compounds including such mixtures and compounds with butter milk or cream, shall be known and designated as "Oleomargarine," namely: All substances heretofore known as oleomargarine, oleo, oleomargarine-oil, butterine, lardine, suine, and neutral, all mixtures and compounds of oleomargarine, oleo, oleomargarine-oil, butterine, lardine, suine and neutral, all lard extracts and tallow extracts and all mixtures and compounds of tallow, beef-fat, suet, lard, lard-oil, cocoanut-oil, peanut-oil, intestinal-fat, and offal-fat made in imitation or semblance of butter, or when so made, calculated or intended to be sold as butter or for butter or butter substitute and for the purposes of this act, every article, substance or compound, other than that produced from pure milk, or cream from the same, made in the semblance of cheese, and designed to be used as a substitute for cheese made from pure milk or cream, is hereby declared to be imitation cheese, *provided*, that the use of salt, rennet and a harmless coloring matter for coloring the product of pure milk or cream, shall not be construed to render

such product an imitation, *and provided*, that nothing in this section shall prevent the use of pure skim milk in the manufacture of cheese.

(c) No person, by himself or his agents or servants, shall render, manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell or to use or to serve to patrons, guests boarders, or inmates in any hotel, eating house, restaurant, public conveyance or boarding house or public or private hospital, asylum or eleemosynary or penal institution, any article, product or compound made wholly or partly out of any fat, oil, or oleaginous substance or compound thereof, not produced directly and at the time of manufacture from unadulterated milk or cream from the same, which article, product or compound shall be colored in imitation of butter or cheese produced from unadulterated milk or cream, or be made to resemble yellow butter in color, by whatever means the coloring is accomplished, *provided*, that nothing in this section shall be construed to prohibit the manufacture or sale, under the regulations hereinafter provided, of substances or compounds, designed to be used as an imitation or as a substitute for butter or cheese made from pure milk or cream from the same, in a separate and distinct form not resembling butter or cheese, and in such a manner as will advise the purchaser and consumer of its real character, free from coloration or ingredients that cause it to look like butter or cheese made from pure milk or cream, a product of the dairy

(d) Each person, who by himself or another, lawfully manufactures any oleomargarine or any substance designed to be used as a substitute for butter or cheese, shall mark the same by branding, stamping or stenciling upon the top and sides of each tub, firkin, box or other package in which such article or substance shall be kept, and in which it shall be removed from the place where it is produced or put up, in a clear and durable manner, in the English language, the words, "Oleomargarine", or "Substitute for butter", or "Substitute for cheese", as the case may be, in printed letters in plain roman type, each of which shall not be less than one inch in height by one-half inch in width, and in addition to the above shall prepare a statement, printed in plain roman type, of a size not smaller than pica, stating in the English language its name, and the name and address of the manufacturer, the name of the place where manufactured or put up, and also the names and actual percentages of the various ingredients used in the manufacture of such oleomargarine, imitation butter or imitation cheese; and shall place a copy of said statement within and upon the contents of each tub, firkin, box or other package, and next to that portion of each tub, firkin, box or other package as is commonly and most conveniently opened, and shall label the top and sides of each tub, firkin, box or other package by affixing thereto a copy of said statement, in such manner however, as not to cover the whole or any part of said mark of, "oleomargarine", "substitute for butter", or "substitute for cheese". The absence of the markings and labelings specified in this paragraph, shall always be construed as representation that the contents of substance in question is butter, or cheese as the case may be

(e) No person, by himself or another, shall knowingly ship, consign, or forward by any common carrier, whether public or private, any oleomargarine or any substance designed to be used as a substitute for butter or cheese, unless the same be marked and contain a copy of the statement, and be labeled as provided in paragraph "d" of this section; and no carrier shall knowingly receive the same for the purpose of forwarding or transporting unless it shall be manufactured, marked and labeled as hereinbefore provided, and unless it is consigned and by the carrier receipted for by its true name, *provided*, that this act shall not apply to any goods in transit between foreign states across the State of California.

(f) No person or his agent shall knowingly have in his possession or under his control any oleomargarine, or any substance designed to be used as a substitute for butter or cheese, unless the tub, firkin, box or other package containing the same shall be clearly and durably marked and labeled as provided by paragraph "d" of this section, and also contain a copy of the statement required by said paragraph "d" of this section, and if the tub, firkin, box or other package be opened, then a copy of the statement described in said paragraph "d" of this section, shall be kept with its face up, upon the exposed contents of said tub, firkin, box or other package, *provided*, that this section shall not be deemed to apply to persons who have the same in their possession for the actual consumption of themselves or family, and for no other purpose

(g) No person, by himself or another, shall sell, or offer for sale, or take orders for the future delivery of any oleomargarine, or any substance designed to be used as a substitute for butter or cheese, under the name of butter or under the pretense that the same is butter or cheese and no person, by himself or another, shall sell any substance designed to be used as a substitute for butter or cheese, unless he shall inform the purchaser distinctly, at the time of the sale, of its true name and character, and that the same is a substitute for butter or cheese, as the case may be, and shall deliver to the purchaser at the time of the sale, a separate and distinct copy of the statement described in paragraph "d" of this section; and no person shall use in any way in connection or association with the sale, or exposure for sale, or advertisement of any oleomargarine or any substance designed to be used as a substitute for butter or cheese, the words, "butterine", "creamery", or "dairy" or the representation of a cow or any breed of dairy cattle, or any combination of such

words and representations, or any other words or symbols, or combinations thereof, commonly used by the dairy industry, except only the labeling requirements described in paragraph "d" of this section.

(*h*) No keeper or proprietor of any bakery, hotel, boarding-house, restaurant, saloon, lunch counter, or other place of public entertainment, and no person having charge thereof or employed thereat, and no person furnishing board, for others than members of his own family, and no employee where such board is furnished as the compensation or as a part of the compensation of any employee, shall place before any patron or employee, for use as food, any oleomargarine, or any substance designed to be used as a substitute for butter or cheese, unless the same be accompanied by a copy of the statement described in paragraph "d" of this section, and by a verbal notification to said patron that such substance is a substitute for butter or cheese.

(*i*) No action can be maintained on account of any sale or other contract made in violation of, or with intent to violate, this act, by or through any person, who was knowingly a party to such wrongful sale or other contract. Every person having possession or control of any oleomargarine, or any substance designed to be used as a substitute for butter or cheese, which is not marked as required by the provisions of this act, shall be presumed to have known, during the time of such possession or control, that the same was imitation butter, or imitation cheese, as the case may be

(*j*) No person shall efface, erase, cancel or remove any mark, statement or label required by this act, with intent to mislead, deceive, or with intent to violate any of the provisions of this act.

(*k*) Whoever shall have possession or control of any imitation butter or imitation cheese or any oleomargarine, or any substance designed to be used as a substitute for butter or cheese, or any renovated butter, contrary to the provisions of this act, shall be construed to have possession of property with intent to use it as a means of committing a public offense, within the meaning of chapter three, of title twelve, or part two, of an act to establish a penal code; *provided*, that it shall be the duty of the officer who serves a bench warrant issued for imitation butter or imitation cheese, or oleomargarine, or any substance designed to be used as a substitute for butter or cheese, or any renovated butter, to deliver to the agent or inspector of the department of agriculture of the State of California, or to any person by such department of agriculture authorized in writing to receive the same, a perfect sample of each article seized by virtue of such warrant, for the purpose of having the same analyzed and forth with to return to the person from whom it was taken the remainder of each article seized as aforesaid If any sample be found to be imitation butter or imitation cheese, or oleomargarine, or a substance designed to be used as a substitute for butter or cheese, or renovated butter, it shall be returned to and retained by the magistrate as and for the purpose contemplated by section fifteen hundred and thirty-six of an act to establish a penal code; but if any sample be found not to be imitation butter or imitation cheese, or oleomargarine, and not a substance designed to be used as a substitute for butter or cheese, or renovated butter, it shall be returned forthwith to the person from whom it was taken.

(*l*) No person, firm or corporation, by themselves, or their agents or employees, shall sell, offer for sale, or expose for sale, or have in his, its or their possession for sale, any oleomargarine or any renovated butter unless the same shall have printed upon each and every package roll, print, square, and upon any container of such renovated butter, or oleomargarine, the words, "renovated butter", or the word, "oleomargarine", as the case may be, in letters not less than one-half inch in height, and who shall not have secured from the said department of agriculture a license as provided hereinafter.

(*m*) The term renovated butter as used in this section is hereby defined to mean and include butter that has been reduced to a liquid state by melting and drawing off such liquid or butter oil and churning or otherwise manipulating it in connection with milk or any product thereof.

(*n*) No person, firm or corporation, shall engage in the business or occupation of manufacturing, selling, dealing in, or furnishing renovated butter, oleomargarine, or any substance designed to be used as a substitute for butter, without first having applied for and obtained a license so to do, as hereinafter provided Any person, firm or corporation, desiring to engage in the business or occupation of manufacturing, selling, dealing in or furnishing to his, its or their patrons, oleomargarine or any substance designed to be used as a substitute for butter, or imitation butter, or adulterated butter, or renovated butter, as in this section defined, shall first make application each year to the said department of agriculture for a license, and upon payment of a license fee of the amount mentioned herein to the said department of agriculture, said department of agriculture shall issue to the applicant a license. All such licenses shall contain the following proviso: *provided*, that this license does not authorize the holder thereof to manufacture, sell, deal in or furnish any oleomargarine or similar substances designed to be used as a substitute for butter, which contain any coloring matter or which resemble yellow butter in appearance All said licenses shall expire on the thirtieth of June of each year and may be issued in periods of one year, or less than one year, upon payment of

a proportionate part of the license fee. The fees for issuing said licenses are hereby fixed at the amounts named below annually. The fee for issuing said license to manufacturers of any of said substances within this state shall be one hundred dollars, and if issued to wholesale dealers in, or importers or agents for importers of any of said substances the fee shall be fifty dollars, and if issued to retail dealers in any of said substances the fee shall be five dollars, and if issued to the keeper of any hotel, restaurant, boarding-house or other place where meals are served and payment is received therefor either immediately or by the day, week or month, the fee shall be two dollars. The term wholesale dealer as used in this section includes all persons, firms or corporations, who sell any of said substances in quantities of ten pounds or more at a time or in the same transaction. The term retail dealer includes all persons who sell only in quantities of less than ten pounds. All licenses, while in force, shall be kept conspicuously displayed in the place of business of the party or parties to whom they have been issued. It shall be unlawful for any person, firm or corporation, to manufacture, buy, sell, deal in, or furnish to his, its or their patrons or to have in possession, for any purpose whatsoever other than for consumption in his own family or for transportation in case of a boat or railroad company, or for the purpose of storage in case of a warehouse or cold storage company, any oleomargarine, or similar substance designed to be used as a substitute for butter, or any substance resembling butter, but not made wholly from pure milk or cream, or renovated butter as in this section defined without first having applied for and obtained from the department of agriculture of the State of California the license herein required.

(*o*) All license fees paid to the said department of agriculture under this section shall be paid by said department of agriculture into the state treasury, and shall be added to the appropriation made for the same fiscal year for the department of agriculture and its expenditure shall be at the disposal of said department of agriculture for its own use.

(*p*) Every person, firm or corporation, who is required by the provisions of *paragraph "n" of this section to obtain and hold a manufacturer's or wholesaler's or* importer's license shall keep a correct record in a form separate from all other business, in which every sale and purchase of renovated butter, imitation butter, oleomargarine, or any substitute for butter or substance designed to be used as a substitute for butter, or resembling butter, which substance is not made wholly from pure milk or cream, or any imitation cheese or imitation dairy products of any kind, shall be recorded at the time of the transaction, giving in detail the quantity sold or purchased, the name and location of the buyer or seller, the date, and the place to which it was shipped or delivered, and by whom the order or sale was put up and delivered. Every warehouse, cold storage company, boat, railroad or other transportation company shall keep a correct record of all oleomargarine, imitation butter, renovated butter, substitute for butter, imitation cheese, or other imitation dairy products, which at any time may be in their possession, or which may be transported *or stored by them, showing the owner, the quantity and kind of goods, the date when* stored, and when removed, in case of warehouses and cold storage companies, and showing the character of goods billed, the quantity, the name and address of consignor and consignee, and the date of transportation, in case of boats and railroad companies. All said records herein required to be kept shall, at all times during business hours, be open to the inspection of the agents and inspectors of the said department of agriculture and of any officer of any city or county board of health, and of any peace officer of any city or county of the state. A failure to keep any of the records herein required to be kept or to permit the inspection of such records, by any inspector or agent of the said department of agriculture or of any city or county board of health, or by any peace officer of any city or county, as herein required, is hereby declared to be a misdemeanor and punishable as provided herein.

SEC. 13. (*a*) A dairy shall be deemed insanitary within the meaning of this act *in the following cases*:

(1) If the pails, cans, bottles or other containers for milk or its products, or the strainers, coolers or other utensils appliances, apparatus or equipment coming in contact with the milk or its products are not thoroughly washed and afterward sterilized by exposing them to water or water vapor at a temperature above one hundred seventy degrees Fahrenheit for a period of at least fifteen minutes or by boiling water or by superheated steam each and every time the same are used; or if the said containers, utensils, appliances or equipment after sterilization are not adequately dried and protected from flies and dust and all other contaminations; or if any of said containers, utensils, appliances or equipment shall be used for any purpose other than that of handling milk or the products of milk.

(2) If the udder, flanks, hind legs and tail of cows are not reasonably clean during milking.

(3) If the milk or cream is not protected from contamination by dust and flies.

(4) If the person or wearing apparel of the dairyman, his employees or other persons who handle the milk or its products are soiled or not washed with reasonable frequency, or if the hands of milkers are not clean during the entire period of milking.

(5) If the milk or cream is not cooled to as low a temperature as practicable within one hour after it is drawn from the cows, and kept as cool as conditions will permit until delivery to the plant or consumer.

(6) If a suitable milk house or room, properly screened to exclude flies and insects is not provided and maintained for the purpose of cooling, mixing, canning and keeping, or otherwise caring for the milk or cream. Said milk house or room shall not be located in or be a part of any residence or dwelling house, or any barn or poultry house, and shall not be used for any other purpose whatsoever; and if any milk or cream shall be cooled, mixed, canned or kept in any room or place which is occupied by any person or persons as a sleeping or living apartment, or occupied by horses, fowls, cows, hogs or other animals.

(7) If any animal privy vault, open cesspool, pig pen, stagnant water, accumulation of manure or other filth is permitted within one hundred feet of the milk house or room, or within fifty feet of any cow stables or stanchions or other place where milking is done.

(8) If to the interior of cattle stables, barns milking sheds, milk house or room, an application of lime whitewash is not made at least once in two years, or oftener, if in the judgment of an authorized inspector, it is needed

(9) If the walls become soiled with manure, urine or other filth.

(10) If the yards or enclosures are filthy or insanitary, or if any part of such yards or enclosures, other than pastures, are made the depositories of manure in heaps or otherwise, where it is allowed to ferment and decay

(11) If the drinking water is stagnant, polluted with manure, urine, drainage, decaying vegetable or animal matter

(12) If the feed is spoiled, or otherwise unfit for feeding cows for the production of milk

(*b*) The dairy farm score card used for the official scoring of dairies in the State of California, shall be that established by the regulations adopted by the department of agriculture of the State of California as provided for in section twenty-one of this act.

SEC 14 (*a*) A creamery or any factory of dairy products or any store, depot or other place where milk is handled or kept for sale, shall be deemed insanitary within the meaning of this act in the following cases

(1) If milk or cream is received that has reached an advanced stage of fermentation, or that shows a state of putrefactive fermentation, or contains foreign substances detrimental to the quality of the manufactured product

(2) If the utensils and apparatus that come in contact with milk or its products in the process of manufacture are not thoroughly washed and sterilized by means of boiling water or superheated steam after each using, and if the cans or containers in which the milk or cream is received, transported or delivered are not thoroughly washed, sterilized and dried after emptying and before being sent out to be used again

(3) If the floor is so constructed as to permit the flowing of water, milk or other liquids underneath or among the interstices of such floor, where fermentation and decay can take place, or if such floor can not be readily kept free from dirt

(4) If drains are not provided that will convey refuse milk, water and sewage away to a point at least fifty yards distant from such creamery or factory of dairy products, or if any cesspool, privy vault, hog yard, slaughter house, manure or any decaying vegetable or animal matter shall be within a distance that will permit foul odors to reach any such creamery or other factory of dairy products or store or depot where milk or its products are sold or handled

(5) If such creamery or factory of dairy products does not permit access of light and air sufficient to secure good ventilation

(6) If in any building or buildings used in connection with any creamery, or factory of dairy products any insects or other species of animal life are permitted, or if upon the floor or walls any milk or its products or any other filth is allowed to accumulate or ferment, or decay, or if the bodies or wearing apparel of persons employed, or coming in contact with any milk or its products in any creamery, or factory of any dairy products, are unclean and not washed from time to time with reasonable frequency

(*b*) The score cards used for the official scoring of factories of dairy products shall be those established by the regulations adopted by the department of agriculture of the State of California as provided for in section twenty-one of this act.

SEC. 15. (*a*) The process of pasteurization as applied to milk, skim milk, cream and other milk products, is hereby defined to be a process for the elimination therefrom of organisms harmful to human beings which process shall consist of uniformly heating such milk, skim milk or cream as the case may be to a temperature of not less than one hundred forty degrees Fahrenheit and of holding the same at a temperature between one hundred forty and one hundred forty-five degrees Fahrenheit, for a period of not less than twenty-five minutes, nor more than one hour, and immediately thereafter cooling the same to a temperature of not above fifty degrees Fahrenheit provided, that when cream is pasteurized to be used and is used in the manufacture of butter or when milk is pasteurized to be used and is used in the manufacture of cheese and where the process of ripening or starting in each case is to be commenced immediately, then it shall not be required that such cream or milk be cooled to a lower degree than is necessary for

such ripening or starting. Market milk shall not be heated for more than one hour nor above one hundred forty-five degrees Fahrenheit. Milk or cream that is to be manufactured into butter or cheese may be pasteurized by heating above one hundred forty-five degrees Fahrenheit, and when the same is uniformly heated to and held at a temperature above one hundred fifty-one degrees Fahrenheit, the time for holding may be decreased from twenty-five minutes by one minute for each degree of temperature above one hundred fifty-one degrees Fahrenheit. If milk is repasteurized, it must not be sold for market milk.

(*b*) All apparatus used for the pasteurization of milk, skim milk or cream shall be kept in strictly clean and sanitary condition and every pasteurizing plant shall be equipped with sufficient recording thermometer devices to accurately record the temperature to which, and the length of time for which the pasteurized product has been heated. All recording thermometer devices used in the pasteurization of any milk, skim milk or cream must be approved by and at all times subject to the approval of the department of agriculture of the State of California. All persons, firms or corporations using pasteurizing apparatus within the State of California shall preserve and keep on file for a period of not less than two months after the same are made, all records made by such thermometer, or in lieu of such preservation may deliver such records to any public officer authorized by law or ordinance to receive the same, and said records shall, at all times, be open to the inspection of the said department of agriculture, state board of health, and of all other state, county and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health.

(*c*) No person, firm or corporation shall sell, exchange or offer or expose for sale or exchange, or have in its possession for sale or exchange, any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other products of milk as and for pasteurized milk, cream, skim milk, ice cream, butter, buttermilk, cheese or other products of milk, as the case may be, nor use the word, "pasteurized", or any of its derivatives in connection with the sale, designation, advertising, labeling or billing of any milk, cream, skim milk, ice cream, butter, buttermilk, cheese or other milk products, unless the same and all products of milk contained therein or used in the manufacture thereof consist exclusively of milk, skim milk or cream which has been treated by the process of pasteurization as defined and regulated in this section.

SEC. 16. (*a*) Every person, firm or corporation, before regularly engaging in the business of manufacturing or processing milk or products of milk shall obtain a license to do so for each separate plant from the department of agriculture of the State of California. Upon receipt of an application for such license, the said department of agriculture shall investigate the equipment and the sanitary condition of the plant where milk or the products of milk are to be processed or manufactured and provide the applicant with a copy of the dairy laws of the state. If the condition of the plant is found to be satisfactory, a "Factory License" shall be issued by said department of agriculture to such applicant upon receipt of a license fee of ten dollars ($10.00). All factory licenses shall expire the thirty-first day of December of each year and may be renewed on the first of each successive year, *provided*, that such plant or the business thereof shall have been conducted in accordance with the requirements of this act during the next preceding year. Applications for renewal of said license shall be made within thirty days prior to the expiration of the year. The fee for the renewal of such license shall be one dollar for each one hundred thousand pounds of milk fat or part thereof, or each four hundred thousand gallons of milk or part thereof purchased or received during the preceding fiscal year, ending the thirtieth day of June; *provided*, in no case shall the renewal fee exceed ten dollars. Any factory license may be suspended or revoked by the said department of agriculture for violation of this act, or amendments thereto, or for violation of the rules and regulations for its enforcement as provided for in section twenty-one of this act.

(*b*) All persons who shall test milk or cream purchased on the basis of the milk fat contained therein by any method or process must first obtain and hold a license to do so from the department of agriculture of the State of California, said license to be known as a "Tester's License". The said department of agriculture upon receipt of an application for such license, shall examine into the qualifications of the applicant and every applicant shall satisfy said department of agriculture of his qualification, and shall have a thorough knowledge of the provisions of the law with which he must comply and pay a fee of five dollars before any such license shall be issued. All such licenses shall expire the thirty-first day of December of each year and may be renewed on the first of each successive year *provided* that all requirements of the law have been met by licensee during the next preceding year, and upon the payment of a renewal fee of one dollar. Applications for renewal of said license shall be made within thirty days prior to the expiration of the year. Any tester's license may be suspended or revoked by the said department of agriculture for violation, by the holder thereof, of this act or amendments thereto or the rules and regulations for its enforcement, as provided in section twenty-one of this act.

SEC. 17. (*a*) No person, firm or corporation shall fraudulently manipulate the measure, or weight, or under-read, over-read or otherwise manipulate the test used for determining the percent of milk fat in milk or cream, nor shall any person, firm

or corporation take an unfair sample thereof on which a test is made nor fraudulently manipulate such samples nor the records of any measurement, weight, or test, or combination thereof, upon which is based the payment for milk fat contained therein. A permanent record in duplicate of all tests of milk or cream purchased or received on the basis of the amount of milk fat contained therein, must be made by a tester, licensed by the department of agriculture of the State of California, on standard forms supplied by, or in accordance with the specifications for such records, adopted by the said department of agriculture. Each test shall be legibly recorded and shall be accompanied by the patron's name or number in such a manner as to correctly identify the test obtained upon the milk or cream of each patron. Each sheet or page shall be authenticated by the signature of the tester, licensed by the said department of agriculture, and a duplicate record shall be deposited by said licensed tester, immediately after completing the test on the day's samples, in a box provided by the purchaser or receiver of milk or cream, said box to be constructed, sealed and maintained in accordance with the rules and regulations adopted by the said department of agriculture as provided for in section twenty-one of this act. The said licensed tester shall retain an unmodified sample of all milk or cream tested by him for a period of not less than forty-eight hours after tests of said milk or cream have been made and said purchaser or receiver of milk or cream shall provide a suitable place where such samples so retained may be kept and such place shall be acceptable to the said department of agriculture.

(*b*) In conducting the Babcock test the fat column in tests on milk in milk test bottles shall be read from the extreme bottom of the fat column to the top of the top meniscus, the fat column in tests on cream in cream test bottles shall be read from the extreme bottom of the fat column to the extreme bottom of the top meniscus (when such meniscus in the butter fat is not destroyed by the use of a foreign liquid); or from the extreme bottom of the fat column to the plane of separation between the butterfat column and the overlying foreign liquid (when such meniscus in the butter fat column is destroyed by the use of a foreign liquid).

(*c*) All glassware, weights and scales used in determining the amount of milk fat in milk or cream purchased or received on the basis of the milk fat contained therein, shall be accurate and all Babcock glassware and scales so used shall be standard. All such glassware shall be examined by the department of agriculture of the State of California and, if found to be standard, each piece shall have a legible and indelible distinguishing mark placed upon it by the said department of agriculture. The term, "standard," shall apply to glassware and scales complying with the following specifications:

(1) Milk test bottle. The total per cent graduation shall be eight. The graduated portion of the neck shall have a length of not less than sixty-three and five tenths millimeters and the graduation shall represent whole per cent, five tenths per cent and tenths per cent. The error in the total graduation or in any part thereof shall not exceed one-tenth of one per cent. The neck shall be cylindrical for at least five millimeters below the lowest and above the highest graduation mark.

(2) Fifty per cent nine gram long-neck cream test bottle. The total per cent graduation shall be fifty. The graduated portion of the neck shall have a length of not less than one hundred and twenty millimeters. The graduation shall represent five per cent, one per cent and five-tenths per cent. The cylindrical part of the neck shall extend at least five millimeters below the lowest and above the highest graduation mark. Each bottle shall bear at the top of the neck above the graduations, in plain legible characters, a mark defining the weight of the charge to be used—nine grams. The error in the total graduation or in any part thereof, shall not exceed twenty-five hundredths of one per cent.

(3) Fifty per cent eighteen gram long-neck cream test bottle. The total per cent graduation shall be fifty. The graduated portion of the neck shall have a length of not less than one hundred and twenty millimeters. The graduation shall represent five per cent, one per cent and five-tenths per cent. The cylindrical part of the neck shall extend at least five millimeters below the lowest and above the highest graduation mark. Each bottle shall bear at the top of the neck above the graduations, in plain legible characters a mark defining the weight of the charge to be used—eighteen grams. The error in the total graduation or in any part thereof shall not exceed twenty-five hundredths of one per cent.

(4) Seventeen and six-tenths cubic centimeter pipette. The delivery tube shall have a length of one hundred to one hundred twenty millimeters and an outside diameter between four and five-tenths and five and five-tenths millimeters, and a straight nozzle. The delivery shall be seventeen and six-tenths cubic centimeters of water at twenty degrees centigrade in five to eight seconds.

(5) Scales or balance. The scales or balance used in weighing cream samples into the test bottles shall have a sensibility of not more than thirty milligrams.

(*d*) No person shall use any other than standard glassware in determining the amount of milk fat in milk or cream purchased on the basis of the milk fat contained therein, which said glassware shall have been examined and marked in conformity with the provisions of this section. A fee of five cents shall be paid by the owner of said glassware to the department of agriculture of the State of California for every piece of glassware so examined, and said fee shall be used by the said department of agriculture to defray the cost of testing said glassware.

SEC 18. Every person, firm or corporation, not a common carrier, who receives from a private or common carrier in cans, bottles, vessels or other containers, any milk, cream, ice cream, or other product of milk intended for human consumption, which has been transported over any railroad, or boat or freight line, or by other common or private carrier, which said cans, bottles, vessels or other containers, are to be returned to the manufacturer, distributor, consignor or shipper, shall cause the said empty cans, bottles, vessels or other containers to be thoroughly cleansed and sterilized by boiling water or super-heated steam before return shipment of the same, and every private or common carrier before accepting such cans or containers to be returned to the manufacturer or distributor shall require that each container be plainly marked with the name and address of the person returning same All milk bottles, cans or containers of any kind in which dairy products are kept, stored, transported or delivered shall be sound, smooth, free from rust, or open seams and at all times kept in a condition which will permit thorough cleansing of all surfaces with which the milk or its products comes in contact. Bottles, cans, tubs, cabinets, containers or other receptacles commonly used for the reception, storage or delivery of milk, cream, ice cream or other products of milk shall not be used as a receptacle for or storage place of any vegetables, fish, fowls, meats or other food stuffs or refuse matter, bottles or filthy or offensive substances or for any other purpose than that for which it was originally intended All empty cans, bottles, vessels or other containers delivered to the producer by the manufacturer, retailer, or distributor for the reception of dairy products, shall be kept by said producer in a clean, sanitary sterile condition and shall be used for no other purpose whatsoever. All empty cans, bottles, vessels or other containers delivered to the consumer by retailer or distributor shall be thoroughly cleansed before returning the same to the retailer or distributor.

SEC 19 (a) All wagons, vehicles or carts from which market milk, cream, butter, ice cream, buttermilk or ice milk are regularly sold, marketed, delivered or peddled, shall have the name and address of the owner plainly lettered thereon in letters at least three inches high, and one and a half inches wide, on both sides of such vehicle. All carriers of milk, cream or other products of milk, whether producer, gratuitous private carrier other than the producer, private carrier for hire, or common carrier, in transporting milk and cream shall maintain all cars, motor trucks, other vehicles or boats in a clean and sanitary condition.

(b) All vehicles, boats or other conveyances while transporting milk or cream, either shall be enclosed or provided with a canvas covering or otherwise afford necessary protection to the milk and cream or other products of milk at all times from the direct rays of the sun, or from the outside warm air, and from dust, mud, rain or other sources of contamination. No milk or cream or other product of milk shall be transported in connection with or close to any other commodity from which it may absorb foreign flavors or which may contaminate it, and no milk or cream or empty containers used for milk or cream shall be hauled in any vehicle used for hauling manure, or garbage or in any other unclean vehicle car or boat. All milk or cream cans or other shipping containers for products of milk shall be handled carefully and while containing milk, cream, or other products of milk, shall be kept right end up; *provided*, nothing herein shall be construed to detogate from any powers or authority of the railroad commission of the State of California

(c) No carrier of milk, cream or other product of milk, whether gratuitous private carrier, private carrier for hire, or common carrier, shall receive or transport any milk or cream or product of milk after notification by an authorized representative of the department of agriculture of the State of California, that such product is unclean, polluted, tainted, unwholesome, stale, impure, or adulterated, or has been produced in violation of the provisions of this act.

SEC. 20 The department of agriculture of the State of California is authorized under this act to gather and compile statistics relative to the dairy industry, and to disseminate the same and other information useful to the general good and development of the dairy industry of the state The said department of agriculture shall provide blanks for reporting dairy statistics, and shall annually, on or before the first day of July of each year, cause to be mailed to each person, firm or corporation engaged in operating any creamery, cheese factory, ice cream or ice milk plant, milk condensory and market milk distributor when necessary, one or more of such blanks and each such person, firm or corporation shall, on or before the first day of August following make out and transmit to said department of agriculture a full and accurate report of the amount of milk, cream, condensed or evaporated milk, butter, cheese, ice cream or other dairy products produced, purchased or manufactured or distributed during the fiscal year ending June thirtieth just preceding, and all milk or milk products plants purchasing milk and cream direct from farmers shall report a complete list of all persons from whom their product is obtained, giving the name and address, whenever possible, in each case

SEC. 21 (a) It shall be the duty of the department of agriculture of the State of California to enforce the provisions of this act and the director of agriculture shall promulgate such rules and regulations as are incidental to the enforcement of the provisions and accomplishment of the purposes of this act

(*b*) The Director of Agriculture, through his agents or employees is hereby authorized to enter upon and inspect any dairy premises creamery, cheese factory, ice cream factory, or other place where milk, cream or the products of milk of any kind are being produced, sold, handled, kept, transported, delivered, or used, or where they suspect that oleomargarine or substances designed to be used as a substitute for butter or imitation butter or imitation cheese or filled milk are being manufactured, sold kept, delivered, transported or stored in violation of any of the provisions of this act and to take samples of dairy products filled milk or oleomargarine from such premises. The Director of Agriculture shall cause posters to be placed in a conspicuous manner on dairies throughout the state indicating in a brief and simple manner the most fundamental requirements for the production of dairy products

(*c*) No tolerances in weights, measures, percentages of milk fat, moisture or any other measure or standard shall be permitted under or according to the provisions of this act, except where specific provisions are made in this act.

(*d*) The Director of Agriculture, through his agents or employees is authorized to condemn any milk, cream, butter cheese, or other product of milk which is found to be impure, unclean, unwholesome, stale or that is produced, or manufactured by or kept in an insanitary place, or that is adulterated, and shall have power to destroy or mark for identification with a non-toxic substance all condemned milk, cream or products of milk

(*e*) Containers found to be used in violation of the requirements of Section eighteen of this act shall be condemned and marked with the word, "condemned", in an appropriate manner, and shall not be used again in connection with the handling of milk or the products of milk for human consumption until they have been cleaned or repaired in a manner acceptable to an authorized representative of the department of agriculture of the State of California.

(*f*) It shall be unlawful for any person, firm or corporation to prevent or interfere with or to attempt to nullify in any way the work of the duly authorized representatives of the department of agriculture of the State of California or approved milk inspecting departments, or to interfere with or prevent any such representative from examining any records or books in the conduct of his official duty, or to prevent or interfere with such authorized representatives in the event they deem it advisable to secure samples of imitation milk, or products of milk or oleomargarine, or imitation butter or cheese or filled milk, or any substance designed to be used as a substitute for milk or products of milk

(*g*) The licenses issued in accordance with the provisions of section seventeen of this act, upon a hearing before the Director of Agriculture, of which the licensee shall have a written notice of the time and place of said hearing and the charges made against him, may be suspended or revoked by said Director of Agriculture if, after written notice, the licensee fails, after thirty days, to comply with the laws, rules and regulations under which the license was granted, *provided*, that no such thirty days' notice shall be required in cases of manipulation of the measures, weights, samples or tests for milk fat content of milk or cream upon which payment is based, or the records thereof.

(*h*) No prosecution based on a sample or samples of adulterated milk or products of milk shall be had, unless a duplicate of said sample or samples is left with the accused. It shall not be required that samples taken in connection with the establishment of proof of fraudulent manipulation of the test for milk fat in milk or cream be given to the accused.

(*i*) It shall be the duty of the district attorney of each and every county in this state, upon application of the department of agriculture of the State of California or its authorized representatives, to attend to the prosecution, in the name of the people of any action brought for the violation of any of the provisions of this act within his county.

SEC. 22. (*a*) It shall be unlawful for any person, firm or corporation to violate any of the provisions of this act or amendments thereto, or the rules and regulations for its enforcement, or to operate a creamery or other factory of dairy products without a license as required in section sixteen of this act. Any person, firm or corporation who shall violate any of the provisions of this act, or the rules and regulations for its enforcement shall be guilty of a misdemeanor punishable by fine of not less than twenty-five dollars nor more than five hundred dollars, or by confinement in the county jail not less than ten days nor more than ninety days, or by both such fine and imprisonment *provided*, that persons who shall offer physical resistance or bodily attack on authorized representatives of the department of agriculture of the State of California, or of an approved milk inspecing department, engaged in the proper conduct of his official duties, shall be guilty of a misdemeanor, punishable by confinement in the county jail for not less than ten days without the alternative of a fine in any case; *and provided, further*, that any person, firm or corporation who shall operate a creamery or other factory of dairy products where milk or products of milk are processed or manufactured without a license to do so or after his or their license has been suspended or revoked by the said department of

agriculture, shall be guilty of a misdemeanor and shall also be liable to pay to the State of California the sum of one hundred dollars for each and every day said person, firm or corporation shall operate such creamery or other factory of dairy products without such license. Said moneys to be recovered by an action at law brought by the attorney general in the name of the State of California.

(b) The word, "persons," as used in this act shall be construed to import both the singular and plural, as the case demands, and shall include individuals, partnerships, corporations, companies, societies and associations. When construing and enforcing the provisions of this act, the act, omission or failure of any employee officer, agent or other person acting for or employed by any individual partnership, corporation, company, society or association within the scope of his employment or office, shall in every case also be deemed to be the act, omission or failure of such individual, partnership, corporation, company, society or association, as well as that of the person. The provisions of this act shall be construed to apply to hotel keepers, restaurant keepers and boarding-house keepers or any person who shall serve meals and accept money therefor.

SEC. 23. If any section, sub-section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

SEC. 24. The provisions of this act shall become effective in the usual time provided by law, except paragraph "b" of section six, and section sixteen, which shall become effective the first day of January 1924, A. D.

SEC. 25. An act to prevent the manufacture and sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products; and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897, entitled "An act to prevent deception in the manufacture and sale of butter and cheese to secure its enforcement, and to appropriate money therefor," and to repeal all acts and parts of acts inconsistent with this act, is hereby repealed, and all other acts or parts of acts in conflict herewith is hereby repealed.

SEC. 26. Out of any money in the state treasury not otherwise appropriated is the sum of six thousand dollars is hereby appropriated to be expended in accordance with the law and carrying out the purposes of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 31—An act to amend section 19.x10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911 and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 322—An act providing for the creation of revolving funds in the counties of the State.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 516—An act to add a new section to the Political Code, to be numbered 4041*q*, relating to the powers of boards of supervisors.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out lines 1, 2 and 3 of the title and in lieu thereof insert the following

"An act to amend the title of, and to add a new section to be numbered eight to an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended."

AMENDMENT NUMBER TWO

On page 1 of the printed bill strike out lines 1 to 6, both inclusive, and in lieu thereof insert the following

"SECTION 1 The title of an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended, is hereby amended to read as follows "An act to provide for public cemetery districts and abandoned cemetery districts"

SEC. 2. A new section is hereby added to said act approved March 6, 1909, to be numbered eight, and to read as follows

SEC. 8. An abandoned cemetery district for the upkeep and maintenance of abandoned cemeteries may be formed in the same manner as provided in this act for the formation of public cemetery districts and all the provisions of this act whenever applicable shall apply with equal force and effect to abandoned cemetery districts"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 40—An act to amend sections four thousand two hundred thirty-six *a*, four thousand two hundred thirty-six *b*, four thousand two hundred thirty-six *c*, four thousand two hundred thirty-six *d*, four thousand two hundred thirty-six *e*, four thousand two hundred thirty-six *f*, four thousand two hundred thirty-six *g*, four thousand two hundred thirty-six *h*, four thousand two hundred thirty-six *i*, four thousand two hundred thirty-six *j*, four thousand two hundred thirty-six *k*, four thousand two hundred thirty-six *l*, four thousand two hundred thirty-six *m*, four thousand two hundred thirty-six *n*, four thousand two hundred thirty-six *o*, four thousand two hundred thirty-six *p* inclusive of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers and provided for the compensation of said officers and said assistants, deputies, and other employees

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

SECTION 1. Section four thousand two hundred thirty-six *a* of the Political Code is hereby amended to read as follows:

4236*a*. In counties of the seventh class the county clerk shall receive as full compensation for the services required of him by law the sum of four thousand dollars per annum, *provided*, that in counties of this class, there shall be, and there is hereby allowed the county clerk, the following deputies, clerks and employees, to be appointed by said clerk, which positions are hereby created, and the salaries of each are hereby fixed as follows: One chief deputy who shall serve as chief deputy and registrar of voters, two thousand four hundred dollars per annum; one deputy, two thousand two hundred eighty dollars per annum; five deputies, one thousand eight hundred dollars each per annum; eight deputies, one thousand six hundred eighty dollars each per annum; *provided*, that whenever a special state or special county, or municipal election is held, the county clerk, in counties of this class, shall be, and is hereby allowed the following additional help: five clerks for a period of and not exceeding sixty days, immediately preceding such election date, whose salary shall be one hundred twenty-five dollars each, per month; *provided, further*, that in such years as the compilation of a great register of voters is required by law, to be made, the county clerk in counties of this class, shall be, and he is hereby allowed the following additional help: As many clerks as are necessary, in his discretion, from January first, to November first, at one hundred dollars each per month, and whose compensation shall not exceed the sum of three thousand dollars in the aggregate, for all clerks so employed; *provided, further*, the county clerk may appoint such number of registration deputies in any precinct as may be necessary for the purpose of registering electors each of whom shall be a qualified elector in his respective precinct, each of said deputies in precincts outside of the corporate limits of municipalities containing twenty-five thousand or more inhabitants, shall be paid the sum of fifteen cents per name, for each person legally registered by him, and that each of said deputies, within the corporate limits of a municipality containing twenty-five thousand or more inhabitants, shall be paid the sum of seven and one-half cents per name for each person legally registered by him, and the said registration deputies to be paid for their services on the presentation and filing with the county auditor of said county, a duly verified claim therefor, duly approved by the said county clerk. The salaries and compensation of each of said deputy clerks and employees shall be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials are paid. The county clerk shall pay into the county treasury at the close of each month, all fees received by him as county clerk during the month, accompanied by a statement of the sources from whence received.

SEC. 2. Section four thousand two hundred thirty-six *b* of the Political Code is hereby amended to read as follows:

4236*b*. In counties of the seventh class the sheriff shall receive as full compensation for the services required by him of law, the sum of four thousand dollars per annum salary; the sheriff shall also be paid fifteen cents per meal each, for all meals furnished prisoners confined in the county jail. He shall be allowed the actual and necessary expenses incurred in the performance of his official duties, including the actual and necessary expense incurred by him in recovering or searching for the body of any person meeting death through drowning; *provided*, that in counties of this class, there shall be, and there is hereby allowed the sheriff, the following deputies, jailers, and bailiffs, to be appointed by said sheriff, which positions are hereby created, and the salaries of each are hereby fixed as follows: One deputy, who shall act as undersheriff, at a salary of two thousand two hundred eighty dollars per annum; one deputy, who shall act as chief criminal deputy and Bertillon expert, at a salary of two thousand one hundred dollars per annum; one chief jailer at a salary of one thousand eight hundred dollars per annum; two criminal deputies at salaries of one thousand eight hundred dollars per annum, each; three court bailiffs at a salary of one thousand six hundred eighty dollars per annum each; three jailers at a salary of one thousand six hundred eighty dollars per annum, each; one deputy at a salary of one thousand five hundred dollars per annum; one watchman at a salary of one thousand five hundred dollars per annum; one matron, to attend to female prisoners at a salary of one thousand three hundred twenty dollars per annum; one deputy who shall act as bookkeeper at a salary of one thousand six hundred eighty dollars per annum; one relief matron, for two weeks in each year, at a salary of one hundred twenty dollars per month. The salaries and compensation of each of said deputies, jailers and bailiffs, shall be paid out of the county treasury in equal monthly installments, in the same manner and at the same time as other county officials are paid.

The sheriff shall pay into the county treasury at the close of each month all fees, mileage and per diems received by him as sheriff during the month, accompanied by a statement of the sources from whence received.

SEC. 3. Sec. 4236*c* of the Political Code is hereby amended to read as follows.

4236*c*. In counties of the seventh class the recorder shall receive as full compensation for the services required of him by law, the sum of four thousand dollars per annum, *provided*, that in counties of this class there shall be, and there is hereby allowed the county recorder, the following deputies, clerks and copyists, to be appointed by said recorder, which positions are hereby created, and the salaries of each are hereby fixed as follows. One chief deputy at a salary of two thousand two hundred eighty dollars per annum; one comparing clerk, at a salary of one thousand eight hundred dollars per annum; one mortgage clerk, at a salary of one thousand five hundred dollars per annum; one index clerk at a salary of one thousand eight hundred dollars per annum; said recorder may also appoint such copyists, not to exceed four, as may be required, for the recording of all papers, notices or documents in his office, who shall receive as compensation for their services the sum of one thousand five hundred dollars each, per year; said recorder may also appoint two filing clerks at a salary of one thousand five hundred dollars each, per annum. The salaries and compensation of each of said deputies, clerks and copyists herein provided for, each of whom shall be a deputy county recorder, shall be paid out of the county treasury in equal monthly installments, in the same manner and at the same time as other county officials are paid

SEC. 4 Sec. 4236*d* of the Political Code is hereby amended to read as follows

4236*d*. In counties of the seventh class the auditor shall receive as full compensation for the services required of him by law, the sum of four thousand dollars per annum; *provided*, that in counties of this class, there shall be, and there is hereby allowed the auditor, the following deputies, clerks and employees to be appointed by said auditor, which positions are hereby created and the salaries of each are hereby fixed as follows One chief deputy at a salary of two thousand two hundred eighty dollars per annum, one redemption deputy at a salary of one thousand nine hundred eighty dollars per annum; one warrant deputy at a salary of one thousand nine hundred eighty dollars per annum; one claim expert, at a salary of two thousand one hundred dollars per annum; one statistician, at a salary of one thousand six hundred eighty dollars per annum, one assistant claim clerk at a salary of one thousand six hundred eighty dollars per annum, one general office deputy, at a salary of one thousand six hundred eighty dollars per annum; and such additional assistants as the auditor may require, and whose compensation shall not exceed six hundred dollars per annum, in the aggregate, for all assistance so rendered; *provided, further*, that the auditor shall certify thereon, as to the correctness of such additional assistance. The salaries and compensation of each of said deputies and clerks, shall be paid out of the county treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid.

SEC 5. Section 4236*e* of the Political Code is hereby amended to read as follows.

4236*e*. In counties of the seventh class the county treasurer shall receive as full compensation for the services required of him by law, the sum of four thousand dollars per annum; *provided*; that in counties of this class, there shall be and there is hereby allowed, the following deputies, to be appointed by said treasurer, which positions are hereby created, and the salaries of each are hereby fixed as follows: One chief deputy at a salary of two thousand two hundred eighty dollars per annum, one deputy to act as bookkeeper, at a salary of one thousand nine hundred eighty dollars per annum, one deputy, at a salary of one thousand six hundred eighty dollars per annum the salaries and compensation of each of said deputies and bookkeeper shall be paid out of the county treasury, in equal monthly installments, in the same manner and at the same time as other county officials are paid. The county treasurer shall pay in to the county treasury at the close of each month, all fees received by him as county treasurer during the month, accompanied by a statement of the sources from whence received.

SEC. 6. Section 4236*f* of the Political Code is hereby amended to read as follows:

4236*f*. In counties of the seventh class the county tax and license collector shall receive as full compensation for services of tax collector and ex officio license collector, required of him by law, the sum of four thousand dollars per annum; *provided*, that in counties of this class, there shall be, and there is hereby allowed the tax collector, the following deputies, bookkeepers and assistants, to be appointed by said tax collector, which positions are hereby created, and the salaries of each are hereby fixed as follows One chief deputy at a salary of two thousand two hundred eighty dollars per annum, one office deputy at a salary of one thousand eight hundred dollars per annum, one cashier, at a salary of one thousand eight hundred dollars per annum; one deputy who shall be correspondence and mail clerk, at a salary of one thousand five hundred dollars per annum; *provided, further*, that the tax collector shall have two additional deputy tax collectors to serve as such for a period of six months in each year, and who shall receive a salary of one hundred

twenty-five dollars each, per month, also, three additional deputy tax collectors, to serve as such for a period of three months in each year, and who shall receive a salary of one hundred ten dollars each, per month; also one additional deputy tax collector to serve as cashier for two months in each year, and who shall receive a salary of one hundred twenty-five dollars per month, all of which shall be paid by the county. The salaries and compensations of each of said deputies, assistants and bookkeepers shall be paid out of the county treasury, in equal monthly installments at the same time and in the same manner as other county officials are paid. The tax collector is hereby declared to be the ex officio license collector, and the office of license collector heretofore existing is hereby abolished.

The tax and license collector shall deposit in the county treasury all the money received by him in his official capacity, not later than the day succeeding the collection thereof, in the manner provided by section four thousand one hundred one *a* of the Political Code; *provided*, that checks, drafts and post office orders received or accepted by the tax and license collector at his own risk, the proceeds of which are to be applied on tax or license collections, may be deposited in bank and a reasonable time allowed for "clearance," not to exceed one week, before depositing the money in the county treasury; *provided, further*, that nothing herein shall be construed to authorize the payment of taxes other than in "lawful money of the United States," as provided by section three thousand eight hundred eighty-eight, of the Political Code. The tax and license collector shall be allowed his actual and necessary traveling expenses incurred by him, in the performance of his official duty, not exceeding two hundred dollars for the year.

SEC. 7. Section 4236*g* of the Political Code is hereby amended to read as follows:

4236*g*. In counties of the seventh class the county assessor shall receive as full compensation for services required of him by law, the sum of four thousand dollars per annum; *provided*, that in counties of this class, there shall be, and there is hereby allowed the assessor, the following deputies, clerks and assistants, to be appointed by said assessor, which positions are hereby created, and the salaries of each are hereby fixed as follows: One assistant county assessor at a salary of two thousand two hundred eighty dollars per annum; one chief deputy assessor at a salary of one thousand nine hundred eighty dollars per annum; two office deputies at a salary of one thousand eight hundred dollars per annum each; one deputy at a salary of one thousand six hundred eighty dollars per annum; one deputy for one hundred fifty days in each year at a salary of seven dollars per day; two deputies for one hundred days in each year at a salary of five dollars and fifty cents per day, each; six deputies for one hundred days in each year, at a salary of five dollars per day each; ten deputies for one hundred days in each year at a salary of seven dollars per day, each; two deputies, for two months in each year, at a salary of one hundred fifteen dollars per month, each. The salaries and compensation of each of said deputies, clerks and assistants shall be paid out of the county treasury in equal monthly installments, in the same manner and at the same time as other county officials are paid. The salaries of all assistants, deputies and clerks herein provided for shall be paid by the said county in monthly installments at the same time, manner and out of the same funds as the county assessor is paid.

SEC. 8. Section 4236*h* of the Political Code is hereby amended to read as follows:

4236*h*. In counties of the seventh class the district attorney shall receive as full compensation for the services required of him by law the sum of five thousand dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby allowed the district attorney, the following assistant, deputies and employees, to be appointed by said district attorney, which positions are hereby created and the salaries of each are hereby fixed as follows: One assistant district attorney, whose salary is hereby fixed at the sum of three thousand nine hundred dollars per annum; one chief deputy district attorney, whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum; one deputy district attorney whose salary is hereby fixed at the sum of three thousand three hundred dollars per annum, whose duty it shall be, in addition to performing services as deputy district attorneys, to attend preliminary examinations held in all police and justices' courts in the county and conduct on behalf of the people all prosecutions for felonies at such preliminary examinations, and, also to attend and appear before the juvenile court of said county and prosecute proceedings therein; one clerk, who shall be a stenographer, whose salary is hereby fixed at the sum of one thousand six hundred eighty dollars per annum; one county detective, who shall perform such duties as may be required of him by the district attorney, or by the ordinances of the board of supervisors of the county, whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum; *provided, further*, that in addition to the salary herein fixed for said county detective he shall be allowed and paid actual and necessary expenses incurred by him in the performance of his official duties; *provided, further*, that the said county detective shall file with the board of supervisors a verified statement and claim showing in detail the amount paid, and the persons to whom and the purpose for which such payments were made; *and provided, further*, that in counties of this class the district attorney, in addition to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county, and in civil actions and proceedings in which the county is interested, and all other expenses necessarily incurred

by him in the investigation and detection of crime and the prosecution of criminal cases and in civil actions and proceedings, and all other matters in which the county is interested, all of which said charges and expenses so incurred by him shall be a legal charge against the county. Neither the district attorney nor any of his assistants or deputies shall engage in the private practice of law, nor shall they be associated directly or indirectly with any lawyer or law firm as such in private practice, but each shall devote his entire time to the service of the county.

The salaries and compensation of each of said assistants, deputies and employees shall be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials are paid.

SEC 9. Section 4236*i* of the Political Code is hereby amended to read as follows:

4236*i*. In counties of the seventh class there shall be one coroner who shall receive as full compensation for the services required of him by law, such fees as are now or may hereafter be allowed by law *provided*, the coroner, or other officer holding an inquest upon the body of a deceased person may subpoena a chemist to make an analysis of the contents of the stomach or tissues of the body, or a physician or surgeon to inspect the body, or hold a post mortem examination of the deceased, and give a professional opinion as to the cause of death; and shall cause the testimony of all the witness at such inquest to be reduced to writing under his direction. *Provided*, that in counties of this class there shall be and there is hereby allowed the coroner the following assistants to be appointed by said coroner which positions are hereby created, and the salaries of each are hereby fixed as follows one deputy and one stenographer, said deputy shall have the power and it shall be his duty when directed by the coroner to hold inquests, and all such power conferred by law upon the coroner may be exercised by said deputy, who shall receive a salary of one thousand three hundred twenty dollars per annum the salary of said stenographer shall be one thousand five hundred dollars per annum which salary shall be in full for all services rendered by him as such stenographer Said stenographer shall take down in shorthand the testimony of witnesses at inquests and shall transcribe the same into longhand and file a verified copy thereof with the county clerk The salaries and compensation of said deputy and stenographer, shall be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials are paid

SEC 10 Section 4236*j* of the Political Code is hereby amended to read as follows:

4236*j*. In counties of the seventh class there shall be one superintendent of schools, who shall receive as full compensation for the services required of him by law, the sum of three thousand dollars per annum, and actual and necessary traveling expenses when visiting schools of the county, *provided*, that in counties of this class, there shall be and there is hereby allowed the superintendent the following assistant and deputy to be appointed by said superintendent which positions are hereby created and the salaries of each are hereby fixed as follows one assistant superintendent of schools, who shall receive as compensation, the sum of two thousand one hundred dollars per annum, one deputy superintendent of schools, who shall receive as compensation the sum of one thousand eight hundred dollars per annum. The salary of said assistant superintendent of schools and deputy superintendent of schools shall be paid out of the county treasury in equal monthly installments in the same manner and at the same time as other county officials are paid. Each member of the board of education of the county shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of twenty cents per mile one way only, from his residence to the place of meeting of said board The secretary of said board of education of said county shall receive five dollars per day for his services for the actual time that the board may be in session. Said compensation of the members of the said board and of said secretary shall be paid out of the same fund as the salary of the superintendent of schools. Claims of such service and mileage shall be presented to the board of supervisors and shall be allowed at the rate above named, and in the same manner as other claims against the county are allowed. The compensation of members of the county board of education of this county hereby provided is not in addition to that provided in section one thousand seven hundred seventy of this code.

SEC 11 Section 4236*k* of the Political Code is hereby amended to read as follows

4236*k*. In counties of the seventh class, the county surveyor shall receive a salary of two thousand four hundred dollars per annum and in addition thereto all necessary expenses for work performed in the office and all necessary expenses and transportation for work performed in the field, *provided*, that in counties of this class, whenever the board of supervisors shall order or the assessor may require assessor's map or block books then the surveyor shall receive in addition to the salary above noted the sum of one thousand five hundred dollars, additional expenses required for the preparation and completion of said maps or block books

SEC 12. Section four thousand two hundred thirty-six *l* of the Political Code is hereby amended to read as follows:

4236*l* For the purpose of regulating the compensation of township justices and constables in counties of the seventh class, townships shall be classified on the basis of population as shown by the federal census of one thousand nine hundred twenty,

provided, that the board of supervisors may determine such population by multiplying by three the number of registered voters at the last general election next preceding the date of such determination, then said census shall be known and shall become the official census of the township in which the same is taken, and the population therein determined shall be and become the official population of such township. Incorporated cities having a population of twenty thousand or more, shall be known as townships of the first class, townships having a population of five thousand and less than twenty thousand shall be known as townships of the second class, townships having a population of more than two thousand and less than five thousand shall be known as townships of the third class; *provided*, that no township shall contain less than two thousand population; *provided, further*, that the number of townships shall not exceed seven in counties of this class. It shall be the duty of the board of supervisors to fix the boundaries of townships, so that all the territory in counties of the seventh class, shall be comprised within the above limitations of population, and where the boundary line of any township is changed they shall take the census of said township or townships in the manner as in this section provided and the population therein determined shall be and become the official population of the township.

Townships of the second and third classes, shall each have one justice and one constable.

Townships of the first class shall have one justice and two constables; *provided, however*, that in all such townships having a population of twenty thousand or more, there shall be one clerk to be appointed by the justice of the peace, such clerk to receive a salary of one hundred twenty-five dollars per month, payable monthly in the same manner as salaries of county officers are paid All fees chargeable and collectible by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury. All fees and mileage collected by constables in civil cases shall be deposited in the county treasury monthly.

In townships containing twenty thousand or more inhabitants the board of supervisors shall furnish the justice of the peace and the constables of such townships an office to be occupied by such justice and constables jointly

The compensation of justices of the peace in counties of the seventh class is hereby fixed as follows Class one townships, three thousand six hundred dollars per annum; class two townships, one thousand eight hundred dollars per annum, class three townships, one thousand five hundred dollars per annum. The salaries shall be payable monthly in the same manner as county officers are paid

The compensation of constables in counties of the seventh class is hereby fixed as follows: Class one townships, two thousand one hundred dollars per annum; class two townships, one thousand eight hundred dollars per annum; class three townships, one thousand five hundred dollars per annum. The salaries shall be payable monthly in the same manner as county officers are paid.

SEC. 13. Section four thousand two hundred thirty-six *m*, of the Political Code is hereby amended to read as follows:

4236*m* In counties of the seventh class the public administrator shall receive as compensation such fees as are now or may hereafter be allowed by law.

SEC. 14. Section four thousand two hundred thirty-six *n*, of the Political Code is hereby amended to read as follows

4236*n*. In counties of the seventh class each supervisor shall receive as compensation one hundred twenty-five dollars per month, and in addition thereto the board of supervisors as a whole shall be alloted and paid five hundred dollars per year for traveling expenses, and ten cents per mile for traveling to and from the county seat; *provided*, mileage for traveling to and from the county seat shall not be allowed oftener than once in each month

SEC. 15 Section four thousand two hundred thirty-six *o*, of the Political Code is hereby amended to read as follows:

4236*o*. In counties of seventh class the fees for trial jurors for attendance in any court shall be three dollars for each day's attendance, and said trial jurors shall be allowed mileage at the rate of ten cents per mile for each and every mile actually and necessarily traveled in attending upon and returning from court, said mileage to be computed for daily attendance, irrespective of whether said daily attendance covers one or more sessions of court;

Each member of the grand jury shall be allowed three dollars for each day in attendance upon the sessions of the grand jury or for each day's service as a member of any committee of the grand jury; each grand juror shall be allowed mileage at the rate of ten cents per mile for each and every mile actually and necessarily traveled in attendance upon and returning from meetings of the grand jury, or any session of a grand jury committee, duly called by the secretary, or committee chairman.

SEC. 16. Section four thousand two hundred thirty-six *p*, of the Political Code is hereby amended to read as follows:

4236*p*. In counties of the seventh class the salary of the county librarian shall be two thousand two hundred eighty dollars per annum."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 11 and 12, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill after the period following the figure 1, add the following

"Section 1 of an act entitled "An act for the protection of miners, approved March 16, 1872," hereby amended to read as follows

SECTION 1. It shall not be lawful for any person, partnership, firm, association or corporation, owner or owners, of any mine within the State of California to sink down into such mine any perpendicular or incline shaft beyond a depth of three hundred feet from the surface measured along the line of the shaft without providing a second mode of egress from working levels of such mine

SEC 2. Section two of said act is amended to read as follows:

SEC 2. It shall be the duty of every person, partnership, firm, association, or corporation, owner or owners of any mine in this state to provide such mode of egress as herewith provided

SEC. 3 Said act is further amended by adding a new section thereof to be numbered section 5 and to read as follows:

SEC. 5. This act shall not apply to shafts sunk for the purpose of prospecting or development only, *provided*, the construction of such second exit be commenced before or at the first extraction of ore or minerals for commercial purposes from such mine, and be diligently prosecuted thereafter with a minimum employment of 60 shifts a month continuously

SEC 4. Said act is further amended by adding a new section thereto to be numbered section 6 and to read as follows:

SEC. 6 Any person, partnership, firm, association, or corporation, or agent, officer or employee of such person, partnership, firm, association or corporation, who violates or omits to comply with any of the provisions of this act or who operates any mine which does not comply with this act or directs or permits work to be done in any mine which does not comply with the provisions of this act shall, upon conviction thereof, be guilty of a misdemeanor and punished by a fine of not less than $100 nor more than $1000, or by imprisonment for not more than six months or by both such fine and imprisonment.

SEC. 5. This act shall take effect and be in force one year from and after its passage."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 1 to 27, both inclusive; on page 2, strike out lines 1 to 52, both inclusive, on page three, strike out lines 1 to 52, both inclusive, on page 4, strike out lines 1 to 18, both inclusive, and in lieu thereof insert the following

"SECTION 1. Section three of the "California grain standardization act," approved June 3, 1921, is hereby amended to read as follows

Sec. 3. He shall have the power

(*a*) To establish uniform grades for agricultural products, which are hereby defined as including grain, beans, rice, cotton, peanuts, nuts and other farm products, the standardization and inspection of which are not now provided for in the statutes of the State of California. Any standards for agricultural products now or hereafter made mandatory under authority of the congress of the United States, shall forthwith, be established and promulgated by the director of agriculture as the official standards of this state In establishing grades for grain that is sold on a dockage basis, dockage shall be considered and such dockage that is of value and retained shall be paid for. Dockage as used therein shall be understood to mean dockage as defined in the official grain standards of the United States.

(*b*) To make, amend, or repeal rules and regulations for the inspecting and weighing of agricultural products for the purpose of carrying out the provisions of this act, provided that all such rules shall be published by him in such manner as to give proper publicity thereto

(*c*) To fix and determine all charges for sampling, grading, inspecting and weighing agricultural products

SEC. 2. Section four of said act, approved June 3, 1921, is hereby amended to read as follows:

Sec 4. The director of agriculture may establish official stations for the inspection and weighing of agricultural products at any time or place where agricultural products are bought, sold, marketed stored or manufactured The director of agriculture shall inspect, certify as to quality and condition, and/or weigh upon request all agricultural products sold, offered for sale, or consigned for sale. He shall issue a uniform certificate stating the kind, grade and weight of the agricultural product, and the reason for all grade below number one, and such other facts as he may require *provided* that certificates issued by authorized agents of the department of agriculture shall be received in all courts of the State of California as prima facie evidence of the truth of the statements therein contained at the time of the issuance of said certificate. Such certificate shall be delivered to the owner of such agricultural product or his agent

SEC 3 Section five of said act, approved June 3, 1921, is hereby amended to read as follows

Sec. 5. No officer or employee of the department of agriculture engaged in the inspecting or weighing of agricultural products under the provisions of this act shall be interested financially or otherwise, directly or indirectly, in any grain elevator, warehouse or in the merchandising of agricultural products, or be employed by any person, firm or corporation owning or operating any grain warehouse or elevator or handling agricultural products

SEC. 4 Section seven of said act, approved June 3, 1921, is hereby amended to read as follows

Sec 7. That whenever standards shall have been fixed and established under this act for any agricultural product, no person thereafter shall ship or deliver for shipment in intra-state commerce any such agricultural product which is sold, offered for sale or consigned for sale by grade, unless the agricultural product shall have been inspected and graded by an inspector licensed under this act and the grade by which it is sold, offered for sale or consigned for sale be one of the grades fixed therefor in the official standards for the State of California, *provided*, that any person may sell, offer for sale or consign for sale, ship or deliver for shipment in intra-state commerce any such agricultural product by sample or by type or under any name, description or designation which is not false or misleading and which name, description or designation does not include in whole or in part the terms of any official standards of the State of California

SEC 5 Section eight of said act, approved June 3, 1921, is hereby amended to read as follows

Sec. 8 The grade of agricultural products shall be determined at such points as inspectors of the department may be located by actual sampling, grading and inspection. Such agricultural products sold, offered for sale or consigned for sale by grade may be shipped or delivered for shipment in intrastate commerce without inspection at point of shipment by an inspector licensed under this act to or through any place at which an inspector licensed under this act is located, subject to inspection by licensed inspector at the place to which shipped or at some convenient place through which

shipped for inspection *provided* that any such agricultural product sold, offered for sale or consigned for sale by any of the grades fixed therefor in the official standards may upon compliance with the rules and regulations prescribed by the director of agriculture, be shipped in intrastate commerce without inspection from a place at which there is no inspector licensed under this act to a place at which there is no such inspector, subject to the right of either party to the transaction to refer any dispute as to the grade of the agricultural product to the director of agriculture who may determine the true grade thereof.

SEC. 6. Section nine of said act, approved June 3, 1921, is hereby amended to read as follows:

Sec. 9. Any person aggrieved by the grading by any employee of the director of agriculture of any grain for which federal standards have been fixed, may, with the approval of the secretary of the United States department of agriculture, appeal to the federal grain supervisor of the supervision district in which the State of California may be located. The federal grain supervisor is hereby appointed as an employee of the department of agriculture of the State of California to serve without pay for the sole purpose of hearing and deciding appeals from the original grading of grain by an employee of the state department of agriculture. Such federal grain supervisor may confer with the director of agriculture, his duly authorized agents and employees and any other interested parties and shall make such tests as may be deemed necessary to determine the correct grade of the grain in question. After making such tests the federal grain supervisor shall issue, or cause to be issued, a federal appeal grade certificate to all interested parties, which shall state the grade of the grain as determined by such tests, the number of the inspector's certificate which is superseded by the federal appeal grade certificate, and the following statement: "This certificate is issued pursuant to the United States grain standards act and the California grain standards act." Such federal appeal grade certificate shall be prima facie evidence of the correct grade of the grain in any court of the State of California: *provided*, that any person aggrieved by the grading by any employee of the director of agriculture of any grain for which federal standards have not been fixed but for which state grades have been established under the provisions of this act may appeal the question to the director of agriculture. The director of agriculture shall make such tests as shall be deemed necessary to determine the correct grade of the grain in question and after making such tests shall issue or cause to be issued an appeal grade certificate to all interested parties. Said certificate shall take such form as is prescribed by the director in the rules and regulations under this act. Such certificate shall be prima facie evidence of the correct grade of the grain in any court of the State of California. The director of agriculture shall charge, assess, and cause to be collected for each such appeal as is filed with the state department of agriculture or the United States department of agriculture a fee of five dollars which shall be paid to the director of agriculture, and same shall be refunded if the appeal is sustained; *provided, further*, that any appeal from inspection and grading made under the provisions of this act shall be taken before the grain leaves the place where the inspection appealed from was made and before the identity of the grain has been lost, under such rules and regulations as the director of agriculture shall prescribe.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army.

Assembly Joint Resolution No. 19 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 19 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Fenne, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, John-

ston, Jones, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—None.

Title read and approved.
Assembly Joint Resolution No. 19 ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Baker, Edwin, moved that Assembly Bill No. 105 be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.
Motion carried.

Assembly Bill No. 105 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 495 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Douglas, Duval, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 619—An act to amend section 1808 of the Political Code, relating to the entry of order appointing guardian.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 619 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Coombs, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyons, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 632 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Broughton, Carlson, Carter, Christian, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Jones,

Kline, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Weller—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1213 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 369 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1149—An act to amend section 633*a* of the Political Code, relating to licensing of insurance and surety brokers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1149 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Mathews, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 715 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Remdollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Baker, Edwin, Carter, Dozier, Graves, and Pomeroy—5

Title read

AMENDMENT TO TITLE.

Miss Broughton offered the following amendment to the title of Assembly Bill No. 715:

AMENDMENT NUMBER ONE.

On line 1 of the title, strike out the word "irrigatoin" and insert in lieu thereof the word "irrigation".

Amendment read, and on motion adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

Bill read third time

The question being on the passage of the bill

The roll was called and Assembly Bill No 390 passed by the following vote.

AYES—Anderson, Badham Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson Donohue, Dorris Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger Hornblower, Johnson, Johnston Jones, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—65.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 603 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton Burns, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger Hornblower, Johnson, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes,

Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 607 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code, relating to the viewing of the body by a coroner's jury

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1160 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C C, Baker, Edwin, Ball, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Crittenden, Davis, Dean, Donohue, Douglas, Emme, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Dawson, and Dozier—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1161—An act to amend section 1512 of the Penal Code, relating to witnesses

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1161 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, Miller, Mitchell, A G, Mitchell, T. A, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1162 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Christian, Clarke, Cleary, Davis, Dawson Donohue, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 4 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Spence moved a call of the House.

Motion carried.

Time, twelve o'clock and twenty minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson Badaracco Badham, Baker, C. C., Ball, Bernard, Burns Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris Douglas Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—70.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

RESOLUTION.

A resolution was offered by Mr. Morrison,

MOTION TO REFER.

Mr. Carter moved that the resolution offered by Mr. Morrison be referred to the Committee on Rules.

POINT OF ORDER.

During the debate on the motion to refer, Mr. Carter arose to the following point of order: That all resolutions should be referred to a committee without a motion, and therefore the motion to refer was out of order.

RULING OF THE SPEAKER.

The Speaker ruled that the point of order was not well taken.

APPEAL FROM DECISION OF THE CHAIR.

Mr Eksward appealed from the decision of the chair.

Motion seconded.

WITHDRAWAL OF APPEAL.

Following the debate, Mr. Eksward, with permission of his second, withdrew his appeal.

MOTION TO AMEND.

Mr Hornblower offered the following substitute motion as an amendment to Mr. Carter's motion to refer: That the resolution offered by Mr Morrison be read and then be referred to a committee.

MOTION TO AMEND.

Mr. Fellom offered the following substitute motion as an amendment to Mr. Hornblower's motion to amend:

That the resolution offered by Mr Morrison be read, ordered printed in the Journal, and referred to a committee.

POINT OF ORDER.

Mr. Carter arose to the following point of order: That the motion to amend by Mr. Hornblower was not in order, inasmuch as it omitted stating any specific committee.

RULING OF THE SPEAKER.

The Speaker ruled that the point of order was not well taken.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Eksward, Wright, Noyes, Moore and Hornblower, demanded the previous question.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Lyons, Rock, Scott and Badaracco, the Speaker ordered a roll call taken on the demand for the previous question.

The question being on the demand for the previous question.

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Carlson, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Jones, Kline, Lyman, Lyon, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Snyder,

Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—53.

NOES—Badaracco, Burns, Connolly, Emme, Hornblower, Mitchell, T. A., Morris, Morrison, Rock, Schmidt, and Scott—11.

The question being on Mr. Fellom's motion to amend Mr. Hornblower's amendment to the original motion.

REQUEST FOR ROLL CALL

On request of Messrs. Fellom, Rock, Moore, Mitchell, T. A., and Schmidt, the Speaker ordered a roll call taken on the adoption of Mr. Fellom's amendment.

The question being on the adoption of Mr. Fellom's amendment.

The roll was called, and Mr. Fellom's amendment refused adoption by the following vote:

AYES—Badaracco, Burns, Carlson, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Foster, Hornblower, Lyons, Mitchell, T. A., Morris, Morrison, Reindollar, Rock, Schmidt, and Scott—19.

NOES—Anderson, Badham, Baker, C. C., Ball, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Croter, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Fox, Fulwider, Graves, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—47.

The question being on Mr. Hornblower's motion to amend.

Motion lost.

The question being on Mr. Carter's motion to refer Mr. Morrison's resolution to the Committee on Rules.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Badaracco, Rock, Burns and Lyons, the Speaker ordered a roll call taken on Mr. Carter's motion to refer.

The question being on Mr. Carter's motion to refer.

The roll was called, and the resolution offered by Mr. Morrison ordered referred to the Committee on Rules by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Heisinger, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—52.

NOES—Badaracco, Ball, Burns, Emme, Fellom, Hornblower, Lyons, Mitchell, T. A., Morris, Morrison, Mueller, Rock, Schmidt, Scott, and Whitacre—15.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At twelve o'clock and fifty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Coombs.

The roll of absentees was called, and Assembly Bill No. 298 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Carlson, Christian, Cleary, Cleveland, Crittenden, Croter, Davis, Dozier, Duval, Emme, Fellom, Graves, Johnson, Jones, Kline, Lyman, Lyons, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Wright—41.

NOES—Badaracco, Bernard, Burns, Carter, Clarke, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Douglas, Eksward, Erb, Foster, Fox, Fulwider, Heisinger,

Hornblower, McDowell, McMillan, McPherson, Mitchell, T. A., Noyes, Pedrotti, Rock, Schmidt, Scott, Stow, and Mr. Speaker—30.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Eksward moved the consideration of Mrs. Woodbridge's motion to repeal Rule 71 go over until the next legislative day.

Motion carried.

RECESS.

At one o'clock and six minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYONS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYONS, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At two o'clock and twelve minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 21, 1923.

At two o'clock and fourteen minutes p m., the Senate and Assembly met in Joint Convention pursuant to Assembly Concurrent Resolution No. 11.

ASSEMBLY CONCURRENT RESOLUTION No. 11.

Relative to entertaining Hon Samuel M. Shortridge.

WHEREAS The Governor has been advised that United States Senator Samuel M. Shortridge will arrive in Sacramento tomorrow upon his return from Washington, now, therefore, be it

Resolved, That a joint committee consisting of three members of the Senate to be appointed by the Lieutenant Governor, and three members of the Assembly to be appointed by the Speaker, be delegated to meet United States Senator Samuel M Shortridge upon the arrival of the overland limited train on March 21, 1923, and escort him to the Legislature Be it further

Resolved, That upon the arrival of Senator Shortridge, that the Senate and the Assembly meet in joint session for the purpose of receiving and greeting him.

Lieutenant Governor C. C. Young, President of the Senate, and Hon. Frank F. Merriam, Speaker of the Assembly, presiding.

The President of the Senate declared a quorum of the Senate present.

The Speaker of the Assembly declared a quorum of the Assembly present.

REPORT OF SELECT COMMITTEE.

Senators Breed, Burnett and Chamberlin appeared at the bar of the House and announced to the Speaker of the Assembly the presence of His Excellency Friend Wm. Richardson, Governor of the State of California.

At the invitation of Hon. Frank F Merriam, Speaker of the Assembly, the Governor was escorted to the platform by the following committee: Senators Breed, Burnett and Chamberlin.

REPORT OF SELECT COMMITTEE.

Assemblymen Baker, Edwin; Broughton, and Johnston, J. W., appeared at the bar of the House and announced to the President of the Senate the presence of Hon. Samuel M. Shortridge, junior United States Senator from California.

At the invitation of Hon. C. C. Young, President of the Senate, the Hon. Samuel M. Shortridge, junior United States Senator from California, was escorted to the platform by the following committee: Assemblymen Baker, Edwin, Broughton, and Johnston, J. W.

PRESIDENT PRO TEMPORE INVITED TO PLATFORM.

On invitation of Hon Frank F. Merriam, Speaker of the Assembly, Hon. Arthur H Breed, President pro tempore of the Senate, was called to the platform.

ADDRESS BY GOVERNOR RICHARDSON.

Upon invitation of Hon. Frank F Merriam, Speaker of the Assembly, Governor Friend Wm Richardson addressed the Joint Convention.

ADDRESS BY UNITED STATES SENATOR SHORTRIDGE.

Upon invitation of Hon. C. C Young, President of the Senate, United States Senator Samuel M. Shortridge addressed the Joint Convention.

ADJOURNMENT.

There being no further business, at three o'clock and two minutes p.m., the President of the Senate adjourned the Joint Convention sine die.

IN ASSEMBLY.

REASSEMBLED.

At three o'clock and three minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

ADJOURNMENT.

At three o'clock and four minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, March 22, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 22, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Williams, Mr. Pomeroy was granted leave of absence for the day.

On motion of Mr. Schmidt, Messrs. Badaracco and Erb were granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Coombs, Mr. Osman R. Hull, Principal of the Napa Union High School, and Mrs. Hull were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Miss Mabel Harrison, teacher, and the following students of the Napa Union High School were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

Keller Gugsby, James Mackenzie, Theodore Marois, Fred Foster, Horace Craigie, Amy Butler, Virgil Boudieau, Wallace Imrie, Mary Griffiths, Arthur Beard, Earl

Van De Vere, Elizabeth Stewart, Walter Galbraith, Ruth Butler, Albert Galbarth, Muriel Squier, Ellen Flanagan, Vera Chapman, Dixie Chiles, Norma Kitta, Marian Curtis, Clara Sohl, Lydia Tallman, Muriel Van Pelt, Verona Steere, Josephine Campbell, Irene Tallman, Dorothea Newcomb, Mrs. Caston, Theodore Smith, Doris Moyer.

Through the courtesy of Mr. Kline, Mr. Francis Cuttle of Riverside was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Douglas, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS

The following petitions were presented, and ordered printed in the Journal:

By Mr. West:

NELSON A. MILES CAMP NO 10, UNITED SPANISH WAR VETERANS
SAN FRANCISCO, March 20, 1923

Assemblyman Percy West,
State Capitol, Sacramento, California.

DEAR FRIEND PERCY Am enclosing herewith copy of resolution adopted by Nelson A. Miles Camp No 10, United Spanish War Veterans, March 19, 1923. May I ask you to have it read into the records of the Assembly? Will see you next Thursday.

Yours very truly, NELSON A. MILES CAMP NO. 10
By HARRY E. SPEAS Commander

WHEREAS, The consumption of narcotic drugs in the United States has reached 36 grain per capita as against 1 to 3 grain per capita for European countries and

WHEREAS, Statistics prepared by the United States government show that the traffic in morphine, cocaine, heroin and prepared opium has grown enormously in this country within the past two years and

WHEREAS, Drug addiction exists in large and small cities alike and in all sections of the United States, and

WHEREAS, These facts demonstrate by argument the need for education of the American people to the terrible results of the narcotic habit upon health and morals; therefore, be it

Resolved, That the President of the United States be requested to proclaim an Anti-Narcotic Week as a means of mobilizing all public-spirited people for the work of arousing the American public to the seriousness of this menace and placing public opinion squarely behind the task of narcotic suppression and, be it further

Resolved, That the President of the United States be respectfully but urgently petitioned to call a conference on the narcotic problem; and, be it further

Resolved, That copies of this resolution be sent to the President of the United States, the United States Senators from California, to both the Senators and Assemblymen of the State Legislature now in session in Sacramento and to Governor Friend W. Richardson

By Mr Kline:

CHAMBER OF COMMERCE OF CORONA, February 19, 1923

WHEREAS, Senate Bill No 503 seeks to make the city of Los Angeles absolute dictator over the distribution to lesser political units of all water and power originating in the natural resources of the State, and

WHEREAS, This bill withdraws from the lesser political units the protection of the courts as exemplified in recent decisions of the U S Circuit Court of Appeals in the Owens River Gorge case, and grants authority to Los Angeles for summary condemnation and taking over for its own uses, of any water or power now dedicated to the service of territory outside Los Angeles be it

Resolved, That the Chamber of Commerce of Corona is opposed to the passage of Senate Bill No 503, and that we urge our representatives from this district to use every effort to secure its defeat

ELMO HOUGH, President

Attest W. E HARMUTH, Secretary
Corona, California, February 19, 1923

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No 248—An act to amend section 453 of the Civil Code relating to assessments and to by-laws which may be made for mutual benefit and life associations;

Also Assembly Bill No. 281—An act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of nineteen seventeen," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer,

Also Assembly Bill No 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors;

Also Assembly Bill No 1133—An act to amend sections 9 and 12 of "the Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No. 110—An act to add a new section to the Civil Code to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors,

Also Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer",

Also: Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State,

Also Assembly Bill No. 1043—An act to amend section 618 of the Political Code, relating to deposits of securities by insurance companies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR SPEAKER Your Committee on Elections, to which was referred Senate Bill No. 68—An act to amend sections 2, 3 4, 6 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended, and to repeal sections 11, 12 and 13 of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Elections, to which was referred Assembly Bill No. 20—An act to amend sections 5, 7 and 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13 22, 23, and 24 of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act approved June 16, 1913, as amended;

Also: Assembly Bill No 133—An act to amend section 1142 of the Political Code relating to appointment of election officers

Also Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

POMEROY, Chairman.

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "an act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DOUGLAS, Chairman

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts having a population of four hundred thousand or more—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts;

Also Assembly Bill No 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace,

Also: Assembly Bill No 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident;

Also: Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State:

Also Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BURNS, Chairman.

The above reported bills ordered on file for second reading.

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 9 and 120 thereof and by adding new sections thereto to be numbered 132*a* and 28*a*, all relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYONS, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 761—An act to amend sections 366*c* and 366*d* of the Political Code, relating to the Department of Institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education to which was referred Assembly Bill No. 762—An act to amend sections 362*a*, 362*b*, and 362*c*, relating to the Department of Education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1091—An act to amend section 3a, and section 3c, of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended, and relating to the issuance of permits to employ minors in plays and performances—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C. Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1923.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 8—Relative to memorializing Congress to amend the constitution of the United States relating to citizenship—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DAVIS, Chairman.

The above reported joint resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 18—Relative to the construction of a bridge from Morrow Cove, Solano County, to Valona, Contra Costa County—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DAVIS, Chairman.

The above reported joint resolution ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

Also: Senate Joint Resolution No. 2—Relative to pensions for federal employees who have been in service thirty years or more.

Also: Senate Joint Resolution No. 3—Relative to the compensation of laborers in the United States custom service.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 11 read, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 2 read, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 3 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as a case of urgency Senate Bill No. 188—An act to authorize the leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases, creating a commission to carry out the provisions of this act and making an appropriation for the purposes hereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 188 read first time, and referred to Committee on Oil Industries.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended

Also Senate Bill No 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole,

Also Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class,

Also Senate Bill No 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No 435 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 308 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No 169 read first time, and referred to Committee on Corporations.

Senate Bill No. 526 read first time, and referred to Committee on County Government.

Senate Bill No. 598 read first time, and referred to Committee on Public Health and Quarantine

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area,

Also: Senate Bill No 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts,

Also. Senate Bill No 395—An act to amend section 1830 of the Political Code, relating to school district elections,

Also. Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 407 read first time, and referred to Committee on Conservation.

Senate Bill No 499 read first time, and referred to Committee on Education

Senate Bill No 395 read first time, and referred to Committee on Education

Senate Bill No. 396 read first time, and referred to Committee on Education

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators, and to prescribe punishment for violation hereof,

Also: Senate Bill No. 412—An act to amend section 629a of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Also: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases;

Also: Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 31 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 412 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 34 read first time, and referred to Committee on Judiciary.

Senate Bill No. 14 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 309, read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Concurrent Resolution No. 13 read, and referred to Committee on Revision and Printing.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 517 read first time, and referred to Committee on Agriculture.

RE-REFERENCE OF BILLS

On motion of Mr. Coombs, Assembly Bill No. 639 was recalled from the Committee on Revenue and Taxation and referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Stow:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the appointment of a commission to investigate the plan of operation and organization of the public school system in the State of California, and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Mitchell, A. G.:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

Referred to Committee on Introduction of Bills.

By Mr. Pomeroy:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to recommend the adoption of the following resolution:

Resolved, That the following named person heretofore employed for the position and at the per diem set opposite her name be stricken from the roll to date from and including the 18th day of March, 1923.

Ann McGoldrick, Stenographer $5 00

CARTER, Chairman.

Report and resolution read, and on motion adopted.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Erb: An act to amend section 429 of the Civil Code of the State of California relating to fire and marine insurance corporations.

By Mr. Coombs: An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

By Mr. Graves: An act relating to the care of mentally sick or near insane persons, creating the office of psychopathic probation officer in the several counties of the state, providing for the appointment of such officer and for necessary deputies, prescribing the powers and duties of such officers and providing for the salaries thereof.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Graves: Assembly Bill No. 1287—An act relating to the care of mentally sick or near insane persons, creating the office of psychopathic probation officer in the several counties of the State, providing for the appointment of such officer and for necessary deputies, prescribing the powers and duties of such officers and providing for the salaries thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Coombs: Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Erb: Assembly Bill No. 1289—An act to amend section 429 of the Civil Code of the State of California relating to fire and marine insurance corporations.

Bill read first time, and referred to Committee on Insurance.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure, relating to special decisions of the court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure, relating to vacation of judgments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 171—An act to amend section 663*a* of the Code of Civil Procedure relating to notice of intention to vacate judgment and the granting of new trial.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure, relating to entry of judgment.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 6, of the printed bill, strike out the word "for" preceding the word "further" and in lieu thereof insert the word "or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 169—An act to repeal section 634 of the Code of Civil Procedure, relating to waiver of findings of fact.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, of the title, strike out the word "repeal" and insert in lieu thereof the word "amend".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of line 2 and in lieu thereof insert the following "of Civil Procedure is hereby amended to read as follows:

634. Judgment upon the decision of the court, whether a general or special decision, must be entered accordingly."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 299—An act to amend section 537 of the Code of Civil Procedure, relating to attachment

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill of the title strike out all of the line after the word "amend" and in lieu thereof insert the following "sections five hundred thirty-seven and five hundred thirty-eight of the code".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, after line 26, add the following

"SEC 2 Section five hundred thirty-eight of the Code of Civil Procedure is hereby amended to read as follows

538 The clerk of the court must issue the writ of attachment upon receiving an affidavit by or on behalf of plaintiff showing

1. The facts specified in section five hundred thirty-seven which entitle him to the writ;

2. The amount of the indebtedness claimed, over and above all legal set-offs or counterclaims, or the amount claimed as damages, and

3. That the attachment is not sought, and the action is not prosecuted, to hinder, delay, or defraud any creditor of the defendant."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 303—An act to amend section 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of said code, relating to judgment liens and transcripts of judgments.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 17, of the printed bill, strike out the words "two years" and in lieu thereof insert the following "five years from the date the judgment was docketed,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the word "on" and in lieu thereof insert the following "upon".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the word "said" and in lieu thereof insert the following "such".

AMENDMENT NUMBER THREE.

On page 2, line 14, of the printed bill, strike out the word "is" and in lieu thereof insert the following "was".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor, and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On the last line of the printed bill strike out the word "appointed", and insert in lieu of, "approved".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours kinds and conditions of labor of children: providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts

inconsistent herewith," approved May 16, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out all after the period, and all of line 2, and insert in lieu thereof the following:

"Section five of an act entitled "An act to be known as the child labor law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the commissioner of the bureau of labor statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, is hereby amended to read as follows:

SEC. 5. Nothing in this act shall be construed to prohibit the employment of minors sixteen years of age or over at agricultural, horticultural, or viticultural, or domestic labor for more than eight hours in one day or more than forty-eight hours in one week. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours. For the purpose of this act horticultural shall be understood to include the curing and drying, but not the canning, of all varieties of fruit. Nor shall anything in this act be construed to prohibit any minor between the ages of sixteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theater, or other place of amusement, previous to the hour of ten o'clock p.m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p.m. from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p.m.; subject, however, to the provisions of subdivision sixth of section three *a* and subdivision first of section three *b* of an act entitled "An act to enforce the educational rights of children, and providing penalties for the violation of this act", approved March 24, 1903, as amended."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 896—An act to provide for the organization and government of public park districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 896 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Clarke, Cleary, Coombs, Croter, Dean, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Prendergast, Reindollar, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 461—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages on personal property.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stow moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "vehicles" insert the following "(other than motor vehicles)".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, after the word "vehicles" insert the following "(other than motor vehicles)".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the word "vehicles" insert the following: "(other than motor vehicles)".

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, after the word "vehicles" insert the following "(other than motor vehicles)".

Motion carried.

The Speaker appointed Mr. Stow as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 461, with instructions, reports that the instructions of the Assembly have been carried out.

STOW, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stow moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "vehicles" insert the following "(other than motor vehicles)".

Motion carried.

The Speaker appointed Mr. Stow as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 462, with instructions, reports that the instructions of the Assembly have been carried out.

STOW, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 464—An act to amend sections 4130, 4140 and 4300*c* of the Political Code, relating to recorders and fees.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stow moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "vehicles" insert the following "(other than motor vehicles)".

AMENDMENT NUMBER TWO.

On page 3, line 11, of the printed bill, after the word "vehicles" insert the following: "(other than motor vehicles)"

Motion carried.

The Speaker appointed Mr. Stow as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 464, with instructions, reports that the instructions of the Assembly have been carried out.

STOW, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stow moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 46, of the printed bill, after the word "vehicles" insert the following: "(other than motor vehicles)"

AMENDMENT NUMBER TWO.

On page 3, line 1, of the printed bill, after the word "vehicles" insert the following: "(other than motor vehicles)".

AMENDMENT NUMBER THREE.

On page 4, line 39, of the printed bill, after the word "vehicles" insert the following: "(other than motor vehicles)"

Motion carried.

The Speaker appointed Mr. Stow as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 463, with instructions, reports that the instructions of the Assembly have been carried out.

STOW, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 972—An act declaring the present county road starting at a point at Angels Camp in Calaveras County, extending through Murphys and connecting with the Alpine State highway at Calaveras big trees in Calaveras County, to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 972 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Cleary, Coombs, Croter, Dean, Donohue, Douglas, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller,

Noyes, Reindollar, Rock, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act, to be numbered 32*a*, relating to the issuing of refunding bonds of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 568 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 938 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Burns, Carlson, Clarke, Cleveland, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.
NOES—Cleary, and Graves—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 300 passed by the following vote:

AYES—Anderson, Badham, Baker, C C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At ten o'clock and fifty-seven minutes a m., Hon Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 304 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Wright—52
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No 863—An act to amend section 1202*a* of the Penal Code, relating to persons sentenced to State penitentiaries.
Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 863 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Douglas, Duval, Eksward, Fellom, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No 412 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Croter Dawson, Dean, Donohue, Dorris, Douglas, Eksward, Emme, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A, Moore, Noyes, Pedrotti, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—53.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Fellom gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 412 was this day passed.

Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1263 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Connolly, Croter, Dawson, Dean, Donohue, Dorris, Douglas, Eksward, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Morrison, Noyes, Pedrotti, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Emme, and Prendergast—2.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and twelve minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 894 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS.

Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 3, line 6, of the printed bill, after the word "or" insert the words "notes or".

AMENDMENT NUMBER TWO.

On page 3, line 8, of the printed bill, after the word "any" insert the words "notes or".

AMENDMENT NUMBER THREE.

On page 3, line 48, of the printed bill, after the word "said" insert the words "notes or".

AMENDMENT NUMBER FOUR

On page 4, line 1, of the printed bill, after the word "said" insert the words "notes or".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 4, line 4, of the printed bill, after the word "the" insert "notes and".

AMENDMENT NUMBER TWO.

On page 4, line 13, of the printed bill, after the word "such" insert the words "notes or".

AMENDMENT NUMBER THREE.

On page 4, line 20, of the printed bill, after the word "the" insert the words "notes and".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, and referred as indicated:

By Mr. Carlson: Assembly Joint Resolution No. 20—Relative to industrial disputes.

Introduced, and referred to Committee on Federal Relations.

By Miss Broughton: Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

Introduced, and referred to Committee on Federal Relations

By Messrs. Graves and Prendergast: Assembly Concurrent Resolution No. 12—Relative to adjournment.

Introduced, and referred to Committee on Rules.

RESOLUTION.

The following resolution was offered:

By Mr. Morrison:

WHEREAS, The Fire Chiefs of the State of California are holding their annual convention in the city of Sacramento and

WHEREAS, The work done by these brave men is of interest to the entire State and

WHEREAS, A banquet is being held this evening in the Traveler's Hotel by the Fire Chiefs and

WHEREAS, An invitation has been extended to the Governor and the Legislature of the State of California; therefore be it

Resolved, That the Assembly of the State of California accept with pleasure the invitation of the Fire Chiefs to be present at the banquet at the Traveler's Hotel this evening at 6 30 p.m.

Resolution read, and on motion of Mr. Morrison, unanimously adopted.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Baker, Edwin, moved that the vote whereby Assembly Constitutional Amendment No 4 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Baker, C C., Baker, Edwin, Bernard, Bromley, Carlson, Christian, Clarke, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, and Woodbridge—51.

NOES—Cleary, Heisinger, Moore, Prendergast, Wright, and Mr. Speaker—6.

MOTION TO RE-REFER.

Mr. Baker, Edwin, moved that Assembly Constitutional Amendment No. 4 be re-referred to Committee on Constitutional Amendments.

Motion carried.

Assembly Constitutional Amendment No. 4 re-referred to Committee on Constitutional Amendments.

THIRD READING OF SENATE BILL.

Senate Bill No. 122—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 122 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Douglas, Eksward, Emme, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Mitchell, T. A, Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts,

and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 227 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1264 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball Bernard Bromley, Broughton, Burns, Carlson, Christian, Connolly, Coombs, Croter, Davis, Dean, Donohue, Eksward, Emme, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline Lyman, Lyons, McMillan, Miller, Moore, Morris, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 728 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Croter, Davis, Dean, Dorris, Douglas, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Reindollar, Rock, Saylor, Smith, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—54.

NOES—Coombs—1

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION

Mrs. Woodbridge moved that her notice to repeal Rule 71 be laid on the table.

Motion carried.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 89—An act validating the formation and organization and proceedings of Fall River Valley irrigation districts under the provisions of an act of the Legislature of the State of California approved March 31, 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition, or construction thereby of works for the irrigation of the lands embraced within such district, and, also, to provide for the distribution of water for irrigation purposes," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 89 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Burns, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Kline, Lyman, McDowell, McMillan, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 124—An act to validate the proceedings on organization and formation, and the formation and organization of the Mojave River Irrigation District, an irrigation district organized and existing under the California Irrigation District Act.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 124 finally passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Douglas, Emme, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Cleary moved that Assembly Bill No. 485 be withdrawn from the file, and ordered re-referred to Committee on Mines and Mining.

Motion carried.

Assembly Bill No 485 re-referred to Committee on Mines and Mining.

REQUEST FOR PERMISSION TO USE ASSEMBLY CHAMBER.

Mr. Morris asked for and was granted permission to use the Assembly Chamber for a public hearing on the Criminal Syndicalism Act by the Judiciary Committee, for the evening of Tuesday, April 3, 1923.

ADJOURNMENT.

At twelve o'clock noon, on motion of Mr Johnston, J. W., the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, March 23, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 23, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

Quorum present

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Pedrotti, Mr. Lyons was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. Schmidt, Messrs. Mitchell, T. A., and Morris were granted leave of absence for the day.

On motion of Mr. Reindollar, Mr. Carlson was granted leave of absence for the day.

On motion of Mr. Eksward, the Special Committee appointed to investigate the violation of the Civil Service Act, consisting of Messrs. Carter (Chairman), Christian, Stow, Erb and McDowell, were granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McMillan, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

Resolved, That the society oppose Senate Bill No. 330, page 1, lines 10-20, it being our opinion that a definite number of names be certified to in excess of the actual requirements and that those representing the State society be chosen by election of the House of Delegates and not appointed by the Chairman of the Council

That page 2, lines 1-5, and page 4, lines 7-14, be reworded to make certain that older practitioners who received their degree prior to establishment of the Association of American Medical Colleges or Council on Medical Education of A. M. A. are not by this act disqualified for licensure.

That page 5, lines 1-23, be stricken out and that the act shall provide that all who are now licensed to practice medicine in this State be allowed to continue the same without any additional license fee or certification. We particularly condemn

the discrimination shown against those younger practitioners who have been in practice less than five years

We also object to Senate Bill No. 331, in that lines 2-7, page 2, call for an impractical procedure.

The Secretary is directed to convey our action to the Secretary of the League for the Conservation of Public Health and Doctor Musgrave, Secretary of the State Medical Society, and in the event that these changes in the bills are not made he is directed to ask the Senator and Assemblyman from this district to oppose these bills

RIVERSIDE COUNTY MEDICAL SOCIETY.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 31—An act to amend section 1910 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5 1915, as amended, said section relating to the salaries of probation officers.

Also: Assembly Bill No 322—An act providing for the creation of revolving funds in the counties of the State;

Also Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers.

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 637—An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

Also: Assembly Bill No. 1116—An act to amend section 633b, of the Political Code, concerning insurance and surety companies agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder, prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums

Also: Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School For Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 683—An act to amend sections 12, 14 and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917;

Also Assembly Bill No 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also Assembly Bill No 519—An act to amend section 629 of the Political Code, *relating to valuation of policies of life insurance companies*;

Also: Assembly Bill No 518—An act to add a new section to the Political Code, to be numbered 629a, relating to group insurance by life insurance companies and valuation of group insurance policies;

Also: Assembly Bill No. 448—An act declaring the Kings River Canyon highway to be a part of the 7 per cent State highway system, and providing for the construction and maintenance thereof;

Also: Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1277—An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

Also Assembly Bill No. 1282—An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin rivers and the bay of San Francisco, authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the costs thereof, to levy assessments *and issue bonds for the construction thereof, in accordance with the provisions of* the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, to levy

such assessments upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof;

Also: Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11*a*, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Also: Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 11—Relative to entertaining Hon. Samuel M. Shortridge—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered to enrollment.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Joint Resolution No. 8—Relative to memorializing congress to amend the constitution of the United States relating to citizenship;

Also: Assembly Joint Resolution No. 18—Relative to the construction of a bridge from Morrow Cove, Solano County, to Valona, Contra Costa County,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolutions ordered on file for adoption

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court.

Also: Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure relating to special decisions of the court.

Also: Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure relating to vacation of judgments.

Also: Assembly Bill No. 171—An act to amend section 663*a* of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of new trial.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

Also: Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921;

Also: Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter 714, Statutes 1921;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: Your Committee on Universities, to which was referred Assembly Bill No. 161—An act providing for the establishment, government, and maintenance of a child welfare research station under the management of the regents of the University of California, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to Committee on Ways and Means.

(Signed out)

BADHAM, Chairman.
WELLER.
MUELLER.
MILLER.
SAYLOR.
ROSENSHINE.
McDOWELL.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 838—An act to amend section 2319*a* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Also: Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster, describing his duties, providing for rules and regulations governing the performance of his duties, prescribing a bond and fixing the

amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Also: Assembly Bill No. 100—An act to amend section 1810c of the Code of Civil Procedure, relating to the compromise of claims of minors;

Also: Assembly Bill No. 101—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

Also: Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to deputy sheriffs;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEDROTTI, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27a, relating to the appointment of deputies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40a, relating to the refunding and correction of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 5—An act to increase the number of judges of the superior court of the State of California, in and for the county of Tulare, to provide for the appointment of an additional judge and for his compensation—has had the same under consideration, and respectfully reports the same back, and recommends that the same be re-referred to Committee on Judiciary.

SMITH, Chairman.

The above reported bill ordered re-referred to Committee on Judiciary.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1257—An act to appropriate money for the purpose of cooperation in the construction of the public works included in and provided for by that certain project heretofore adopted by the Reclamation Board, known as Sacramento River Outlet Project No. 2 of the Sacramento and San Joaquin Drainage District, with such modifications and amendments thereof as may be hereafter made, in accordance with law, the said work described in the plans of said Sacramento River Outlet Project No. 2, as heretofore duly modified and amended, being in conformity with the report of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the twenty-seventh day of June, 1911, and the said report of the California Debris Commission, together with such amendments and modifications thereof as may be made by the Reclamation Board, having been heretofore duly adopted by the State of California, and directing the said Reclamation Board to apply the said moneys so appropriated as it is now, or may hereafter be, provided by law, for the benefit of the said Sacramento and San Joaquin Drainage District, in connection with said Sacramento River Outlet Project No. 2, or any modification or amendments, thereof, that may hereafter be made in accordance with law—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

NOYES, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 213—An act to amend section 628*b* of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Spalding:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 454 of the Code of Civil Procedure, relating to obtaining money and other personal property by heirs.

Referred to Committee on Introduction of Bills.

By Mr. Carlson:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 269*a* and 269*b* of the Penal Code, relating to cohabitation and adultery.

Referred to Committee on Introduction of Bills.

By Mr. Clarke:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to create a water district known as the Mono-Inyo Water District, prescribing its boundaries and providing for the government and control thereof.

Referred to Committee on Introduction of Bills.

By Mr. Badham:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and

for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act, approved April 17, 1909.

Referred to Committee on Introduction of Bills.

By Mr. Williams:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

Referred to Committee on Introduction of Bills.

By Mr. Jones:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Referred to Committee on Introduction of Bills.

By Mr. Fellom:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids therefor have first been advertised for, opened and rejected.

Referred to Committee on Introduction of Bills.

COMMUNICATION.

The following communication was filed:

By the Chief Clerk.

CALIFORNIA HIGHWAY COMMISSION,
SACRAMENTO, March 21, 1923.

Mr. Arthur A. Ohnimus,
Chief Clerk, Assembly,
Sacramento, California.

DEAR SIR: Enclosed please find copy of report, showing construction costs and cost of engineering inspection on Route 48, McDonalds to mouth of Navarro River, and Route 15, Tahoe-Ukiah Road, as requested in your letter of recent date.

One copy has gone directly to Assemblyman Connolly.

Yours very truly,

CALIFORNIA HIGHWAY COMMISSION.
By W. F. MIXON, Secretary.

TABULATION SHOWING CONSTRUCTION COSTS AND COST OF ENGINEERING INSPECTION On Route 48 McDonalds to Mouth of Navarro River and Route 15, Tahoe-Ukiah Road, to December 31, 1922.

Section	Contract number	Length miles	Allotted	Expenditures		Total
				Construction	Engineering on contracts	
Route 48.						
Wendling to the mouth of the Navarro River, 1-Men-48-C	340	12 0	$243,098 68	$205,805 84	$13,335 93	$219,141 77
	D-488	11.98	74,382 00	48,564 11	----------	48,564 11
Totals			$317,480 68	$254,369 95	$13,335 93	$267,705 88
Route 15.						
1-Men-15-A from point 2½ miles North of Ukiah to Easterly Boundary of Mendocino County	284	13.06	$187,124 26	$120,160 28	$11,410 15	$131,570 43
	398	Bridge	17,339 09	12,214 80	86 41	12,301 21
	401	Bridge	9,239 79	6,708 45	51 99	6,760 44
	402	Bridge	10,655 39	4,582 35	33 25	4,615 60
	D-383	6 5	48,300 00	37,369 01	219 00	37,588 01
	D-518	Bridge	6,008 75	----------	----------	----------
Total, Mendocino County			$278,667 28	$181,034 89	$11,800 80	$192,835 69
1-Lak-15-A, from Westerly Boundary Lake County to Upper Lake	361	9 01	$204,995 01	$102,469 61	$5,210 99	$107,680 60
Total, Lake County			$204,995 01	$102,469 61	$5,210 99	$107,680 60
III-Col-Sut-15, B & A, Colusa to Long Bridge	393	10.86	$315,267 12	$6,979 62	$1,271 33	$8,250 95
III-Sut-15-B, from 1 mi. South of Sutter City to Yuba City	273	6 67	204,525 82	173,774 79	7,221 90	180,997 69
Total, Colusa and Sutter Counties			$519,792 94	$180,754 41	$8,493 23	$189,248 64
Route 15 (portion included in original highway system).						
III-Col-15-A, from Willian to Colusa	117	8.43	$149,578 44	$103,201 18	$5,579 81	$108,780 99
	374	0 35		6,181 82	289 87	6,471 69
	D-257	6.74		12,604 17	83 70	12,687 87
	D-359	0 70		21,206 48	431 41	21,637 89
Totals			$149,578 44	$143,193 65	$6,384 79	$149,578 44

Communication read and ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C, Chairman.

The above reported bill ordered on file for second reading

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

REINDOLLAR, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

SMITH, Chairman.

The above reported bill ordered on file for second reading

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 248—An act to amend section 453 of the Civil Code relating to assessments and to by-laws which may be made for mutual benefit and life associations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 281—An act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of nineteen seventeen," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 1133—An act to amend sections 9 and 12 of "the Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 110—An act to add a new section to the Civil Code to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "fifteen"

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after the word "over" insert the following: "as determined by the nearest birthday".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill insert between lines 17 and 18 and following the word "include" on line 17, the following "any place where persons are employed solely in household domestic service or".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out the period following the word "engaged" on line 2 and insert in lieu thereof a comma and the following: "except where persons are employed solely in household domestic service".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill insert after the word "paid" following the word "commission" on line 16, the words "or allowed".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1043—An act to amend section 618 of the Political Code, relating to deposits of securities by insurance companies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 25 following the comma, and all of line 26 preceding the word "and".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 20—An act to amend sections 5, 7 and 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 133—An act to amend section 1142 of the Political Code relating to appointment of election officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts having a population of four hundred thousand or more.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, of the printed bill, after the word "courts" insert the words "in townships".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, immediately preceding line 1, insert the following: "SECTION 1. Section ninety-nine of the Code of Civil Procedure is hereby amended to read as follows:"

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the following "SECTION 1" and in lieu thereof insert the number "99".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section six thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State.

MOTION TO AMEND.

During second reading of the bill, the following amendments were submitted by Mr. Hawes:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the word "two", and strike out on line 16 the word "thousand" and insert in lieu thereof the words "five hundred".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the word "one", and on line 17 strike out the word "year", and insert in lieu thereof the words "six months"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 9 and 120 thereof and by adding new sections thereto to be numbered 132*a* and 28*a*, all relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out all of the title after the word "amending" in the third line of the printed bill and insert in lieu thereof the following "sections seven, ninety, and one hundred-thirty thereof and by adding a new section thereof to be numbered section one hundred-thirty-two A thereof, all relating to the definition and regulation of the business of banking."

AMENDMENT NUMBER TWO

Strike out all after the enacting clause in the printed bill and insert in lieu thereof the following

"SECTION 1 Section seven of an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended, is hereby amended to read as follows:

Sec 7 No foreign corporation shall transact a banking business in this state without first complying with all the requirements of the laws of this state relative to banks as defined in this act, and without having assigned to its business in this state the amount of paid-up capital and surplus required by this act for the transaction of such business within this state. No foreign banking corporation shall transact business in this state until such corporation has made the assignment of capital required by this section and has received a certificate from the superintendent of banks, *provided*, that a foreign banking corporation shall not be permitted to accept deposits of money in this state but may receive a certificate from the superintendent of banks to transact in this state only the business of buying or selling, paying or collecting bills of exchange, or of issuing letters of credit or of receiving money for transmission or transmitting the same by draft, check, cable or otherwise, or of making loans, and *provided, further*, that those foreign banking corporations that now have power to do a banking business in this state and which now receive deposits of money shall be permitted to continue to accept money on deposit. Any foreign banking corporation transacting business in this state shall become subject to the supervision of the state superintendent of banks. Every foreign banking corporation, including those which were on January second, nineteen hundred thirteen, transacting business in this state, which receives any deposits or transacts any other banking business or transacts its business in such a manner as might lead the public to believe that its business is that of a bank shall conduct all its business in accordance with the statutes governing incorporated banking institutions organized under the laws of this state. The capital of any such foreign banking corporation assigned to its business in this state and all funds and deposits of money received by any such corporation in this state or for or in connection with its business in this state and all accounts and transactions of said business transacted by any such foreign corporation in this state shall be kept separate and apart from the general business, assets and accounts of such foreign corporation in the same manner as if the business of such foreign corporation conducted within this state was that of a separate and independent corporation organized under the laws of this state for the purpose of doing a banking business and all of the provisions of this act affecting investments, loans of money, receiving deposits and conducting business in any respect shall be deemed to apply to such

assigned capital, investments, loans, deposits, assets, funds and business in the same manner as if such assigned capital, investments, loans, deposits, assets, funds and business were that of such separate and independent corporation; *provided*, that loans may be made by any such foreign corporation based on its entire paid-up capital and surplus in case such foreign corporation shall have assigned to its business in this state a paid-up capital and surplus as above provided equal to twenty per centum of the deposit liability of such branch agency or office to residents of this state. Such funds and investments or loans thereof shall be appropriated solely to the security and payment of such deposits, and shall not be mingled with the investments of the capital stock or other money or property belonging to such corporation or be liable for the debts or obligations thereof. All income received from the investment of said funds over and above such funds as may be paid to depositors as interest or shall be carried to the surplus fund, as provided in section twenty-one of this act, shall accrue as profits to the corporation and may be transferred to its general funds. No such foreign corporation shall transact any banking business in this state until it has executed and filed with the superintendent of banks a written instrument appointing such superintendent or his successor in office, its true and lawful attorney, upon whom all process issued by authority of or under any law of this state may be served, with the same effect as if such corporation was formed under the laws of this state and has been lawfully served with process therein. Such service upon such attorney shall be deemed personal service on such corporation. The superintendent of banks shall forthwith forward by mail, postage prepaid, a copy of every process served him under the provisions of this section, addressed to the manager or agent of such corporation, at its principal place of business in this state. For each copy of process, the superintendent of banks shall collect the sum of two dollars, which shall be paid by the plaintiff or moving party at the time of the service, to be recovered by him as a part of his taxable costs if he succeed in the suit or proceeding. No foreign corporation shall have or exercise in this state the power to receive deposits of trust moneys, securities or other personal property from any person or corporation or any of the powers specified in section six of this act, nor have or maintain an office in this state for the transaction of, or transact, directly or indirectly, any such or similar business, except that a trust company incorporated in another state may have or exercise in this state such powers as are permitted to foreign corporations by the provisions of section ninety of this act; *provided*, that no foreign corporation which may have or exercise in this state such powers as are permitted to foreign corporations by the provisions of section ninety of this act shall establish or maintain, directly or indirectly, any branch office or agency in this state; and *provided, further*, that nothing in this act shall limit or affect the right of any foreign corporation doing a banking business in this state, to lend within this state, moneys of such corporation which do not form a part of the moneys, deposits or assets of such corporation assigned or belonging to its business in this state.

This section shall not be construed to prohibit foreign banking corporations, which do not maintain an office in this state for the transaction of business, from making loans in this state secured by mortgages on real property, nor from accepting assignments of mortgages covering real property situated in this state, nor from making loans through correspondents which are engaged in the business of banking in this state under the laws of this state.

SEC. 2. Section ninety of an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended, is hereby amended to read as follows:

SEC. 90. Any corporation which has been or shall be incorporated under the laws of this state, which is authorized by its articles of incorporation to act as executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law, which has its principal place of business in a city in which the population does not exceed one hundred thousand persons and which has a capital of not less than one hundred thousand dollars actually paid in, in cash, assigned to or available for the purpose of conducting business in any such capacity, or trust business of any character permitted by law, and which has made with the state treasurer the deposit of money or securities of the character and in the amount required by the terms of section ninety-six of this act, and which has received from the superintendent of banks the certificate of authority required by the terms of section one hundred twenty-seven of this act, to transact such business, and any corporation which has been or shall be incorporated under the laws of this state, which is authorized by its articles of incorporation to act as executor, administrator, guardian of estates, assignee, receiver, depositary or trustees, under appointment of any court or by authority of any law of this state, or as trustee for any purpose permitted by law, which has its principal place of business in a city in which the population exceeds one hundred thousand persons and which has a capital of at least two hundred thousand dollars actually paid in, in cash, assigned to or available for the purpose of conducting business in any such capacity, or trust business of any character permitted by law, and which has made with the state treasurer

the deposit of money or securities of the character and in the amount required by the terms of section ninety-six of this act, and which has received from the superintendent of banks the certificate of authority required by the terms of section one hundred twenty-seven of this act, to transact such business, may act, or may be appointed by any court to act, in any such capacity in like manner as an individual, and when so qualified shall be known as a trust company. Any such trust company may, as provided in this act, accept or or receive any deposit of money or personal property authorized, directed or permitted to be made with any such corporation by any court or law of this state, and may accept and execute any trust provided for in this act, or permitted by any law of this state, to be taken, accepted or executed by an individual. Any such trust company, if located in a city the population of which does not exceed one hundred thousand persons must segregate that portion of its capital and surplus assigned to or available for its trust business and must apportion and set aside at least fifty thousand dollars of such paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside at least fifty thousand dollars of such paid-up capital as security for the faithful performance and execution of all court trusts accepted by it and whenever such trust company shall, under the provisions of sections ninety-six and ninety-eight of this act, be required to make the first additional deposit of securities with the state treasurer, such trust company must also and set aside an additional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside an additional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside an addditional fifty thousand dollars of paid-up capital as security for the faithful performance and execution of all court trusts by it, and any such trust company, if located, in a city, the population of which exceeds one hundred thousand persons, must segregate that portion of its capital and surplus assigned to or available for its trust business and must apportion and set asside at least one hundred thousand dollars of such paid-up capital as security for the faithful performance and execution of all private trusts accepted by it and must also apportion and set aside at least one hundred thousand dollars of such paid-up capital as security for the faithful performance and execution of all court trusts accepted by it; *provided*, that no such trust company shall at any time be required to apportion and set aside any portion of its surplus as security for the faithful performance and execution of such private trusts, nor shall it be prohibited from so doing; *and provided, further*, that the respective amounts of capital or capital and surplus so apportioned and set aside shall be treated in all respects as the separate capital or capital and surplus of each respective kind or class of business, as though the same were conducted by separate and distinct corporations, and each shall be kept, held, used and disposed of wholly for the exclusive benefit, protection and security of the respective classes of trust business to which the same were so apportioned and set aside. In all cases in which it is required that an executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, shall qualify by taking and subscribing an oath, or in which an affidavit is required, it shall be a sufficient qualification by such corporation if such oath be taken and authorized or such affidavit be made by the president, vice-president, secretary, manager, trust officer or assistant trust officer, and such officer shall be liable for the failure of such trust company to perform any of the duties required by law to be performed by an individual acting in the capacity and subject to like penalties *provided*, any such appointment as guardian shall apply to the estate only, and not to the person.

Any trust company upon becoming a member of a federal reserve bank is authorized and empowered:

To continue to administer, execute, enjoy and exercise all court and private trusts as defined in the bank act, powers, rights, privileges, and other fiduciary relations, appointments and business it may have at the time of becoming such trust company member, and also to take, execute and administer all new court and private trusts as defined in said bank act, including the right to the appointment of all fiduciary capacities in which it may be named in wills theretofore and thereafter executed and probated, and other appointments, powers, privileges and business of every kind and nature, as may be then or thereafter permitted to, but subject to the same requirements and limitations as may be imposed upon any corporation under all of the provisions of the bank act.

To hold, administer, execute, and in all respects generally handle, manage and dispose of, without charge, restriction, limitation or impairment of any nature, all of its investments, rights, interests, titles to property, contractual, legal and other rights, obligations or liabilities of every kind or nature, court and private trusts as defined in the bank act, and other powers which it may be then permitted to exercise by law.

A foreign corporation may be authorized to act in this state as trustee for the following purposes:

(1) To deliver bonds, and receive payment therefor.

(2) To deliver permanent bonds in exchange for temporary bonds of the same issue.

(3) To deliver refunding bonds in exchange for those of a prior issue or issues.
(4) To register bonds, or to exchange registered bonds for coupon bonds, or coupon bonds for registered bonds
(5) To pay interest on such bonds, and to take up and cancel coupons representing such interest payment.
(6) To redeem and cancel bonds when called for redemption, or to pay and cancel bonds when due
(7) The certification of registered bonds for the purpose of exchanging registered bonds for coupon bonds.

SEC 3. Section one hundred thirty of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, is hereby amended to read as follows

SEC 130. Every bank, organized under the laws of this State, shall, whenever required by the superintendent of banks, make a report in writing to him, verified by the oath of its president and its secretary or cashier, or two principal officers. Such report shall show the actual financial condition of the bank making the report, at the close of any past day designated by the superintendent, and shall specify the following

(1) The amount of its capital stock and the number of shares into which it is divided
(2) The names of the directors and the number of shares of stock held by each.
(3) The total amount of capital actually paid in, in cash, and the total amount of surplus, reserve and other funds.
(4) The total amount due the depositors
(5) The total amount and character of any other liabilities it may have
(6) The amount at which the lot and building occupied by the bank for the transaction of its regular business stands debited on its books; also the market value of all other real estate held, whether acquired in settlement of loans or otherwise, the original cost to the bank, the date when acquired, the amount at which it stands debited on the bank books, in what counties situated, and in what name the title is vested, if not in the name of the bank itself
(7) The amount loaned on real estate, specifying the amount secured on real estate in each county separately, also specifying the name of the person in whose name the property is held in trust or as security, in case it is held in any name other than that of the bank and the instrument creating the security does not itself disclose the name of the bank.
(8) The amount invested in bonds, designating the name and amount of each particular kind.
(9) The amount loaned on stocks and bonds, designating each particular class and the amount thereof.
(10) The amount of money loaned on other securities, with a particular designation of each class and the amount loaned on each.
(11) The amount and kind of money on hand or deposited in any other bank or place, with the name of the place where deposited and the amount in each place.
(12) Any other property held, or any amount of money loaned, deposited, invested or placed, not otherwise herein enumerated, and the place where situate and the value of said property, and the amount so loaned, deposited or placed.
(13) The date on which examination of the bank was last made by its board of directors and the date on which report of such examination was filed, as required by section one hundred thirty-nine of this act.
(14) The outstanding and unpaid amounts of any loans made by the bank, which under the provisions of either section sixty-five or eighty-three of this act are required to be reported to the superintendent of banks
(15) Any overdrafts and any loans, investments, acts or omissions violative of or not in conformity with any provision of this act which may be specifically called for.

Every foreign corporation transacting the business of banking in this state shall make the report herein required as far as such report may relate to the affairs of such corporation in this state, and every foreign corporation must particularly render the report required by subdivisions three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen of this section. Such report shall be made in writing and verified by the oath of one of its duly authorized officers or managers residing in this state. The oaths of the officers and the statements above required shall state that they and each of them have a personal knowledge of the matters therein contained, and that they believe every allegation, statement, matter and thing therein contained is true. Any wilful false statement in the premises shall be perjury and shall be punished as such.

Every bank which operates any branch office in any city or locality other than that wherein is located its principal place of business must in addition to the foregoing, report to the superintendent of banks the total of deposits received and held by it through its branch office or offices in each such city or locality in which any such branch may be located

SEC. 4. A new section is hereby added to said act approved March 1, 1909, as amended, to be numbered one hundred thirty-two *a*, and to read as follows:

SEC. 132*a* Every bank which operates any branch office in any city or locality other than wherein its principal place of business must, whenever publishing in any such city or locality any statement of its condition as a whole, likewise publish in connection therewith the total of deposits received and held by it through its branch office or offices in any such city or locality, *provided*, that if any such bank shall not publish in any such city or locality the statement of its condition as a whole as required by section one hundred thirty-two of this act, then such bank shall publish in such city or locality a sworn statement of the total of deposits received and held by its branch office or offices in such city or locality at the time and in the manner required by section one hundred thirty-two."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 21, strike out the words "had ten", and insert in lieu thereof the following: "held within fifteen".

AMENDMENT NUMBER TWO.

On page 2, line 28, strike out the word "requirments", and insert in lieu thereof the following: "requirements".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On line 1 of the title, after the word "seventy", insert the following "and three hundred ninety-eight".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill after the semicolon add the following "or when he has been retained or employed as an attorney or counsel for any party within two years prior to the commencement of the action or proceeding,".

AMENDMENT NUMBER THREE

On page 1 of the printed bill after the figure "4", strike out all of line 24 and all of line 25 to and including line 16 on page 2 of the printed bill, and insert in lieu thereof the following

"4. When it is made to appear probable that, by reason of bias or prejudice of such justice, judge, or justice of the peace a fair and impartial trial can not be had before him.

Whenever a judge of the superior court shall have knowledge of any fact or facts which, under the provisions of this section, disqualify him to sit or act as such in any action or proceeding pending before him it shall be his duty to declare the same in open court and cause a memorandum thereof to be entered in the minutes. It shall thereupon be the duty of the clerk to transmit forthwith a copy of such memorandum to each party, or his attorney, who shall have appeared in such action or proceeding, except such party or parties as shall be present in person or by attorney when the declaration shall be made. Whenever a judge of the superior court who shall be disqualified under the provisions of this section, to sit or act as such in any action or proceeding pending before him, neglects or fails to declare his disqualification in the manner hereinbefore provided any party to such action or proceeding who has appeared therein may present to the court and file with the clerk a written statement objecting to the hearing of such matter or the trial of any issue of fact or law in such action or proceeding before such judge, and setting forth the fact or facts constituting the ground of the disqualification of such judge. Within five days after the presentation and filing of any such statement, the judge alleged therein to be disqualified may file with the clerk his consent in writing that the action or proceeding be tried before another judge, or may file with the clerk his written answer admitting or denying any or all of the allegations contained in such statement and setting forth any additional fact or facts material or relevant to the question of his disqualification. The clerk shall forthwith transmit a copy of the judge's consent or answer to each party or his attorney who shall have appeared in such action or proceeding. Every such statement and every such answer shall be verified by oath in the manner prescribed by section four hundred forty-six of this code for the verification of pleadings. The statement of a party objecting to the judge, on the ground of his disqualification shall be presented at the earliest practicable opportunity, after his appearance and discovery of the facts constituting the ground of the judge's disqualification and in any event before the commencement of the hearing of any issue of fact in the action or proceeding before such judge. No judge of the superior court, who shall deny his disqualification, shall hear or pass upon the question of his own disqualification but, in every such case, the question of the judge's disqualification shall be heard and determined by some other judge of the superior court agreed upon by the parties who shall have appeared in the action or proceeding, or, in the event of their failing to agree, by a judge requested to act by the governor and if the parties fail to agree upon a judge to determine the question of disqualification, within five days after the expiration of the time allowed herein for the judge to answer, it shall be the duty of the clerk then to notify the governor of that fact, and it shall be the duty of the governor forthwith, upon receipt of notice from the clerk to request some superior judge not disqualified, to hear and determine the question. If the judge admits his disqualification, or files his written consent that the action or proceeding be tried before another judge, or fails to file his answer within the five days herein allowed, or if it shall be determined after hearing that he is disqualified the action or proceeding shall be heard and determined by another superior judge not disqualified, who shall be agreed upon by the parties, or, in the event of their failing to agree, appointed by the governor, *provided, however*, that when there are two or more judges of the same superior court one of whom is disqualified, the action or proceeding may be transferred from the department of the disqualified judge to the department of another judge who is not disqualified. A judge who is disqualified may, notwithstanding his disqualification, request another superior judge, who has been agreed upon by the parties, to sit and act in his place."

AMENDMENT NUMBER FOUR

On page 2, line 19 of the printed bill after the word "any", insert the following "public agency, or trustee."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, after line 32, add the following

"SEC. 2. Section three hundred ninety-eight of the Code of Civil Procedure is hereby amended to read as follows

398. If, from any cause the court orders the place of trial changed, it must be transferred for trial to a court the parties may agree upon, by stipulation in writing, or made in open court and entered in the minutes or, if they do not so agree, then to the nearest or most accessible court, where the like objection or cause for making the order does not exist, as follows

1. If in a superior court, to another superior court;
2. If in a justice's court, to another justice's court in the same county."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 761—An act to amend sections 366*c* and 366*d* of the Political Code, relating to the Department of Institutions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 762—An act to amend sections 362*a*, 362*b*, and 362*c* of the Political Code, relating to the Department of Education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1091—An act to amend section 3*a* and section 3*c* of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the period at the end of line 1, insert the following:

"Section 3*a* of an act entitled 'An act to enforce the educational rights of children and providing penalties for the violation of this act', approved March 24, 1903, as amended, is hereby amended to read as follows.

Sec 3*a* *First*—The superintendent of schools of any city or any city and county or of any county (over such portions of any county as are not within the jurisdiction of any superintendent of city schools), or a person authorized by him in writing, shall have authority to issue to certain minors permits to work as herein specified

(1) To a minor under the age of sixteen years and over the age of fifteen years who has completed the equivalent of the seventh grade of a public school course.

(2) To a minor under the age of sixteen years and over the age of fourteen years who holds a diploma of graduation from the prescribed elementary school course; *provided*, that a permit of this class shall be issued only when the parent or parents, or foster parent or foster parents, or guardian of the minor child shall present a sworn statement that the parent or parents, or foster parent or foster parents, or guardian of such minor is incapacitated for labor through illness or injury or that through the death or desertion of the father of such minor, the family is in need of the earnings of such minor and that sufficient aid cannot be secured in any other manner The person issuing a permit under this paragraph shall make a signed statement that he, or a competent person designated by him has investigated the conditions under which the application for such permit has been made and has found that, in his judgment, the earnings of such minor are necessary for such family to support such minor and that sufficient aid can not be secured in any other manner and in no case shall such permit be issued for a period of time to exceed six months from the date of issuance.

Second—No permit as hereinbefore described may be issued until the minor in question, accompanied by his parent or guardian, shall appear before the person authorized to issue such permits and make application therefor and no permit may be issued until the issuing authority has received, examined, approved and filed the following papers duly executed.

(1) The school record of such minor giving age, grade and attendance for the current term signed by the principal or teacher

(2) Evidence of age, such as the school record of enrollment, or a certificate of birth, or a baptism certificate duly attested, or a passport, or affidavit of the parent, guardian or custodian of such minor, such as shall convince such officer that the minor is of the age required by law

(3) The written statement from a prospective employer that work is waiting for the minor and describing the nature of such work

(4) A certificate signed by a physician appointed by the school board, or by other public medical officer, stating that such minor has been thoroughly examined by him, and, in his opinion, is physically fit to pursue the work specified; *provided, however*, that no fee shall be charged the minor for such physician's certificate

The parent, guardian, or custodian accompanying the minor shall make oath that his statement of the name, address, birthplace and age of the minor in question as entered upon such application are true and correct to the best of his knowledge and belief.

Third—The person authorized to issue permits to work to minors under the age of sixteen years exempting such minors from full-time day school attendance, may also issue to any minor over the age of fourteen years, a permit to work outside of school hours for a period of time which when added to the time such minor is required by law to attend school shall not exceed eight hours in any one day, *provided*, that the person issuing any such permit to work outside of school hours, shall immediately notify, in writing, the principal of the school which the minor is attending and if at any time the teacher of such minor can show to the satisfaction of the person issuing such permit to work that the school work or the health of such minor is being impaired by such employment the authority issuing such permit may revoke the same.

Fourth—Upon the recommendation of the principal of the school which any minor over the age of fourteen years is attending and has been attending during the next preceding school year, the supervisor of attendance or where such school officer does not exist, the superintendent of schools, having jurisdiction over the place of such school attendance may assign such minor to a vocational course in a place of employment, such employment to be in lieu of the regular school course which such minor is pursuing; *provided*, that such assignment shall not be made until the recommendation of the school principal has been approved by the superintendent of public instruction, and until a permit to work has been issued to such minor by the person authorized to issue permits to work as described in section three *a first* of the act. Such permit to work shall specify the hours which the minor in question shall be required to attend part-time continuation classes. Any minor assigned to a vocational course as hereinbefore described shall be continued under the jurisdiction of the school last attended and may at any time be returned to the classes therein by the supervisor of attendance making such assignment when in the judgment of such supervisor of attendance it is deemed that the educational, physical, or moral interests of the minor in question would be best served thereby.

Fifth—The authority issuing any permit to work which exempts the minor from full-time day school attendance, shall immediately notify in writing the person in charge of the organization and maintenance of part-time continuation classes of the place of the minor's prospective employment, and the parent or guardian of the minor shall be required to send such minor to the classes thus designated.

Sixth—The person authorized to issue permits to work as hereinbefore provided in this section may also issue a permit to any minor, under the age of eighteen years, whether resident or non-resident, to be employed in the presentation of a drama, play, performance, exhibition, concert or entertainment, but no such permit shall be issued unless the officer giving it is satisfied that the environment in which the drama, play, performance, exhibition, concert or entertainment is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama, play, performance, exhibition, concert or entertainment, and such superintendent or person authorized by him in writing may make any necessary investigation into such conditions; and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary for the proper identification of such minor, and the date when, and the theaters or other places of amusement in which such drama, play, performance, exhibition, concert or entertainment is to be produced, and shall specify the drama, play, performance, exhibition, concert or entertainment in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it. Dramas and plays shall include the production of motion picture plays.

SEC. 2. Section 3*c* of said act is hereby amended to read as follows:

SEC. 3*c*. *First*—The person authorized to issue permits to work as specified in section three *a first* of this act shall have authority to issue to any employer a permit to employ any minor who has been granted a permit to work as provided by the provisions of section three *a* of this act or who has been assigned to a vocational course in a place of employment as specified in section three *a fourth* of this act, *provided*, that no permit to employ as specified in this section shall be issued except upon a statement signed by the prospective employer that work is awaiting the minor in question and describing the nature of such work, *and, provided, further*, that a permit to employ a minor under the age of eighteen years in the presentation of a drama, play, performance, exhibition, concert or entertainment shall be issued only upon the payment by the prospective employer of a fee of two dollars. All fees received for the issuance of such permits by district school officers shall be deposited in the county treasury to the credit of the special fund of the district whose officer has issued the same. In case the permit is issued by the county superintendent of schools or county supervisor of attendance, such fees shall be deposited to the credit of the unapportioned county school fund. Any necessary amount of money, not exceeding the amount of such fees, may be used for the payment of expenses incurred in issuing such permits. Such permit shall contain (1) the name and address of the employer, (2) the name, age and address of the minor, (3) the kind of work for which the permit is issued, (4) the place and hours of compulsory part-time school attendance for the minor or statement of exemption therefrom, the hours of com-

pulsory full-time school attendance for the minor if the permit is issued for outside of school hours, and (5) the date on which the permit expires.

Second—Every person authorized to sign any certificate of age or any permit to work or to employ which allows the employment of any minor during or outside school hours or during a vacation of the public schools or upon the regular weekly school holiday, as prescribed by this act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than five or more than fifty dollars, or imprisonment for not more than thirty days, or to both such fine and imprisonment.

Third—Nothing in this act shall be construed to repeal or in any way modify the provisions of sections three and one-half and five of an act entitled "An act to be known as the child labor law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the commissioner of the bureau of labor statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION TO RE-REFER.

Mr. Schmidt moved that Assembly Bill No. 368 be withdrawn from the file, and ordered re-referred to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 368 re-referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers

Also: Assembly Bill No. 493—An act authorizing boards of supervisors of the several counties in this State to employ expert and competent persons to furnish maps, plats and any and all other data for the use of the board of supervisors while sitting as a board of equalization,

Also: Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this act into effect", approved June 16, 1913, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

SMITH, Chairman.

The above reported bills ordered on file for second reading

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 733 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 1221—An act to amend section 3666a of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies to Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1221 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Cleary, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Emme moved that Assembly Bill No. 817 be withdrawn from the file, and ordered re-referred to Committee on County Government.

Motion carried.

Assembly Bill No. 817 re-referred to Committee on County Government.

SECOND READING OF SENATE BILL.

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act." approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Bill read second time, and ordered on file for third reading

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)

The following reports of standing committees were received and read:

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 427—An act to add a new section to the Penal Code,

to be numbered 276, relating to abortion—has had the same under consideration, and respectfully reports the same back, and recommends that the same be re-referred to Committee on Judiciary.

BALL, Chairman.

The above reported bill ordered re-referred to Committee on Judiciary.

SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No 327—An act to amend section 1 of an act entitled "An act to provide for the burial of ex-union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended,

Also: Assembly Bill No. 328—An act to amend an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, by amending section 1 of said act and adding thereto a new section to be numbered 1*a*, relating to places of interment,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MUELLER, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 666—An act appropriating money for improvements at the California Schools for the Deaf and the Blind at Berkeley, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

BAKER, C. C., Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No 665—An act appropriating money for the construction and equipment of a residence for the business manager of the California Schools for the Deaf and the Blind at Berkeley, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

BAKER, C. C., Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 664—An act appropriating money for the construction and equipment of a hospital building for the California School's for the Deaf and the Blind at Berkeley, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

BAKER, C C, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 663—An act appropriating money for the construction and equipment of buildings for the California School for the Blind at Berkeley, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

BAKER, C. C, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 662—An act to provide readers for blind students in the University of California and other colleges and to assist deaf students attending the National College for the Deaf at Washington, D. C., and making appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

BAKER, C. C., Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 661—An act appropriating money for the construction and equipment of a kindergarten and entering building for the California School for the Deaf at Berkeley, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and that it be re-referred to Committee on Ways and Means.

BAKER, C. C., Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly in the sum of $228.42 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same.

Pacific Telephone and Telegraph Co., exchange and toll service for February	$10 65
Pacific Telephone and Telegraph Co., exchange and toll service for March	12 96
Sleeper Stamp Co., badges	23 25
Western Union Telegraph Co.	7 66
Western Union Telegraph Co.	13 65
Remington Typewriter Co., rent of typewriters	9 00
Wholesale Typewriter Co., rent, January 8th to February 8th	72 00
Wholesale Typewriter Co., rent, February 8th to March 8th	72 00
Purnell Stationery Co., letter clips	7 25
Total	$228 42

Resolution read, ordered printed in the Journal, and referred to Committee on Contingent Expenses.

MOTION TO RECONSIDER.

Mr. Fellom moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 412 was passed be continued until the next legislative day.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

Also: Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362f, relating to the powers of the State Department of Education.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 108 read first time, and referred to Committee on Education.

Senate Bill No. 445 read first time, and referred to Committee on Education.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 197—An act to provide for survey and creation of campsites on State lands—has had the same under consideration, and respectfully reports the same back, and recommends that the same be re-referred to Committee on State Grounds and Parks.

DOUGLAS, Chairman.

The above reported bill ordered re-referred to Committee on State Grounds and Parks.

ADJOURNMENT.

At ten o'clock and forty-three minutes a.m., on motion of Mr. Eksward, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Monday, March 26, 1923.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 26, 1923.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rendollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Schmidt, Messrs. Badaracco and Mitchell, T. A., were granted leave of absence for the day.

On motion of Mr. Reindollar, Mr. Carlson was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. Smith, Mr. Fox was granted leave of absence for the day.

On motion of Mr. Pedrotti, Mr. Lyons was granted leave of absence for the day.

On motion of Mr. Heisinger, Mr. McDowell was granted leave of absence for the day.

On motion of Mr. Emme, Mr. Snyder was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Heisinger, Mr. E. R. Reed of Reedley was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Morris, Mrs. C. C Pratt and Charlie Pratt, Jr., were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Morris, Mrs. Gertie Burke of Hollywood was extended the privilege of the floor of the Assembly for this day, and her name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mathews, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Erb:

LOS ANGELES DAY SCHOOL FOR THE DEAF,
LOS ANGELES, March 9, 1923.

Assemblyman Louis F. Erb, Sacramento, California

MY DEAR MR. ERB There are six public day schools for the deaf in California, employing twenty-three teachers. Out of that number there are sixteen who before coming to California received their teaching experience in state schools for the deaf outside of California. These teachers have been certificated by your State Board and have met the requirements of local school boards. Yet, in the Public School Teachers' Retirement Salary Fund bill about to be presented to the Legislature, now in session, no recommendation is made that any teacher of the deaf in California, with experience as stated above, be given credit for such experience so as to receive a teacher's pension at the end of thirty years of teaching.

In other words, because their teaching experience was received in state schools outside of California instead of day schools, they will be debarred from receiving the pension after thirty years' experience under the laws of the Retirement Salary Fund bill as it now reads.

To present to you an hypothetical case Miss Smith comes to California with fifteen years of experience obtained in the New York Institution for the Deaf She teaches in the Los Angeles Day School for the Deaf for fifteen years and then applies for the pension to which she is entitled after thirty years of experience. It is refused her on the ground that she had only state school experience until she

came to California and that the Teachers' Pension Act contains no clause covering her case, so that Miss Smith must teach fifteen years more in order to obtain the pension paid after thirty years' experience.

If Miss Smith's experience, during the fifteen years before she came here, had been received in a public day school, no difficulty would have been encountered.

California has no training school for teachers of the deaf, so that they are obtained from other sections of the country and we feel that our experience in other states should be recognized by the Teachers' Pension Fund and included with that of other teachers whose experience is provided for by the pension after thirty years of teaching.

A clause has been added to Senate Bill No. 127 which will give the teachers of the deaf credit for their former experience in state schools.

As the representative of the teachers in the day school here, I have been requested by them to ask for your assistance in the Senate when this bill comes before the Senate.

Assembly Bill No. 975, presented by Mr. Edwin Baker, of Los Angeles, is introduced in the interest of teachers of special schools of California, who have not yet received credit for former experience in state schools under the Retirement Salary Act.

The teachers of the deaf will greatly appreciate it if you will give them your assistance by voting for these bills—Senate Bill No. 127 and Assembly Bill No. 975.

Thanking you, I am

Yours very truly,

MARGARET R. BECK,
And 11 others.

By Mr. Whitacre:

Hon. Ed P. Sample, Senator; Hon. Edward Mueller and Hon. P. A. Whitacre, Assemblymen

We, the undersigned citizens of the city and county of San Diego, do hereby petition you, our representatives in the State Legislature, to introduce or cause to be introduced, and use all reasonable legal efforts to have passed, an act substantially as follows:

Penal Code Sec. 538. It shall be the duty of every secret society, order or fraternal or benevolent organization operating within this State, and having or practicing ritualistic work or secret ceremonies, signs or passwords, or oaths, promises or pledges of loyalty or obedience to such society, order or organization, or to any officer or officers thereof, to file in the office of the proper authority as hereinafter described a list of its membership. And any branch, lodge, council, post, camp, clan, or other subdivision of any secret society, order, or fraternal or benevolent organization, having or practicing such ritualistic work or secret ceremonies, signs or passwords, or oaths, promises or pledges of loyalty or obedience to such society, order or organization, its officer or officers, and any presiding or recording officer thereof, by whatsoever title designated, who shall fail to file, within thirty days of the taking effect of this act, and thereafter annually on or before the second day of January of each year, a complete list of the members of such branch, lodge, council, post, camp, clan or other subdivision of any such secret society, order or fraternal or benevolent organization, of which he is an officer, in the office of the county clerk of each county in which such branch, lodge, council, post, camp, clan or other subdivision has a residence, hall or meeting place, or in which it operates, shall be, and is, guilty of a misdemeanor.

WM. L. MORRISON,
And 246 others.

By Mr. Kline:

Resolutions passed by Riverside Board of Realtors, March 21, 1923:

WHEREAS, The passage of Senate Bill No. 503 would make it possible for populous cities to take from the smaller towns and outlying territory their present sources of water and power supply, and

WHEREAS, This bill, introduced by Senator Lyon at the behest of the water and power bureau of the city of Los Angeles, is especially designed to deprive the counties of Riverside and San Bernardino and other adjacent counties and cities therein, as well as the farmers and industries, of their present water and power supply, and

WHEREAS, The growth and prosperity of this section is dependent upon an adequate supply of both these essentials, and

WHEREAS, The Riverside Board of Realtors is unalterably opposed to the principle and theory of building up Los Angeles or any other populous center at the expense of the smaller communities, be it

Resolved, That the board go on record as opposing this bill, and that its defeat by the State Legislature be urged. Be it further

Resolved, That signed copies of these resolutions be sent to Governor Friend Wm. Richardson, to Senators Walter Eden, Ralph Swing, and Herbert C. Jones, also to

Assemblymen Chester M. Kline, J. J. Prendergast, and Geo. H. Davis; that the resolutions be inscribed upon the minutes of this meeting, and that copies be furnished to the daily papers of Riverside.

FRANK C. NYE, President.

Attest: I. S. LOGAN, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents;

Also Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial;

Also Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead;

Also: Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock;

Also Assembly Bill No. 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional;

Also Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure to be numbered 726*a*, relating to negotiable instruments;

Also Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810*d*, relating to estates of minors;

Also Assembly Bill No. 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 1—Relative to the insufficiency of transportation—has

had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DAVIS, Chairman.

The above reported joint resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

DAVIS, Chairman.

The above reported joint resolution ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 645—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Pomeroy:

WHEREAS, The members of the Ways and Means and Roads and Highways Committees and other members of the Assembly, together with their wives and families were made the guests of the Mother Lode Highway Association in a memorable two days trip March 24 and 25, 1923; and,

WHEREAS, This trip included the many points of interest of the famous Mother Lode section, the cradle of American civilization in California; and,

WHEREAS, The Mother Lode continues to be the golden heart of the Golden State and the people of the foothills and the Sierras are of the very sinew and backbone of our State, and,

WHEREAS, The towns and cities of Plymouth, Drytown, Amador City, Sutter Creek, Jackson, Mokelumne Hill, San Andreas, Fourth Crossing, Angels Camp, Carson Hill, Melones, Tuttletown, Jamestown, Sonora and others were thrown open with an unreserved hospitality that knew no bounds, and points of interest such as the Plymouth mine, the Carson Hill Gold mine, Moaning Cave, Mercers Cave, the Calaveras Big Trees, and others were made available for the enjoyment of the party; and the National Hotel of Jackson, the Metropolitan House of San Andreas, the Victoria Hotel of Sonora, the Calaveras Hotel of Angels Camp and others were thrown open for the entertainment of the guests, and,

WHEREAS, The spirit of hospitality of those who made this trip possible was such as is seldom witnessed and can never be forgotten in the history of the Assembly; now, therefore, be it

Resolved, That the Assembly hereby expresses its heartfelt thanks and deep appreciation for this trip to all those who made it possible, and that each member of the party hereby extends personal gratitude for the great enjoyment and education derived, and, be it further

Resolved, That copies of this resolution be furnished to the Assemblymen representing the Mother Lode section for such publication as they may see fit, and that the resolution be printed in the Journal.

Resolution read, and on motion unanimously adopted.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 1 to 14, both inclusive, and insert in lieu thereof the following

"SECTION 1. It shall be unlawful for any person, either alone or in company with others, to appear on any street or highway, or in other public places or any place open to view by the general public, with his face partially or completely concealed by means of a mask or other regalia or paraphernalia, with intent thereby to conceal the identity of such person; *provided, however*, that this act shall not be construed to prohibit the wearing of such means of concealment in good faith for the purposes of amusement entertainment or in compliance with any public health order

"SEC. 2. Every person violating any of the provisions of this act shall be deemed guilty of a felony."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 8 to 14, both inclusive.

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, strike out the number "3" and insert in lieu thereof the number "2".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 12 and 13 and insert in lieu thereof the words "compromise, and the amount of such compromise is one thousand ($1000) dollars, or less, the court may direct that the".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out the period after the figures "($1000)" and insert in lieu thereof a comma and the words "or less."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, after the word "guardian" insert the words "or guardian".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to deputy sheriffs.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "sheriff" insert a comma and the words "deputy constable or deputy marshal".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 27, of the printed bill, strike out the word "fifteen" and insert the word "five".

AMENDMENT NUMBER TWO.

On page 2, line 36, of the printed bill, after the period insert the following "When the warden, and such other officers as may be designated by the directors to act with him in such cases, shall be of opinion that any convict is insane, they shall make proper examination, and if they remain of the opinion that such person is insane, the warden shall certify the fact to the superintendent of one of the state asylums for the insane, and shall forthwith send such convict to said asylum for care and treatment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new

section to said act to be numbered 27*a*, relating to the appointment of deputies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40*a*, relating to the refunding and correction of assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, after line 11, add the following

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section one of article four of the constitution of the State of California and shall take effect immediately. The facts constituting such urgency are as follows

In certain of the school and high school districts of the State school houses have been destroyed by explosion and fire leaving such districts entirely without buildings or facilities for carrying on their work whereby the pupils are prevented from attending school. In certain of such districts proceedings have been taken for the purpose of, or resulting in the issuance of bonds of such districts, the sale of which would make possible the building of new schools and relieve the aforementioned situations. However, the marketability of many of such bond issues has been most injuriously affected due to the fact that serious doubts have arisen as to the regularity of the proceedings taken in connection with the issuance of such bonds, and for these reasons such districts are not able to go ahead with the work of constructing new buildings and cannot take care of the pupils who have been forced out of school."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "So far as the same may be consistent with this act, *provided, however*, that structures erected thereon shall not interfere in any way with the operation of any ferry existing at the time this act takes effect."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of line 3 preceding the comma and insert in lieu thereof the following: "*of the land herein granted or any part thereof*"

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, strike out the words "or be receded".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading:

Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following "An act to amend section four thousand forty-one of the Political Code relating to the general powers of boards of supervisors."

AMENDMENT NUMBER TWO.

After the figure 1, on line 6 of the printed bill, insert the following:

"To supervise the official conduct of all county officers, and officers of all districts and other subdivisions of the county, and particularly those charged with the assessing, collecting, safekeeping, management, or disbursement of the public revenues; to see that they faithfully perform their duties, direct prosecutions for delinquencies, and, when necessary, require them to renew their official bonds, make reports and present their books and accounts for inspection.

2. To divide the counties into townships, election, school, road, supervisor, sanitary, and other districts required by law, change the same, and create others, as convenience requires.

3. To establish, abolish, and change election precincts, and to appoint inspectors, clerks and judges of election, canvass all election returns, declare the result, and order the county clerk to issue certificates thereof; *provided*, that no election precinct shall be established or abolished or the boundaries of any election precinct changed within ninety days prior to any election.

4. To acquire and take by purchase, condemnation or otherwise land for the uses and purposes of public roads, highways, boulevards, turnpikes, and other public ways, and to lay out, maintain, control, construct, repair, and manage public roads, boulevards, highways, turnpikes and other public ways, and to incur a bonded indebtedness for any such purposes, *provided*, that no such indebtedness shall be incurred for any of such purposes until after the question of the issue of bonds therefor shall have been submitted to the qualified electors of the county, at a special election called for that purpose, and two thirds of the electors of the county voting at such election shall have voted in favor of issuing such bonds, said election to be called and held and said bonds, if authorized, to be issued, sold and made payable in the manner and form prescribed by section four thousand eighty-eight of this code. Said boards shall also have power to make and enforce rules and regulations for the protection, management, control and use of such public boulevards, roads, highways, turnpikes and other public ways.

4*a*. To construct, operate, manage or maintain summer bridges or ferries under such rules and regulations and at such times and places as they may deem necessary; such bridges or ferries to be paid for out of the county general fund.

5. To lay out, maintain, control, construct, repair and manage public ferries, wharves, chutes and other shipping facilities and bridges within the county, unless otherwise provided by law, and to grant franchises and licenses to collect tolls thereon.

6. To purchase, receive by donation, lease or otherwise acquire water rights or real or personal property necessary for the use of the county, for a court-house, jail, hospital, historical museum, art gallery and almshouse, public pleasure ground, public parks, and other public purposes and also property upon which to sink wells to obtain water for sprinkling roads and other county purposes, and to improve, preserve, take care of, manage and control the same, *provided*, that no purchase of real property shall be made unless a notice of the intention of the board of supervisors to make such purchase, describing the property to be purchased, the price to be paid therefor, from whom it is proposed to be purchased, and fixing the time when the board will meet to consummate such purchase, has been published for at least three weeks in some newspaper of general circulation published in the county; or if none be published in the county, then that (notice) has been posted at least three weeks prior to the time when the board meets to consummate such purchase in at least three public places in each supervisorial district.

7. To construct or lease, build or rebuild, furnish or refurnish or repair hospitals and almshouses, court-house, jail, historical museum, county free library building, branch library building, art gallery, and such other public buildings as may be necessary to carry out the work of the county government, and to provide all necessary officers, employees, attendants, and supplies for the proper maintenance of the same, *provided*, that a suitable graduate or graduates in medicine shall be appointed

to attend to the indigent sick or dependent poor, or to the patients in such hospitals and almshouses, *provided, further*, that the board shall not let the care, maintenance, or attendance of such indigent sick or dependent poor by contract to any person. Whenever the cost of construction of any bridge, wharf, chute, or other shipping facilities, or of any hospital, almshouse, court-house, jail, historical museum, county free library building, branch library building, art gallery, or other public buildings, or the cost of any repairs thereto, or furnishing thereof shall exceed the sum of fifteen-hundred dollars, such work shall be done by contract, and any contract therefor shall be void unless the same shall be let as hereinafter provided. The board of supervisors shall adopt plans and specifications, strain-sheets and working details therefor, and must advertise for bids for the performance of said work in a newspaper of general circulation published in the county for at least twenty days. In case there is no newspaper published in said county, then such notice shall be given by posting in three public places for at least twenty days. All bidders shall be afforded opportunity to examine such plans and specifications, strain-sheets and working details, and such board shall award the contract to the lowest responsible bidder, and the person, firm or corporation to whom the contract shall be awarded must perform the work in accordance with the said plans and specifications, strain-sheets and working details, unless the same be modified by a unanimous vote of the members of the board of supervisors; and in every such case if the cost of the work be reduced by reason of the modification, compensation must be made to the county therefor, and the person, firm, or corporation, to whom the contract shall be awarded must execute a bond to be approved by the said board for the faithful performance of such contract, *provided*, that for the construction of any bridge, wharf, chute, or other shipping facilities, or any repairs thereto if the board of supervisors shall be advised by the county surveyor that the work can be done for a sum less than the lowest responsible bid, it shall then be their privilege to reject all bids and to order the work done or structure built by day's work, under the supervision and direction of the said surveyor, *provided*, that the road commissioners or road overseers in their respective districts shall employ all labor required, and direct the conduct of work of any kind upon any and all public roads; *provided, further*, that in cases of great emergency, caused by flood, fire, earthquake, or act of God, by the unanimous consent of the whole board, they may proceed at once to replace or repair any and all bridges and structures without adopting the plans and specifications, strain-sheets, or working details, or giving notice for bids to let contract; the work to be done by day labor under the direction of the board or by contract, or by a combination of the two, if wholly or in part by contract, the contractor to be paid the actual cost of material and labor expended by him in doing the work, plus fifteen per cent to cover all profit, supervision, use of machinery, and tools, and other expenses, *provided*, that no more than the lowest current market prices shall be paid for material.

8. To provide a farm in connection with the county hospital or almshouse and make regulations for working the same.

9. To purchase, acquire, construct, equip, and maintain all necessary tanks, reservoirs, pumps, apparatus, motor vehicles and other machinery necessary or proper to facilitate the performance of the work in the county.

9*a*. To purchase, lease, construct or otherwise acquire, own, operate, manage and control, in any county in the State cement manufacturing plant, and to sell the products of the same in such manner and upon such terms and conditions as to them shall be deemed proper, *provided*, that the State of California and municipal or public corporations of the State shall have a preferred right at the same price as the products are offered to private persons to purchase the same, and to purchase, lease, or otherwise acquire real or personal property to be used in connection with such plant, *provided, however*, that no such plant shall be purchased, leased, or otherwise acquired, neither shall said works be constructed on real or personal property purchased or acquired until notice of the intention to make such purchase or construct such works shall have been given for a period of thirty days by publication in a newspaper of general circulation published within the county or, if there be none, then by posting a notice for said period in a conspicuous place in three public places in the county, such notice shall contain a description of the property to be purchased or works to be constructed, a statement of the amount of money to be invested, the terms upon which it is to be invested and the time when the proposition will come before the board of supervisors to be acted upon.

10. To sell at public auction at the court-house door or at such other place within the county as the board may, by four-fifths vote, order, after five days' notice, given either by publication in a newspaper published in the county or by posting in three public places in the county, and convey to the highest bidder for cash any property belonging to the county not required for public use, paying the proceeds into the county treasury for the use of the county, *provided*, if in the unanimous judgment of the board, the property does not exceed in value the sum of seventy-five dollars, or if it be the product of the county farm, the same may be sold at private sale without advertising by any member of the board empowered for that purpose by a majority vote of the board, such sale to be reported to and confirmed by such board of supervisors.

11. To examine and audit, at least every twelve months, the accounts of all officers having the care, management, collection, or disbursement of moneys belonging to the county or moneys received or disbursed by them under authority of law.

12. To examine, settle, and allow all accounts legally chargeable against the county, except salaries of officers, and such demands as are authorized by law to be allowed by some other person or tribunal and order warrants to be drawn on the county treasurer therefor.

13. To levy taxes upon the taxable property of their respective counties for all county purposes, and also upon the taxable property of any district, for the construction and repair of roads and highways and other district purposes; *provided* that no tax shall be levied upon any district until the proposition to levy the same has been submitted to the qualified electors of such district and received a majority of all the legal votes cast upon such proposition.

14. To maintain, regulate and govern public pounds, fix the limits within which animals shall not run at large, and appoint pound keepers, who shall be paid out of the fines imposed and collected from the owners of impounded animals, and from no other source.

15. To equalize assessments.

16. To direct and control the prosecution and defense of all suits to which the county is a party and by a two-thirds vote of all the members, may employ counsel to assist the district attorney in conducting the same.

17. To insure the county buildings and other property in the name and for the benefit of the county.

18. To establish a salary fund, and such other county funds as they may deem necessary for the proper transaction of the business of the county, and to transfer moneys from one fund to another as the public interest may require.

19. To fill, by appointment, all vacancies that may occur in any office filled by the appointment of the board of supervisors and elective county or township officers, except in those of judge of the superior court and supervisor, the appointee to hold office for the unexpired term or until the next general election.

20. To employ the copyists necessary to reproduce any of the county records and indices thereto that may have been lost or destroyed by conflagration, public calamity or otherwise, or that may be in danger of destruction by age, obliteration, or constant use in any of the county offices.

21. To employ a purchasing agent whose duties shall be to purchase for the county and the offices thereof all stationery, clothing, bedding, groceries, provisions, drugs, medicines, furnish machinery, implements, and all other personal property or supplies, the same to be purchased only upon a proper requisition therefor; also employ for said purchasing agent such assistants as may be necessary for him to properly fulfill his duty.

22. Whenever a board of supervisors shall employ a purchasing agent as herein provided for, it shall not be necessary for them to advertise for bids for furnishing county supplies as provided in section four thousand forty-eight of the Political Code, with the exception of advertising.

23. To make and enforce such rules and regulations for the government of their body, the preservation of order and the transaction of business, as may be necessary; and the supervisors may attend annual state meetings of the state supervisors' association and shall be allowed their actual traveling expenses, in going to and from attendance upon any such state association meetings.

24. To adopt a seal for the board, a description and impression of which must be filed in the office of the county clerk and of the secretary of state.

25. To license, in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise, all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions; and all shows, exhibitions and lawful games carried on therein, to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise; *provided*, that every honorably discharged soldier, sailor or marine of the United States who is unable to obtain a livelihood by manual labor, shall have the right to hawk, peddle and vend any goods, wares or merchandise, except spirituous, malt, vinous or other intoxicating liquor, without payment of any license, tax or fee whatsoever, whether municipal, county or state, and the board of supervisors or legislative body shall issue to such soldier, sailor or marine, without cost, a license therefor; *provided, however*, no license can be collected, or any penalty for the nonpayment thereof enforced against any commercial traveler whose business is limited to the goods, wares and merchandise sold or dealt in in this state at wholesale.

26. To provide for the destruction of gophers, squirrels, other wild animals, noxious weeds, and insects injurious to fruit or fruit trees, or vines, or vegetable or plant life.

27. To provide for the prevention of injuries to sheep by dogs, and to tax dogs and direct the application of the tax.

28. To provide, by ordinances, not in conflict with the general laws of the state, for the protection of fish and game, and may shorten the season for taking or killing of fish and game within the dates fixed by the general state laws, but shall not lengthen the same.

29. To provide for the working of prisoners, confined in the county jail, under judgment of conviction of misdemeanor, under the direction of some responsible person, to be appointed by the sheriff whose compensation shall not exceed one hundred dollars per month, upon the public grounds roads, streets, alleys, highways, or public buildings, or in such other places as may be deemed advisable, for the benefit of the county.

29*a*. To provide for the care and maintenance of the indigent sick or dependent poor of the county, and for such purpose to levy the necessary property or poll-taxes, or both.

30. To provide for the burying of the indigent dead.

31. To make and enforce, within the limits of their county, all such local police, sanitary and other regulations as are not in conflict with general laws.

32. To adopt such rules and regulations, within their respective counties, with regard to keeping and storing of every description of gunpowder, Hercules powder, giant powder or other explosives or combustible material, as the safety and protection of the lives and property of individuals may require.

33. To levy a special tax not to exceed two cents on the one hundred dollars of the assessed valuation of all property within the county to be used for advertising, exploiting and making known the resources of the county for the purpose of inducing immigration to, and increasing the trade and commerce of, said county, or for the purpose of exhibiting or advertising the agricultural, mineral, manufacturing or other resources of the county, *provided, however*, that if said rate of two cents will not raise five thousand dollars in any one year the boards of supervisors may appropriate from the general fund of the county an amount sufficient to make up the deficiency existing between the amount raised as the result of the two cent levy and five thousand dollars, *and provided, further*, that such tax shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used for collecting, preparing and maintaining an exhibition in any domestic or foreign exposition

34. To enforce, by ordinance, within the limits of their counties all such regulations concerning the size of wagons and vehicles of all kinds to be used on the roads or highways, and the width of tires on the same, as are not in conflict with general laws.

35. To grant licenses and franchises for the construction, keeping and taking tolls on roads, bridges, ferries, wharves, chutes, booms and piers, and to grant franchises along and over the public roads and highways for all lawful purposes, upon such terms and conditions and restrictions as in their judgment may be necessary and proper, and in such manner as to prevent the least possible obstruction and inconvenience to the traveling public.

36. To grant, on such terms, conditions and restrictions as in their judgment may be necessary and proper, licenses and franchises for taking tolls on public roads or highways, whenever in their judgment the expense necessary to operate or maintain such public roads or highways as free public highways is too great to justify the county in so operating or maintaining them. It shall always be a condition attached to the granting of such licenses and franchises, that such roads or highways shall be kept in reasonable repair by the person or persons to whom such licenses or franchises may be granted; *provided*, that the provision of any general law applicable to the granting of franchises by municipal corporations and counties throughout the state shall be complied with in the granting of any franchise by the board of supervisors

37. To enact ordinances and regulations for the construction, alteration, repair and control of all public roads and highways in the county, unless otherwise provided by law.

38. To levy a special road fund tax, not to exceed two (2) mills on the one dollar of assessed valuation, on all the property in such counties, outside of any incorporated city or town. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be expended for the construction and maintenance of the main public roads or county highways in the several road districts, in proportion to the amount collected from such districts, *provided*, that in addition to the tax mentioned in this subdivison the board of supervisors shall have the power and it shall be their duty upon the petition of a majority of the property owners of any road district, to levy a special road fund tax not to exceed two mills on the one dollar of assessed valuation on all the property in such road district, to be expended in the maintenance of the public roads of such district To levy a special sanitary tax, not to exceed one-half ($\frac{1}{2}$) mill on the one dollar of assessed valuation, on all the property in such counties, outside of any incorporated city or town. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be used to prevent the introduction of dangerous infectious or communicable diseases and to eradicate them if introduced, and for the purpose of general sanitation

39. To encourage, under such regulations as they may adopt, the planting and preservation of shade and ornamental trees on the public roads and highways, and on and about the public grounds and buildings of the county, and pay to persons planting and cultivating the same, for every living tree thus planted, at the age of four years a sum of not exceeding one dollar

39a. To assume and discharge such municipal functions of the cities and towns within the county as may be authorized by any county charter framed under the provisions of section seven and one-half of article eleven of the constitution of the State of California.

40. To provide by ordinance for the organization and government of districts, to protect and preserve the banks of rivers and streams and lands lying contiguous thereto from injury by overflow or the washing thereof, and to provide for the improvement of said rivers and streams, and prevent the obstruction thereof, and to provide for the assessment, levy and collection within such districts of a tax therefor. To appropriate a sum not exceeding two cents per one hundred dollars of the assessed valuation of their county in any one year, in addition to any sum which may be chargeable to the county for the repayment of money expended by the state for protection against fire in such county, for the purpose of protecting forest, brush and grass lands therein, against fire or other injury, and of aiding the state and federal authorities in forestry work.

40a. To provide for the sale, at not less than cost, of copies of such maps as may be prepared by the surveyor for the use of the assessor under the provisions of section 4218 of the Political Code of California, as may be deemed desirable by the Board of Supervisors

41. To do and perform all other acts and things required by law not in this title enumerated, or which may be necessary to the full discharge of the duties of the legislative authority of the county government."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 493—An act authorizing boards of supervisors of the several counties in this State to employ expert and competent persons to furnish maps, plats and any and all other data for the use of the board of supervisors while sitting as a board of equalization.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect", approved June 16, 1913, as amended.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of ex-union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended.

MOTION TO AMEND.

During the second reading of the bill the following amendments were offered by Mrs Dorris:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 2 of the title, strike out the word "ex-union".

AMENDMENT NUMBER TWO.

On page 1, line 2 of the printed bill, strike out the word "ex-union".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 328—An act to amend an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, by amending section 1 of said act and adding thereto a new section to be numbered 1*a*, relating to places of interment.

MOTION TO AMEND.

During the second reading of the bill the following amendments were offered by Mrs. Dorris:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1, 2, 3, 4, 5 and 6 of the title and in lieu thereof insert the following:

"An act to add a new section to be numbered one *a* to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, both inclusive.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 1, and in lieu thereof insert the following:

"SECTION 1. A new section is hereby added to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 7, both inclusive, and in lieu thereof insert the following:

"*Resolved by the Assembly the Senate concurring*, That the legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, one thousand nine hundred and twenty-three, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution of this state by adding a new article thereto to be numbered twenty-four and to read as follows:"

AMENDMENT NUMBER TWO

On page 4 of the printed bill, strike out lines 42 to 48, both inclusive, and insert in lieu thereof the following

"SEC. 12. No boxing or sparring match or exhibition shall be of more than ten rounds in length, such rounds to be not more than three minutes each, and no boxer shall be allowed to participate in more than ten rounds within twelve consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of ten rounds. At".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out line 21, and in lieu thereof insert the following

"SEC. 13. It shall be the duty of every corporation or person holding an exhibition license at its".

AMENDMENT NUMBER FOUR

On page 5 of the printed bill, strike out lines 31 to 34, both inclusive, and in lieu thereof insert the following:

"SEC. 15. No corporation or person shall have, either directly or indirectly, any financial interest in a boxer or wrestler competing on premises owned or leased by the corporation or person, or in which such corporation or person is otherwise interested."

AMENDMENT NUMBER FIVE.

On page 5, line 37, of the printed bill, strike out the words "and second," and in lieu thereof insert the following ", second or person".

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out lines 46 and 47, and in lieu thereof insert the following:

"SEC. 18. Before a license shall be granted to a corporation or person, such corporation or person shall execute and file with the secretary of".

AMENDMENT NUMBER SEVEN.

On page 5, line 51, of the printed bill, immediately preceding the words "of the", insert the words "or person".

AMENDMENT NUMBER EIGHT.

On page 6, line 16, of the printed bill strike out the comma after the word "corporations", and in lieu thereof insert the following "or persons,".

AMENDMENT NUMBER NINE.

On page 6, line 40, of the printed bill, after the word "corporation", insert the following "or person holding an exhibition license"

AMENDMENT NUMBER TEN

On page 6, line 43, of the printed bill, after the word "corporation", insert the words "or person".

AMENDMENT NUMBER ELEVEN.

On page 7, line 1, of the printed bill, after the word "corporation", insert the words "or person".

AMENDMENT NUMBER TWELVE.

On page 7, line 4, of the printed bill, after the word "any", insert the words "corporation or".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 22, of the printed bill, after the word "of", insert the words "twenty-five".

Amendments adopted.

Assembly Constitutional Amendment No. 6 ordered to reprint, engrossment, and on file for adoption

Assembly Joint Resolution No. 18—Relative to the construction of a bridge from Morrow Cove, Solano County, to Valona, Contra Costa County.

Assembly Joint Resolution No. 18 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 18 adopted by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Douglas, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes,

Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 18 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 18.

Relative to the construction of a bridge from Morrow Cove, Solano County to Valona, Contra Costa County.

WHEREAS, The board of supervisors of Contra Costa County have granted a franchise for the construction of a bridge from Morrow Cove, Solano County, to the town of Valona, Contra Costa County, to span the Straits of Carquinez, and

WHEREAS, It is necessary at this time to have the approval of the Secretary of War before the actual construction of such project may begin, now therefore, be it

Resolved by the Assembly and Senate, jointly, That such project is of vast interest to the people of the State of California and the same should be encouraged at this time. That the Secretary of War is hereby urged to approve the application for the construction of this bridge which is pending before his department at this time, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to forward copies of these resolution to the Secretary of War and the members of Congress from the State of California.

Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 637 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Burns, Carter, Christian, Coombs, Crittenden, Crofer, Davis, Dawson, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Badham moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, strike out the word "canvassed".

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, strike out the word "canvassed".

Motion carried.

The Speaker appointed Mr. Badham as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER. Your Select Committee of One, to which was referred Assembly Bill No. 315, with instructions, reports that the instructions of the Assembly have been carried out.

BADHAM, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 338 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Fellom moved that the vote whereby Assembly Bill No. 412 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright and Mr Speaker—58

No—Burns—1.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED TWELVE.

Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Eksward moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill as amended, strike out the words "other than" and insert in lieu thereof the word "including".

Motion carried.

The Speaker appointed Mr Eksward as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 412, with instructions, reports that the instructions of the Assembly have been carried out.

EKSWARD, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno, and the floor of the Kings River Canyon, at or near Cedar Grove Hotel in said county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 448 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Bernard, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McMillan, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Noyes moved that Assembly Bill No. 683 be withdrawn from the file, and ordered re-referred to Committee on Roads and Highways.

Motion carried.

Assembly Bill No. 683 re-referred to Committee on Roads and Highways.

Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629*a*, relating to group insurance by life insurance companies and valuation of group insurance policies.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Christian, Clarke, Connolly, Coombs, Croter, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Foster, Fulwider, Graves, Hawes, Hornblower, Johnson, Jones, Kline, Mathews, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Clarke, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Eksward, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McMillan, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Weller, West, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Duval, and Stow—2.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

Assembly Joint Resolution No. 8—Relative to memorializing Congress to amend the constitution of the United States relating to citizenship.

Assembly Joint Resolution No. 8 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 8 adopted by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitlatch, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 8 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 8.

Relative to memorializing Congress to amend the constitution of the United States relating to citizenship.

WHEREAS, By reason of the fact that our federal constitution admits to citizenship the children of all persons born in the United States, regardless as to whether they will remain aliens in habits and thought; children devoted to the teachings of parents who cling to the ideals of a land still dearer to them, and who find their traditions in its religion and folk law; whose adherence to these, while presenting the best manifestations of devotion there, make patriotism impossible here; and recognizing the racial distinctions which keep civilizations apart and create the ambitions for separate destinies, for, upon these, states must exist, and recognizing that these distinctions are better suited to natural causes and to the impulse of national movements, and that such recognition will avoid consequences inevitable from relations strained and unnatural; it is

Resolved by the Senate and Assembly, That the time has arrived when our far-flung dominions render it necessary to change the requirements of citizenship so as to recognize the distinctions which have separated mankind into different peoples, founded upon traits and characteristics of non-assimilability, with destinies apart, as better suited to conditions of the modern society, and calculated to avoid world friction, which seems otherwise inevitable

That, as to the form of such a change the following is suggested to our Senators and Representatives in Congress

ARTICLE XIV.

Section 1. All persons of white, African, and American Indian parents, born in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. Congress shall have power to provide for the naturalization of persons of alien birth, belonging to either of said races, and for the revocation, for cause, in individual cases, of such citizenship by naturalization. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person

of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

MOTION.

Mr. McPherson moved that Mr. Coombs' argument favoring the adoption of Assembly Joint Resolution No. 8 be printed in the Journal of March 27, 1923.

Motion carried.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, March 19, 1923, Tuesday, March 20, 1923, Wednesday, March 21, 1923, Thursday, March 22, 1923, and Friday, March 23, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr. Noyes: Assembly Concurrent Resolution No. 13—Relative to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

Introduced, and referred to Committee on Drainage, Swamp and Overflowed Lands.

MOTION TO ADJOURN.

At twelve o'clock and twenty-two minutes p.m., Mr. Carter moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m., Tuesday, March 27, 1923.

MOTION TO AMEND

Mr. Hornblower offered the following substitute motion as an amendment to Mr. Carter's motion to adjourn:

That at twelve o'clock and thirty minutes p.m., the Assembly adjourn until the hour of nine o'clock and thirty minutes a.m., Tuesday, March 27, 1923.

The question being on Mr. Hornblower's motion to amend.

Motion carried.

The question being on Mr. Carter's motion to adjourn, as amended.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Fellom moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of lines 15, 16 and 17 and insert in lieu thereof the following. "This section shall not apply to employment agencies which procure employment for persons in technical or executive positions in recognized educational institutions."

Motion carried.

The Speaker appointed Mr. Fellom as such Select Committee.

POINT OF ORDER.

During a discussion of Assembly Bill No. 86, Mr. Morris arose to the following point of order:

That there was nothing before the house until the report of Select Committee of One had been read

RULING OF THE SPEAKER.

The Speaker ruled that the point of order was well taken.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 86, with instructions, reports that the instructions of the Assembly have been carried out.

FELLOM, Select Committee

MOTION.

Mr Hornblower moved that further consideration of Assembly Bill No 86 go over till the next legislative day

Motion carried.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, March 27, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 27, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C C, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Eksward, Mr. Mathews was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Moore, Mrs. Louis Everding of Arcata and Mrs. Nelson T. Edwards of Orange were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Mr. William O. Edmands of Upper Lake was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Prendergast, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Noyes:

WHEREAS, A meeting of land owners in the Sacramento and San Joaquin Drainage District, interested in Project No. 6 of the Sutter-Butte By-Pass Project, was held at Meridian on the 10th day of March, 1923, a motion was duly made and seconded and unanimously carried by all present, requesting Assemblyman F. B. Noyes of Yuba City to investigate or present a resolution to the Assembly demanding an investigation of the expenditures by the State Reclamation Board of the Sutter-Butte By-Pass Project No. 6; now therefore be it

Resolved, That it is the unanimous sense of the land owners in said district present at said meeting, that this investigation be earnestly requested of the present Legislature by Assemblyman Noyes

J. W. BROWNING, Chairman

Dated: Meridian, March 10, 1923.

By Mr. Snyder:

COUNCIL CHAMBER OF THE CITY OF CHICO,
COUNTY OF BUTTE, STATE OF CALIFORNIA.

Resolution by Trustee Tracy,
Seconded by Trustee Polk.

WHEREAS, There is now pending in the Legislature of the State of California, Assembly Constitutional Amendments Nos. 10 and 27, the passage and adoption of either of which would deprive the several municipalities of the State from acquiring any profit or revenue over cost, and expressly inhibiting the merger of any revenue from operation of public utilities with the general funds, and

WHEREAS, By reason of the inadequacy of the revenues that can be derived from a limited rate of taxation, many of the cities of the State derive and employ the profits of their publicly owned utilities for the benefit of their general funds, now, therefore, it is hereby

Resolved, By the Board of Trustees of the city of Chico that Assembly Constitutional Amendments Nos. 10 and 27 ought not to pass, and the Clerk of this Board is directed to memorialize the Butte County delegation in the Assembly and the Senate to oppose the passage of said Amendments Nos. 10 and 27, by forwarding them a copy of this resolution.

I hereby certify that the above resolution was regularly and duly introduced and passed by the Board of Trustees of the City of Chico at a regular meeting held on March 22, 1923, by the following vote: Ayes—Trustees Polk, Tracy, Water, Reynolds; nays—none; absent—Trustee Gray.

IRA R. MORRISON, City Clerk.

By Mr. Kline:

Resolution passed by mass meeting called on March 2, 1923, at the courthouse in Riverside, California, by Mayor S. C. Evans, under authority of resolution by the City Council of Riverside for the purpose of discussing Senate Bill No. 503.

WHEREAS, There has been introduced into the Legislature a bill known as Senate Bill No. 503, and

WHEREAS, The purpose of this bill is to allow the condemnation by a municipality of water and power appropriated and devoted to the use of other municipalities, be it

Resolved, That it be the sense of this meeting, called by the Mayor of Riverside for the purpose of discussing this bill, that Senate Bill No. 503 is a pernicious measure and detrimental to the interests of the smaller cities and counties of California and should be defeated.

The following were among those present and voted for the resolution:

E. P. CLARKE, Editor Riverside Daily Press and Chairman State Board of Education.

And 21 others.

By Mr. Moore:

ARCATA, CALIFORNIA, March 14, 1923.

WHEREAS, It is our belief that education is the most important function of our State government, and

WHEREAS, It is our belief that the very foundation of our government rests upon elementary education, and

WHEREAS, It is our belief that to impair our public school system would be most regrettable, therefore be it

Resolved, By the Board of Directors of the Arcata Chamber of Commerce at its meeting of March 14, 1923, that we do earnestly request and urge that the Teachers Colleges be given adequate financial support so that they can properly function in preparing teachers for the elementary schools, and be it further

Resolved, By the Board of Directors of the Arcata Chamber of Commerce that we pray that you do not favor any legislation which may lead to the closing of Humboldt State Teachers College, as we consider that this institution is necessary for the supplying of trained teachers for Northwestern California and that it will take care of higher education in this Northwest Section and be it further

Resolved, By the Board of Directors of the Arcata Chamber of Commerce that a copy of this resolution be sent to Hon. Friend Wm. Richardson, Governor of the State of California; Hon. H. C. Nelson, State Senator, Hon. Fred J. Moore, Assemblyman, and to Hon. Will C. Wood, State Superintendent of Public Instruction.

ARCATA CHAMBER OF COMMERCE.
H. R. INSKIP, President.

Attest R. L. OAK, Secretary.

Also:

ARCATA, CALIFORNIA, March 17, 1923.

WHEREAS, It is our belief that education is the most important function of our State government; and

WHEREAS, It is our belief that the very foundation of our government rests upon elementary education; and

WHEREAS, It is our belief that to impair our public school system would be most regrettable; therefore be it

Resolved, By the Arcata Farm Center at its meeting of March 17, 1923, that we do earnestly request and urge that the Teachers Colleges be given adequate financial support so that they can properly function in preparing teachers for the elementary schools; and be it further

Resolved, By the Arcata Farm Center that we pray that you do not favor any legislation which may lead to the closing of the Humboldt State Teachers College, as we consider that this institution is necessary for the supplying of trained teachers for Northwestern California and that it will take care of higher education in this northwest section; and be it further

Resolved, By the Arcata Farm Center that a copy of this resolution be sent to Hon. Friend Wm. Richardson, Governor of the State of California; Hon. H. C. Nelson, State Senator; Hon. Fred J. Moore, Assemblyman, and Hon. Will C. Wood, State Superintendent of Public Instruction.

ARCATA FARM CENTER,
A. T. HOOVEN, Director

Attest: MRS. L. A. SEIDELL, JR., Secretary.

Also:

ARCATA, March 16, 1923.

The Arcata Woman's Club, believing that the Humboldt State Teachers College is a necessary institution for the higher education of our young people, and the supplying of trained teachers for Northwestern California, do most earnestly urge that this institution be continued, and be given adequate financial support.

MARGARET T. JOHANSEN, Secretary.

Also:

BLUE LAKE, CALIFORNIA, March 17, 1923.

Honorable Fred J. Moore, Assemblyman,
State Capitol, Sacramento, California.

HONORABLE SIR: Being firmly convinced that education is one of the most important functions of the government, and that to impair the same is most deplorable, we do most urgently request that the Humboldt State Teachers College be given adequate funds, and that inasmuch as you are able, that you do not favor any legislation which may lead to the closing of the State Teachers College at Arcata.

Sincerely yours,

WHA NIKA CLUB OF BLUE LAKE.

Also:

BLUE LAKE, CALIFORNIA,
March 17, 1923

Honorable Fred J. Moore, Assemblyman,
State Capitol, Sacramento, California.

HONORABLE SIR: The Blue Lake Civic Club wish to go on record as being in favor of continuing the Humboldt State Teachers College, and in behalf of such submit the following resolutions:

Resolved, By the Blue Lake Civic Club of Blue Lake, Humboldt County, that we pray that you do not favor any legislation which may lead to the closing of the Humboldt Teachers State Normal College, as we consider that this institution is necessary for the supplying of trained teachers for Northwestern California and that it will take care of higher education in the Northwest Section, and be it further

Resolved, That a copy of this resolution be sent to Hon. Friend Wm. Richardson, Governor of the State of California, Hon. H. C. Nelson, State Senator, Hon. Fred J. Moore, Assemblyman, and to Hon. Will C. Wood, Superintendent of Public Instruction.

BLUE LAKE CIVIC CLUB
MAY C. ALLISON, Secretary.

Also:

ARCATA, CALIFORNIA, March 15, 1923.

WHEREAS, It is our belief that education is the most important function of our State government, and

WHEREAS, It is our belief that the very foundation of our government rests upon elementary education, and

WHEREAS, It is our belief that to impair our public school system will be most regrettable, therefore, be it

Resolved, By the Arcata Parlor No. 20, Native Sons of the Golden West, at its meeting March 15, 1923, that we do earnestly request and urge that the Teachers Colleges be given adequate financial support so that they can properly function in preparing teachers for the elementary schools, and be it further

Resolved, By Arcata Parlor No. 20, Native Sons of the Golden West, that we pray that you do not favor any legislation which may lead to the closing of the Humboldt State Teachers College, as we consider that this institution is necessary for the supplying of trained teachers for Northwestern California and that it will take care of higher education in this Northwest Section, and be it further

Resolved, By Arcata Chapter No. 20, Native Sons of the Golden West, that a copy of this resolution be sent to Hon. Friend Wm. Richardson, Governor of the State of California; Hon. H. C. Nelson, State Senator; Hon. Fred J. Moore, Assemblyman, and to Hon. Will C. Wood, State Superintendent of Public Instruction.

ARCATA PARLOR No. 20, N. S. G. W.
C. J. DICKERSON, President.

Attest: A. W. GARCELON, Secretary.

Also:

ARCATA CHAMBER OF COMMERCE,
ARCATA, CALIFORNIA, March 17, 1923.

Mr. Fred J. Moore,
Assembly Chamber, Sacramento, California.

DEAR SIR: At the regular meeting of the Board of Directors of this Chamber, held March 9, 1923, the proposed Narcotic Law was brought to their attention.

It was felt by the Board, and the Secretary was instructed to so inform you, that the stiffer the sentence, both financial and prison, the more deterrent would be the effect. It is believed that present conditions warrant the most drastic action.

Yours respectfully,

ARCATA CHAMBER OF COMMERCE
R. L. OAK, Secretary.

Also:

ARCATA, CALIFORNIA, March 14, 1923.

WHEREAS, It is our belief that education is the most important function of our State Government, and

WHEREAS, It is our belief that the very foundation of our government rests upon elementary education, and

WHEREAS, It is our belief that to impair our public school system will be most regrettable, therefore, be it

Resolved, By the Humboldt County Bankers Association at its meeting of March 14, 1923, that we do earnestly request and urge that the Teachers Colleges be given adequate financial support so that they can properly function in preparing teachers for the elementary schools, and be it further

Resolved, By the Humboldt County Bankers Association that we protest any action, the result of which would be the closing of the Humboldt State Teachers College, as we consider that this institution is necessary for the supplying of trained teachers for Northwestern California and that it will take care of higher education of this Northwest Section, and be it further

Resolved, By the Humboldt County Bankers Association that a copy of this resolution be sent to Hon H. C. Nelson, State Senator, and to Hon. Fred. J. Moore, Assemblyman.

HUMBOLDT COUNTY BANKERS ASSOCIATION.
CALL DEANE.

Also:

ARCATA, CALIFORNIA, March 13, 1923.

Hon. Fred J. Moore, Assemblyman,
State Capitol, Sacramento, California.

HONORABLE SIR Enclosed you will find a copy of a resolution adopted by Anniversary Lodge No. 85, I. O. O F., of Arcata, California, March 13, 1923, which we most earnestly hope and pray will be given your deepest consideration.

Yours most respectfully,

GEORGE F. CROPLEY, Secretary.

Also:

TRINIDAD, CALIFORNIA, March 16, 1923.

WHEREAS, It is the belief of the Trinidad Civic Club that education is the greatest gift our State can offer our young people, and

WHEREAS, It is the opinion of this body of women that to impair our public school system in any way is to go backward, therefore

Resolved, By the Trinidad Civic Club in regular session assembled that we earnestly urge that the Teachers Colleges be given adequate financial support to carry on their work, and be it further

Resolved, By the Trinidad Civic Club that we urge you not to favor any legislation which might lead to the closing of the Humboldt State College, as we feel the northern counties badly need, and are entitled to this chance to obtain higher education, and be it

Resolved, By the Trinidad Civic Club that a copy of these resolutions be sent to the Governor of the State, to Hon. H. C. Nelson, Hon. F. Moore, and to Hon. W. Wood.

TRINIDAD CIVIC CLUB.
HELEN REEDY, President

Attest GRACE MCCONNAHER, Secretary.

Also:

ARCATA, CALIFORNIA, March 13, 1923

WHEREAS, It is our belief that education is the most important function of our State government, and

WHEREAS, It is our belief that the very foundation of our government rests upon elementary education, and

WHEREAS, It is our belief that to impair our public school system would be most regrettable, therefore be it

Resolved, By the Anniversary Lodge No. 85 of the Independent Order of Odd Fellows at its meeting of March 13, 1923, that we do earnestly request and urge that the Teachers Colleges be given adequate financial support so that they can properly function in preparing teachers for the elementary schools, and be it further

Resolved, By the Anniversary Lodge No. 85 of the Independent Order of Odd Fellows that we pray that you do not favor any legislation which may lead to the closing of the Humboldt State Teachers College, as we consider that this institution is necessary for the supplying of trained teachers for Northwestern California and that it will take care of higher education in this northwest section, and be it further

Resolved, By the Anniversary Lodge No. 85 of the Independent Order of Odd Fellows that a copy of this resolution be sent to Hon. Friend Wm. Richardson,

Governor of the State of California Hon. H. C Nelson, State Senator; Hon. Fred J. Moore, Assemblyman, and Hon. Will C. Wood. State Superintendent of Public Instruction.

ANNIVERSARY LODGE NO. 85, INDEPENDENT ORDER OF ODD FELLOWS.

E. L. STROMBERG, Noble Grand.
GEORGE F. CROPLEY, Secretary.
HENRY A SORENSON, Trustee.
W. A CRAWFORD, Trustee.
W. PRITCHARD, District Deputy Grand Master No. 29.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fellom asked for and was granted unanimous consent to withdraw the report of the Select Committee of One appointed to amend Assembly Bill No. 86.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fellom asked for and was granted unanimous consent to have the Select Committee of One appointed to amend Assembly Bill No. 86 discharged

SPEECH OF HON. FRANK L COOMBS.

In accordance with the action of the Assembly on the motion of Mr. McPherson, the following argument favoring the adoption of Assembly Joint Resolution No. 8, delivered by Hon. Frank L. Coombs on Monday, March 26, 1923, was ordered printed in the Journal:

Our fathers little dreamed when they framed the constitution of the United States that it would embrace states beyond the boundaries of the colonies; still less did their vision reach to the shores of the Pacific, where empire has brought to us the problems of many races. So the constitution was made to provide that all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.

The one weak spot in the constitution upon citizenship is that it still retains the hope that the children of unassimilable races, regardless as to whether they will remain alien in habits and thought, children devoted to the teachings of parents who cling to the ideals of a land still dearer to them, and who find their traditions in its religion and folk lore, can forsake for us the land of their fathers. It is a compliment to their character when we say that this can not be expected. While their adherence to such ideals make admirable manifestations of devotion there, it makes patriotism impossible here This rises above racial prejudice and becomes a problem of national life.

We must recognize the racial distinctions which keep civilizations apart and create ambitions for separate destinies, for, upon these, states must exist We recognize that these distinctions are better suited to natural causes and to the impulse of national movements and we feel that such recognition will avoid consequences inevitable from relations strained and unnatural

The time has arrived when our far-flung dominions render it necessary to change the requirements of citizenship in order to recognize the distinctions which have separated mankind into different peoples, founded upon traits and characteristics of nonassimilability, with destinies apart, as better suited to the life of peoples who can never achieve together.

It is not our purpose to compare governments or civilizations, each after its own desire, and man fills the full measure of duty in his adherence to the one. Allegiance is not divisible and should not be tried and the thought of the East is not forgotten, but has been apart from the West, and there is no good reason why they should not preserve their separate purposes Men have come to our shores from other lands, have come out of different faiths out of the faith born of the meditations of Gautama out of Persian philosophies out of Shintoism worshiping heroes whose names are enshrined in the fame of the land over whose destinies rule the spirit of the past out of that faraway Islam born of the temper of fire and sword, out of the brooding sands of the East where creeds are born of whatever Pantheon, whatever gods may be, but our citizenship was born of the waves beating upon nearer shores rock bound, amid the storms of wonderful elements driving thought after thought till it reached the ultimate purpose the manifestations of zeal the Oberammergau of the American drama In preserving such citizenship we are not denying to others their rights of preservation

The East and the West can never meet

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923

MR SPEAKER Your Committee on Contingent Expenses, to which was referred the following resolution

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $228 42, in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same

Pacific Telephone and Telegraph Company	
Exchange and toll service for February	$10 65
Exchange and toll service for March	12 96
Sleeper Stamp Company, Badges	23 25
Western Union Telegraph Company	7 66
Western Union Telegraph Company	13 65
Remington Typewriter Company	
Rent of typewriters	9 00
Wholesale Typewriter Company,	
Rent January 8, to February 8	72 00
Rent February 8, to March 8	72 00
Parnell Stationery Company, Letter Clips	7 25
Total	$228 42

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

(Signed out)

DAWSON, Chairman.
MITCHELL, A. G.
PEDROTTI
ROCK

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Clarke, Cleary Cleveland, Crittenden Davis, Dawson, Dean, Douglas, Dozier, Duval, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Miller, Moore, Noyes, Pedrotti Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Weller West, Williams, Woodbridge, Wright, and Mr Speaker—46.

NOES—None

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p*, inclusive of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees,

Also Assembly Bill No 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act

Also Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872 by amending sections 1 and 2 of said act and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace;

Also Assembly Bill No. 372—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident;

Also Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof;

Also Assembly Bill No 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance;

Also. Assembly Bill No 761—An act to amend sections 366c and 366d, of the Political Code, relating to the Department of Institutions;

Also Assembly Bill No. 762—An act to amend sections 362a, 362b, and 362c of the Political Code, relating to the Department of Education.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections

Also: Assembly Bill No 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people;

Also: Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts;

And reports that the same have been correctly engrossed

ROBERTS, Chairman

The above reported bills ordered on file for third reading

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 168—An act to amend section 664 of the Code of Civil Procedure relating to entry of judgment;

Also. Assembly Bill No 169—An act to amend section 634 of the Code of Civil Procedure, relating to waiver of findings of fact;

Also: Assembly Bill No. 281—An act to amend section 6 of the "Workmen's Compensaton Insurance and Safety Act of nineteen seventeen," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer;

Also: Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Also: Assembly Bill No. 1133—An act to amend sections 9 and 12 of "the Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended;

Also: Assembly Bill No. 133—An act to amend section 1142 of the Political Code relating to appointment of election officers;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 248—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations.

Also: Assembly Bill No. 20—An act to amend sections 5, 7 and 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of president and vice president of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also: Assembly Bill No. 562—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Also: Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

Also: Assembly Bill No. 303—An act to amend sections 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of said code, relating to judgment liens and transcripts of judgments;

Also: Assembly Bill No. 299—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment;

Also: Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 11—Relative to entertaining Hon Samuel M. Shortridge—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered to enrollment.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917" approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer";

Also Assembly Bill No 110—An act to add a new section to the Civil Code, to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors,

Also Assembly Bill No 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of four hundred thousand or more;

Also Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State,

Also Assembly Bill No 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 586—An act to add a new section to the Political Code, to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State

Also Assembly Bill No. 1043—An act to amend section 618 of the Political Code, relating to deposits of securities by insurance companies;

Also Assembly Bill No 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 7, 90, and 130 thereof and by adding a new section thereto to be numbered section 132*a* thereof, all relating to the definition and regulation of the business of banking

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 838—An act to amend section 2319*h* of the Political Code relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code relating to the shipment of nursery stock,

Also Assembly Bill No 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27*a*, relating to the appointment of deputies;

Also Assembly Bill No 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40*a*, relating to the refunding and correction of assessments,

Also Assembly Bill No 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts,

Also Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this act into effect", approved June 16, 1913, as amended—and reports that the same has been correctly engrossed

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 139—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges—and reports that the same has been correctly re-engrossed.

ROBERTS Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State

Also: Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c of the Political Code, relating to recorders and fees,

Also: Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property,

Also Assembly Bill No 461—An act to amend sections 2959, 2965 and 2966 of the Civil Code, relating to mortgages on personal property,

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported joint resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts, the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18b thereof and by adding section 18c thereto to provide for the dissolution

of lighting districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921.

Also: Assembly Bill No. 892—An act to amend sections 2, 3, 4 and 5 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third and fourth classes, and cities operating under a charter framed under section 8, article XI, of the constitution," approved March 2, 1891.

Also: Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

Also: Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings may be regulated by ordinance, providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

Also: Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Also: Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended.

Also: Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for

the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BAKER, C. C., Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662*a*, relating to the registration of minors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education to which was referred Assembly Bill No. 330—An act to add a new section to the Political Code, to be numbered 1668*c*, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1668*d*, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 247—An act amending section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BALL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 478—An act to promote the better education of practitioners of radiography, to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1011—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1033—An act to amend section 1942 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation—has had the same

under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

MORRIS, Chairman.

The above reported bill ordered re-refered to Committee on Ways and Means.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property.

Also: Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property;

Also: Assembly Bill No. 1248—An act to amend section 274a of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer;

Also: Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians,

Also Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles.

Also: Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496b, making second hand dealers liable for receiving stolen books;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER. Your Committee on Revision and Printing, to which was referred Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

ROCK, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1923.

MR SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Stow: An act to provide for the appointment of a commission to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

By Mr Mitchell, A. G.: An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

By Mr. Pomeroy An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers.

By Mr. Fellom: An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids therefor have first been advertised for, opened and rejected.

By Mr. Spalding: An act to amend section 474 of the Code of Civil Procedure, relating to obtaining money and other personal property by heirs.

By Mr. Badham: An act to amend an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and

repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

By Mr. Carlson: An act to amend sections 269*a* and 269*b* of the Penal Code, relating to cohabitation and adultery.

By Mr. Clarke: An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof.

By Mr. Williams: An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Dawson, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Stow: Assembly Bill No. 1290—An act to provide for the appointment of a commission to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Mr. Mitchell, A. G.: Assembly Bill No. 1291—An act authorizing the conveyance to the County of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Pomeroy: Assembly Bill No. 1292—An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fellom: Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids therefor have first been advertised for, opened and rejected.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Spalding: Assembly Bill No. 1294—An act to amend section 454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Badham: Assembly Bill No. 1295—An act to amend an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein,

and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Carlson: Assembly Bill No. 1296—An act to amend sections 269*a* and 269*b* of the Penal Code relating to cohabitation and adultery.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clarke: Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Williams: Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Heisinger: Assembly Concurrent Resolution No. 14—Relative to the investigation of the production of crude petroleum and refined petroleum products by the State Railroad Commission.

Introduced, and referred to Committee on Oil Industries.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations;

Also: Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also: Senate Bill No 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also, all the acts and proceedings of said district;

Also: Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions;

Also: Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries;

Also: Senate Bill No. 150—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law;

Also: Senate Bill No 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 551 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 491 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 686 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 416 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 593 read first time, and referred to Committee on County Government.

Senate Bill No. 150 read first time, and referred to Committee on Judiciary.

Senate Bill No. 152 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 23, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales;

Also Senate Bill No 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping, to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties;

Also: Senate Bill No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the district attorney;

Also: Senate Bill No 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may invest or borrow.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 489 read first time, and referred to Committee on Education.

Senate Bill No. 220 read first time, and referred to Committee on Judiciary.

Senate Bill No. 685 read first time, and referred to Committee on Judiciary.

Senate Bill No. 522 read first time, and referred to Committee on Building and Loan Associations.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class

Also. Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires;

Also. Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended:

Also: Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district;

Also Senate Bill No 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 274 read first time, and referred to Committee on County Government.

Senate Bill No. 497 read first time, and referred to Committee on Conservation.

Senate Bill No. 498 read first time, and referred to Committee on Conservation.

Senate Bill No. 352 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 400 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof;

Also: Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds;

Also Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal therefrom, to provide for the election and appointment of officers of said drainage district, defining the powers, duties and compensation of such officers, and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913;

Also: Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same, providing for the election and appointment of officers of said levee district defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 82 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No 443 read first time, and referred to Committee on Education.

Senate Bill No. 349 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 350 read first time. and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 462 read first time and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 17 read, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, except where as a result of such verdict the death penalty might be imposed.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 18 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Morrison:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Penal Code to be numbered 321*a*, relating to lotteries.

Referred to Committee on Introduction of Bills.

By Mr. Whitacre:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 21 of the printed bill strike out the word "value".

AMENDMENT NUMBER TWO.

On page 1, of the printed bill strike out all of lines 23 and 24, and insert in lieu thereof "house erected thereon".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 288—An act to add a new section to the Code of Civil Procedure to be numbered 726*a*, relating to negotiable instruments.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the words "add a new section to the Code of Civil Procedure to" and strike out all of lines 2 and 3 of said title and insert in lieu thereof "amend section three thousand two hundred sixty-five of the Civil Code, relating to negotiable instruments."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 9 inclusive, and insert in lieu thereof the following:

"SECTION 1. Section three thousand two hundred sixty-five of the Civil Code is hereby amended to read as follows:

3265. A negotiable promissory note within the meaning of this title is an unconditional promise in writing made by one person to another, signed by the maker, engaging to pay on demand, or at a fixed or determinable future time, a sum certain in money to order or to bearer but the negotiability of a promissory note otherwise negotiable in form, secured by a mortgage or deed of trust upon real or personal property shall not be affected or abridged by reason of a statement therein that it is so secured, nor by reason of the fact that said instrument is so secured nor by any conditions contained in the mortgage or deed of trust securing the same. Where a note is drawn to the maker's own order it is not complete until indorsed by him."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810*d*, relating to estates of minors.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "minor", insert the following: "for the benefit of such minor".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 3 of the printed bill, and insert in lieu thereof the following:

"681*a*. The court or the judge thereof shall not have the power, without the consent of the adverse party, to stay, for a longer period than thirty days, the execution of any judgment or order the execution whereof would be stayed on appeal only by the execution of a stay bond, except that the court or the judge thereof shall, where a motion for new trial is pending, have the power to stay the execution of any judgment or order, the execution of which would be stayed on appeal only by the execution of a stay bond, until five days from and after the entry in the trial court of the order determining such motion for a new trial or other termination in the trial court of the proceedings on such motion for a new trial."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 213—An act to amend section 628*b*, of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 645—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 983—An act to amend sections 6, 16 and 17 of an act entitled "the Corporate Securities Act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein

for that purpose on the twenty-eighth day of February, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DONOHUE, Chairman.
BADHAM.
DOZIER.
EMME.
JONES.
SMITH.
ANDERSON.
CARLSON.

The above reported concurrent resolution ordered on file for adoption.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 210—An act to amend section 360*c* of the Political Code relating to records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 210 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Douglas, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 832 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Croter, Davis, Dawson, Dean, Donohue, Dorris, Douglas, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—Dozier, and Graves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the divid-

ing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies.

Bill read third time.

The question being on adoption of the report of Mr. Fellom as Select Committee of One and proposed amendment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fellom asked for and was granted unanimous consent to withdraw the report submitted by himself as Select Committee of One.

MOTION TO RESCIND ACTION.

Mr. Fellom moved that the action of the Assembly appointing him as Select Committee of One to amend Assembly Bill No. 86 be rescinded.

Motion carried.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out the lines 15, 16 and 17 and insert in lieu thereof the following. "This section shall not apply to fees charged by employment agencies to applicants for employment as teachers, or in technical or executive positions in schools or educational institutions."

The question being on the motion to appoint a Select Committee of One to amend Assembly Bill No. 86.

REQUEST FOR ROLL CALL.

On request of Messrs. Fellom, Cleary, Moore, Fulwider and Rock, the Speaker ordered a roll call taken on the motion to appoint a Select Committee of One to amend Assembly Bill No. 86.

The roll was called, and the motion to appoint a Select Committee of One lost by the following vote:

AYES—Badham, Baker, Edwin, Christian, Clarke, Crittenden, Croter, Dawson, Foster, Fox, Johnson, Kline, Lyman, Lyons, McDowell, Miller, Mueller, Pedrotti, Prendergast, Roberts, Snyder, Spence, Williams, and Mr Speaker—23

NOES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Douglas, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, and Wright—56.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Carter moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 17, of the printed bill, strike out the "period" and add the following "or to any company or association conducting an employment agency exclusively for the purpose of securing employment of its own employees."

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Douglas, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Anderson, Badham, Baker, Edwin; Bromley, Christian, Cleveland, Crittenden, Dawson, Dozier, Duval, Foster, Fox, Graves, Johnson, Kline, Lyman, McDowell, Mitchell, A. G., Mueller, Pomeroy, Prendergast, Smith, Spence, Stow, Weller, and Williams—26.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr. Morris: Assembly Concurrent Resolution No. 15—Relative to adjournment on April 3, 1923, for the purpose of attending the opening game of the Pacific Coast League.

Introduced, and referred to Committee on Governmental Efficiency and Economy.

MOTION.

Mr. Eksward moved that the Committee on Governmental Efficiency and Economy be instructed to report back Assembly Concurrent Resolution No. 15 on the next legislative day.

Motion carried.

ADJOURNMENT.

At twelve o'clock and twenty-eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, March 28, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 28, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval,

Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

EULOGY BY MR. COOMBS.

During the roll call, when the name of Dr. Douglas of Crescent City was called, Honorable Frank L. Coombs arose and addressed the Assembly as follows:

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: Gustave H. Douglas has failed to answer as his name was called, and it will never more be answered in this forum. But we hope it may be called and responded to in a higher hall than this, on a far shore where we may meet him again.

Gustave H. Douglas was born in the State of New York in the year of 1860. At the time of his passing away he was sixty-three years of age. During the brief space allotted, he had gone through many experiences, many fights for life, through many hopes and fears, through many trials, and with it all he has administered to struggling humanity; has stood beside the bed of hope and seen the enigma of life ushered into the world; has stood beside the bed of despair and seen life cross the narrow strait that divides us by the frailty of a breath. He has seen the phantoms of despair in the last hours, has seen the visions of hope, and these have moulded his character and made him better fitted for the vicissitudes of life, and its struggles, and it has caused him to indulge in the pursuits that relate to the aspirings of man. He has been engaged in a governmental service in a struggle against the disease of the North, swept at times by some contagious wind. He has gone across the troubled waters, amid the ruins of battle and pestilence, and been decorated by the white hands of a Queen. He has raised from poverty and disease, so far as he could, and so far as his administration of relief could go, the little children who seem to have come into this world without the rays of hope. He has returned and gone back to struggling again in the old fields, returned after the decorations by the hands of a Queen in thoughtfulness of his administration and his mercies to children, to be decorated by other garlands, garlands made by the many hands of affection.

He has come to the Legislature from those who sent him here to make laws for this great country of ours, and as I saw him for the first time, and talked to him before the recess, it came to me that there was a man to love, a man whose friendship was desired; there was the man whom you would like to draw closer, and knit closer to you in the sacred bonds of friendly relation. But that inspiration does not go out to all men. It is only a few of those whose innate qualities recommend themselves to the souls of others, and I believe that was the character of Dr. Douglas.

He was engaged in a work here more specifically of building something in the far North that would span the ridges between there and us—the Klamath that has poured from the mountains down to the sea in its impassable splendor. His plan was to bridge this, that the footsteps of man might be led beyond what we dare call the centers of civilization. That was his greatest hope here, and I know that out of response to that, out of memory of him, this Legislature will carry his project on.

Life is strange, we know not of death. Since man first leaped from the shores washed by the tides of an elder world and came struggling here, one question has been asked and asked—"If a man dies shall he live again?" The only answer to it is the hope that a man does not go out into darkness, for the wish is father to the thought, the thought of immortality in the world to come. But I believe that we should consider these things in a philosophical light. Man is born, he comes into the world and sheds his rays of light and his blessings, and they remain imperishable. These things cannot go out with him, they remain a part of the race. There is some spark in the sky that shines nevertheless on you and me, some little influence, some little touch of the vanished hand, some little remembrance of the voice that is still, and no matter how humble, we have not lived in vain. I believe that we should treat life, not as a mystery, but as something philosophical, and when we go out it should be with the philosophy expressed in the beautiful words of Swinburne:

"From too much love of living,
From hope and fear set free,
We thank with brief thanksgiving,
Whatever gods may be,
That no life lives forever,
That dead men rise up never,
That even the weariest river,
Winds somewhere safe to sea."

PRAYER

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr Smith, Mr Lyman was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. McMillan was granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr Mitchell, A. G., was granted leave of absence for the day.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr Stow, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Carter: Assembly Concurrent Resolution No. 16—Relative to the appointment of a committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable G. H. Douglas.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No 16, at this time, without reference to committee or printer, and that same be considered engrossed

Assembly Concurrent Resolution No. 16 read.

Mr Carter moved the adoption of the resolution.

Assembly Concurrent Resolution No 16 unanimously adopted by a rising vote.

Title read and approved.

Assembly Concurrent Resolution No. 16 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 16

Relative to the appointment of a committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable G. H. Douglas.

WHEREAS, An All-Wise Providence has removed from our midst by death, our esteemed colleague and associate, Honorable G. H Douglas now, therefore, be it

Resolved, by the Assembly, the Senate concurring, That the Speaker of the Assembly appoint five members of this body and that the President of the Senate appoint five members of the Senate to act as a Joint Committee to draft suitable resolutions in the memory of our late and esteemed colleague, Honorable G. H. Douglas

INTRODUCTION AND REFERENCE OF BILL—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Bromley: Assembly Concurrent Resolution No. 17—Relative to the appointment of a committee to take charge of arrangements for the funeral services of the late Honorable Gustave H. Douglas.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bromley asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No 17, at this time, without reference to committee or printer, and that same be considered engrossed.

Assembly Concurrent Resolution No 17 read.

Mr. Bromley moved the adoption of the resolution.

Assembly Concurrent Resolution No. 17 unanimously adopted by a rising vote.

Title read and approved.

Assembly Concurrent Resolution No. 17 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 17.

Relative to the appointment of a committee to take charge of arrangements for the funeral services of the late Honorable Gustave H. Douglas

Resolved, by the Assembly, the Senate concurring, That a Committee of Eight consisting of five members of the Assembly and three members of the Senate, to be named by the Speaker and the President of the Senate, respectively, be appointed, and together with the Chief Clerk of the Assembly and the Secretary of the Senate, to, so far as it will meet the wishes of his family, take charge of all arrangements for the funeral services of the late Honorable Gustave H. Douglas.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Pomeroy, Messrs. Chas. H. Cheney, C. L. Roberts and C. S. Robinson of Redondo Beach were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Miss Miller, Mr. Ralph Arnold, chairman of the Los Angeles County Republican Committee, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Whitacre, Mr. Fred A. Heilbron of San Diego was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Baker, Edwin, Dr. E. P. Webb of Los Angeles was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Weller, Messrs. F. D. Parker and Volney Craig of San Fernando were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mrs. Dorris, Mr. J. I. Wagy, Chairman of the Kern County Board of Supervisors, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Senator David Jensen of Ogden, Utah, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs. Saylor, Col. J. C. Ferris, U. S. Land Commissioner, of Great Falls, Montana, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs. Saylor, Miss Sybil Marston, Supervisor of the McKinley Park playground of Sacramento, and the following persons from the playground: Mrs. Jas. E. Clark, Marie Clark, Marjorie Clark, Helen Clark, Eloise Clark, Dearborn Riley, Marie Calvert, Madelyn Harms, and Betty Parsons, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Snyder:

OROVILLE, March 26, 1923.

Resolution adopted by Board of Supervisors of Butte County

On motion of Supervisor Porter, seconded by Supervisor Mahon, it is unanimously

Resolved, That the Board of Supervisors of Butte County, California, hereby goes on record as endorsing Senate Bills Nos 115 and 191, introduced by Senator Arthur H Breed, and requests that our representatives in the Senate and Assembly, use their influence to secure the passage of these bills. It is further

Resolved, That a copy of this resolution be sent to Assemblyman Bert B. Snyder and Senator W F. Gates for their information.

SUPERVISORS CRAIG, MAHON, PORTER, ROOHR and WHITE.

By Mrs. Saylor:

WHEREAS, The budget bill now introduced in the Legislature as well as the budget recommendation of the Board of Control propose to very materially reduce the expenditures of the California Fish and Game Commission for the coming biennium, and

WHEREAS, The California State Fish and Game Commission is self supporting, and

WHEREAS, It appears that the moneys of the Fish and Game Preservation Fund, the expenditure of which is entrusted to the California Fish and Game Commission, have been expended judiciously and satisfactorily in the propagation of fish and game, as was intended and

WHEREAS, It is apparent that such reduction as is proposed by the budget bill would seriously interfere with the proper and necessary work of the State Fish and Game Commission, now, therefore, be it

Resolved, That we, the Oakland Chamber of Commerce of Oakland, Alameda County, California, do hereby earnestly object to any action which will interfere with the efficient and effective operation of the State Fish and Game Commission, and be it further

Resolved, That all moneys now or hereafter provided by law to be a part of the Fish and Game Preservation Fund be not used for any other purpose than that now directed by the provisions of said Fish and Game Preservation Fund.

(Signed) OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D WYATT, Secretary and Managing Director.

Also:

WHEREAS, The State of California constitutes one of the most vulnerable frontiers of the United States, and adequate provision for its defense is necessary to national security, and,

WHEREAS, The State of California is now far short of having in its National Guard the total number required under the authority and provisions of the National Defense Act of 1916, as amended; and,

WHEREAS, It appears that the appropriation proposed by the budget for the two years ending June 30, 1925 will not only prohibit the organization of additional units of the National Guard now authorized and required, but will also probably require the State of California to seek from the President of the United States authority to disband some of the units now fully organized and federally recognized, and,

WHEREAS, Such a situation would present grave danger to both the State and nation, and

WHEREAS, Should the State of California fail to appropriate an adequate sum for the organization and support of its National Guard, federal funds approximately double in amount would be diverted to the National Guard of other states, and,

WHEREAS, The organization and support of an adequate and properly equipped National Guard is in principle the same as the organization and support of an adequate and properly equipped fire department and the payment of the premium upon a policy of fire insurance, and is, therefore, only the application of sound business principles now, therefore, be it

Resolved, By the Oakland Chamber of Commerce of Oakland Alameda County, California, that we petition His Excellency the Governor of the State of California to urge upon the Legislature the appropriation of a sum for the support of the National Guard sufficient to permit the same to be organized to the full strength authorized and required in accordance with the National Defense Act and the Scheme of National Defense.

(Signed) OAKLAND CHAMBER OF COMMERCE.
By HARRISON S ROBINSON, President
By ROSCOE D WYATT, Secretary and Managing Director.

Also:

Resolved, That the Governor of the State of California be, and he is hereby, respectfully requested to allow in his budget for the coming biennium enough money for the support of the State Forestry Department to permit the said department to protect from fire the 15,000,000 acres of forest, brush and grass lands lying outside of the national forests, upon the protection of which said lands depends the conservation of the water of the State, upon which conservation depends in turn the prosperity of the State, and we respectfully urge the Governor to allow the State Forestry Department at least $125,000 for all purposes for the coming biennium.

(Signed) OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT, Secretary and Managing Director.

Also:

WHEREAS, A bill has been introduced in the California Legislature, known as Assembly Bill No. 1041, which provides for an appropriation of $8,000 for the National Park Service, to be used in conjunction with their own funds, for necessary engineering work; and

WHEREAS, The arguments in favor of this measure and appropriation by the State are set forth in a communication addressed to the Governor and State Legislature; and

WHEREAS, The small amount involved should not conflict with the State Administration's program of economy in any sense; therefore, be it

Resolved, That the Oakland Chamber of Commerce, of Oakland, Alameda County, California, hereby urge upon His Excellency, the Governor, to request of the Legislature the appropriation asked for in Assembly Bill No. 1041, and further, that our Representatives in the Assembly be urged to support the passage of this appropriation measure.

(Signed) OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D WYATT, Secretary and Managing Director.

Also:

WHEREAS, There is being introduced into the California Assembly Bill No. 1087 (McDowell), providing for uniform State arbitration; and

WHEREAS, The purpose of this law is primarily to make the so-called arbitration clause voluntarily inserted in contracts between buyer and seller valid, enforceable and irrevocable; and

WHEREAS, The arbitration clause referred to is one which provides that any disputes arising under the contract shall be settled by arbitration; and

WHEREAS, The proposed law is not compulsory and only applies to contracts in which both parties voluntarily insert an arbitration clause; therefore be it

Resolved, By the Oakland Chamber of Commerce, of Oakland, Alameda County, California, with a realization that ordinary business disputes should be settled by arbitration instead of resorting to costly lawsuits, this organization does hereby urge the enactment of this legislation and that it is heartily in favor of the uniform state arbitration law being adopted not only the Legislature of California, but by the Legislatures of all the states.

(Signed) OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT, Secretary and Managing Director.

Also:

WHEREAS, Senate Bill No. 109 (Inman), and Assembly Bill No. 263 (Hawes), will, if enacted, make the purchase of pistols and revolvers by criminals and other improper persons extremely difficult if not impossible, and will also minimize the unauthorized carrying of such weapons on the person or in vehicles, and

WHEREAS, The bills provide that all dealers in firearms must be licensed and may sell pistols and revolvers only to citizens personally known or properly identified to them; a record of each sale, bearing the signatures of purchaser and seller must be filed with the police, and dealers must not display pistols and revolvers where they may be seen from the outside of the store, and

WHEREAS, The enactment of this legislation provides a severity of penalties for violation, the intent being that by doing away with any leniency the use of pistols and revolvers by criminals and the unauthorized carrying of concealed weapons of this character may effectively be curbed, therefore be it

Resolved, That we, the Oakland Chamber of Commerce, of Oakland, Alameda County, California, hereby earnestly urge upon our legislative representatives the passage and enactment of the proposed bills curbing the improper use of pistols and revolvers.

(Signed) OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT, Secretary and Managing Director.

Also:

WHEREAS, The State Executive Board of California Congress of Mothers' and Parent-Teacher Association, representing a membership of 59,433, protests the proposed cut in the educational appropriations in the State Budget, and appeal to local associations, federations and districts to voice their protests Therefore, be it

Resolved, That we, the Allendale Parent-Teacher Association Fifty, a member of the Oakland Federation, wish to emphasize the need, and urge that adequate appropriation be made in the State Budget for State teachers' colleges, for the School for Deaf and Blind, and for Physical Education, and, be it further

Resolved, That copies of this resolution be sent to the Governor of California and to the State Senators and Assemblymen from this district, and to the press.

MRS. P. V. McKEE, President.
MRS. D. E. LONG, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns;

Also: Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff;

Also: Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended;

Also Assembly Bill No 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee;

Also, Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons;

Also: Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 1091—An act to amend section 3*a* and section 3*c* of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof;

Also: Assembly Bill No. 493—An act authorizing boards of supervisors of the several counties in this State to employ expert and competent persons to furnish maps, plats and any and all other data for the use of the board of supervisors while sitting as a board of equalization;

Also: Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to deputy sheriffs;

Also Assembly Bill No 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Also: Assembly Bill No. 328—An act to add a new section to be numbered 1*a* to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment:

Also Assembly Bill No. 100—An act to amend section 1810c of the Code of Civil Procedure, relating to the compromise of claims of minors,

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents:

Also Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial:

Also Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily remove the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Also Assembly Bill No 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock:

Also. Assembly Bill No 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional.

Also: Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919

Also Assembly Bill No 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds." (approved May 25, 1919).

Also Assembly Bill No 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts and disbursements of taxes therein; the issuance, the assessment, levying, collection, custody, and disposal and retirement of the bonds thereof, and the deter-

mination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DOZIER, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 234—An act providing for the appearance of the Attorney General of the State of California in behalf of the public before the Railroad Commission of the State of California, at hearings in which the public is interested, and providing for expert services in aid thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1210—An act to amend sections 877 and 880 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeitures for noncompletion of work within period fixed by contract, and manner of payments, and repealing all acts and parts of acts inconsistent therewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1923.

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the

issuing and sale of bonds and providing for the control and disposition of drainage water—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleveland asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TEN.

Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923.

Assembly Concurrent Resolution No. 10 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 10 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fox, Fulwider, Hawes, Johnson, Johnston, Kline, Lyons, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Schmidt, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 10 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Emme asked for and was granted unanimous consent to take up Assembly Bill No. 811, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED ELEVEN.

Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, Mathews, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—60.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 811 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Cleary, Coombs, Crittenden, Davis, Dean, Dozier, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Whitacre: An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

By Mr. Morrison: An act to add a new section to the Penal Code to be numbered 321*a*, relating to lotteries.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McPherson, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Whitacre: Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

Bill read first time, and referred to Committee on Federal Relations.

By Mr. Morrison: Assembly Bill No. 1300—An act to add a new section to the Penal Code to be numbered 321*a*, relating to lotteries.

Bill read first time, and referred to Committee on Public Morals.

By Mr. McPherson: Assembly Joint Resolution No. 22—Relative to a tour of inspection of military establishments of the State of California by the Secretary of War and the members of the Committee on Military Affairs of the House of Representatives of the United States Senate.

Introduced, and referred to Committee on Federal Relations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Whitacre:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4236a of the Political Code, relating to jurors' fees in counties of the seventh class.

Referred to Committee on Introduction of Bills.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, as amended by an act approved May 26, 1917.

Referred to Committee on Introduction of Bills.

By Mr. Baker, C. C.:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended, March 1, 1872.

Referred to Committee on Introduction of Bills.

By Mr. Rosenshine:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice-President of the United States, and providing for the election of party county central committees," and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, and amended and approved May 29, 1917, and amended and approved April 8, 1919.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment,

collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof and by adding section 18*c* thereto to provide for the dissolution of lighting districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of printed bill, in line 9 of title, strike out the words "and by adding section" and insert a period after the word "thereof".

AMENDMENT NUMBER TWO.

On page 1 of printed bill, strike out lines 10 and 11 of title to bill.

AMENDMENT NUMBER THREE.

On page 2, line 9, of printed bill, strike out the words "annexed to" and insert in lieu thereof the words "included within".

AMENDMENT NUMBER FOUR.

On page 2 of printed bill, strike out lines 13 to 33 inclusive and insert in lieu thereof the following: "If less than the whole of such a district shall be included within an incorporated city, or city and county, either by virtue of annexation or by virtue of an incorporation of a city, or city and county, the district shall continue in existence and shall continue to function without being affected thereby, unless the same shall be dissolved upon petition as in this act provided, and the Board of Supervisors may levy a special tax upon all of the taxable property within the limits of such lighting district for the purposes and in the manner provided in this act, the same as though all of such property was situated in the unincorporated territory of the county, and with the same effect"

AMENDMENT NUMBER FIVE.

On page 2 of printed bill strike out lines 34 to 51 inclusive.

AMENDMENT NUMBER SIX

On page 3 of printed bill strike out lines 1 to 9 inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 892—An act to amend sections 2, 3, 4 and 5 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section 8, article XI, of the constitution," approved March 2, 1891

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, lines 25, 26, 27, strike out the words "not less than three times in any daily, or not less than once in other newspaper of general circulation within the municipality," and insert in lieu thereof the following, "once a week for two weeks in a newspaper of general circulation within the county,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of effecting such removal.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word located, add "a copy of which notice shall be posted in a conspicuous place upon said property on the same day as the said notice is mailed,".

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, after the word prepaid, strike out comma and add "and was duly posted upon the property"

AMENDMENT NUMBER THREE

On page 2, line 10, of the printed bill, after the word and, strike out "it if" and add "if it".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued" Approved June 11, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, lines 16 and 17, of the printed bill, strike out the words "confirmation of the assessment" and insert in lieu thereof the words "filing the unpaid assessment list with the city clerk."

AMENDMENT NUMBER TWO.

On page 2, lines 31 and 35, of the printed bill, strike out the words beginning with "the resolution" in line 31 and ending with "any" in line 34, insert in lieu thereof the words "the assessment."

AMENDMENT NUMBER THREE.

On page 2, line 46, of the printed bill, insert after the word "council" the words "and after the return of the warrant attached thereto and after the filing of the statement of payments received upon the assessment by the contractor."

AMENDMENT NUMBER FOUR.

On page 3, line 27, of the printed bill, insert period after the word "warrant" and strike out rest of paragraph reading "upon his refunding to the city the cost of printing, engraving or lithographing such bonds and the cost of printing and publishing the notices provided for in this section"

AMENDMENT NUMBER FIVE.

On page 3, line 52, of the printed bill, strike out "redeemed" and insert in lieu thereof the word "deemed".

AMENDMENT NUMBER SIX.

On page 5, line 45, of the printed bill, strike out the word "being", and insert in lieu thereof the words "having become".

AMENDMENT NUMBER SEVEN.

On page 5, lines 46 and 47, of the printed bill, strike out "future or other unpaid assessment, interest and penalties," and insert in lieu thereof the following "unpaid installments, interest and penalties under the same proceeding and to all public improvement assessments which may have priority thereover".

AMENDMENT NUMBER EIGHT.

On page 5, line 51, of the printed bill, strike out the words "confirmation of the assessment" and insert in lieu thereof the words "filing of the contractor's statement, or as otherwise provided in said street work act".

AMENDMENT NUMBER NINE.

On page 7, line 27, of the printed bill, insert a period after the word "redemption" and strike out the rest of the section relating to a bond from the owner

AMENDMENT NUMBER TEN.

On page 7, lines 51 and 52, of the printed bill, strike out the words "unmatured or unpaid public improvement assessments thereon", and insert in lieu thereof the words "unpaid installments, interest and penalties under the same proceeding and except all public improvement assessments which may have priority thereover".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 1, of the printed bill, strike out the word "counsel" and insert in lieu thereof the word "council".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 6 to 9 inclusive and insert in lieu thereof the following: "veyor", *provided however*, that the board of supervisors may appoint any competent person, with such compensation as shall be fixed in its resolution of intention, or any county officer, other than the county surveyor, as the person or officer to perform all or any portion of the duties conferred upon the street superintendent or city engineer in said act (*provided* that where said act requires any things or acts to be "done" and "delivered" by the city engineer to the street superintendent, it shall be sufficient if said things or acts are done by the county surveyor or such other person or officer as the board of supervisors shall appoint to perform said acts, without the necessity of their being "delivered" to any other officer), the words "treasurer" and "city".

AMENDMENT NUMBER THREE.

On page 2, line 46, of the printed bill, insert after the word "amended" the following words: "and as the same shall hereafter be amended".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title, after the word "retirement", insert the word "salary."

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, preceding the word "blind", insert the following: "California School for the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new

section to the Political Code to be numbered 1662*a*, relating to the registration of minors.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, strike out the period after the word "made", and insert therein the following "and, except in city school districts, shall be subject to approval by the superintendent of schools of the county."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 330—An act to add a new section to the Political Code to be numbered 1608*e* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of line 5 after the word "power" and all of line 6 and in lieu thereof insert a colon.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608*d* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of line 5 after the word "power" and all of line 6 and in lieu thereof insert a colon.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the period and in lieu thereof insert the following "; *provided, however*, that the governing boards may charge a rental which shall not be more than the actual expense incurred in providing such housing."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 247—An act amending section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An

act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out line 1 of the title and in lieu thereof insert the following: "An act amending sections ten and eleven of an act entitled 'An act to—"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 8 and before line 9 insert the following:

"For a 'Physician and Surgeon Certificate'"

Group 1. 775 hours	
Anatomy	550 hours
Embryology	75 hours
Histology	150 hours
Group 2. 620 hours.	
Elementary chemistry and toxicology	140 hours
Advanced chemistry	180 hours
Physiology	300 hours
Group 3. 450 hours.	
Elementary bacteriology	60 hours
Advanced bacteriology	80 hours
Hygiene	60 hours
Pathology	250 hours
Group 4. 240 hours.	
Materia medica	80 hours
Pharmacology	105 hours
Therapeutics	55 hours
Group 5. 940 hours	
Dermatology and syphilis	45 hours
General medicine and general diagnosis	600 hours
Genito-urinary diseases	45 hours
Nervous and mental diseases	110 hours
Pediatrics	140 hours
Group 6. 680 hours	
Laryngology, otology, rhinology	60 hours
Opthalmology	60 hours
Surgery and surgical diagnosis	468 hours
Anesthesiology	32 hours
Orthopedic surgery	30 hours
Physical therapy, including electro-therapy, X-ray, radiography, hydro therapy	30 hours
Group 7. 265 hours.	
Gynecology	100 hours
Obstetrics	165 hours
Miscellaneous	30 hours
Ethics, jurisprudence, etc.	30 hours
Total	4000 hours

"For a 'Drugless Practitioner Certificate'"

Group 1. 600 hours.	
Anatomy	485 hours
Histology	115 hours
Group 2. 270 hours.	
Elementary chemistry and toxicology	70 hours
Physiology	200 hours

Group 3. 235 hours.	
Elementary bacteriology	40 hours
Hygiene	45 hours
Pathology	150 hours
Group 4. 370 hours.	
Diagnosis	370 hours
Group 5. 260 hours	
Manipulative and mechanical therapy	260 hours
Group 6. 265 hours.	
Gynecology	100 hours
Obstetrics	165 hours
Total	2000 hours

AMENDMENT NUMBER THREE

On page 2 of the printed bill, after line 32 and before line 33, insert the following:

"For a Certificate to Practice Midwifery

Group 1. 150 hours.	
Anatomy	75 hours
Physiology	75 hours
Group 2. 265 hours	
Hygiene and sanitation	100 hours
Obstetrics	165 hours
Total	415 hours

AMENDMENT NUMBER FOUR

On page 2 of the printed bill, after line 40 and before line 41, insert the following:

'Section 2. Section 11 of said act approved June 2, 1913, as amended, is hereby amended to read as follows:

SEC. 11. In addition to above requirements, all applicants for 'physician and surgeon certificate' must pass an examination to be given by the board in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. Bacteriology and pathology.
4. Chemistry and toxicology.
5. Obstetrics and gynecology.
6. Materia medica and therapeutics, pharmacology, including prescription writing.
7. General medicine, including clinical microscopy.
8. Surgery.
9. Hygiene and sanitation.

All applicants for 'drugless practitioner certificate' must pass an examination in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. General diagnosis.
4. Elementary pathology and elementary bacteriology.
5. Obstetrics.
6. Toxicology and elementary chemistry.
7. Hygiene and sanitation.

Provided, that a person who holds a 'drugless practitioner certificate' issued upon satisfactory proof of the course of instruction and minimum requirements demanded in section ten hereof and who presents evidence of having successfully completed the additional courses required for the 'physician and surgeon certificate' as hereinbefore provided, shall be permitted to take his examination in subjects required for a 'physician and surgeon certificate' without being re-examined in 'drugless practitioner subjects.

The subjects for such examination shall be:

1. Advanced chemistry.
2. Advanced bacteriology and pathology.
3. Surgery.
4. Materia medica and therapeutics, pharmacology, including prescription writing.
5. General medicine, including clinical microscopy.
6. Advanced obstetrics and gynecology.

All applicants for a certificate to practice chiropody must pass an examination in the following subjects

1. Anatomy and histology.
2. Physiology, chemistry and hygiene.
3. Dermatology and syphilis.
4. Orthopedics and surgery.
5. Chiropody and therapeutics.
6. Chiropody (didactic and clinical).

All applicants for a certificate to practice midwifery must pass an examination in the following subjects

1. Anatomy and physiology.
2. Obstetrics.
3. Hygiene and sanitation.

All examinations shall be practical in character and designed to ascertain the applicant's fitness to practice his profession and shall be conducted in the English language, and at least a portion of the examination in each of the subjects shall be in writing. The board in its discretion upon the submission of satisfactory proof from the applicant that he is unable to meet the requirements of the examination in the English language, may allow the use of an interpreter either to be present in the examination room or to thereafter interpret and transcribe the answers of the applicant. The selection of such interpreter is to be left entirely to the board and the expenses thereof to be borne by the applicant, the payment therefor to be made before such examination is held. There shall be at least ten questions on each subject, the answers to which shall be marked on a scale of zero to one hundred. Each applicant must obtain no less than a general average of seventy-five per cent, and not less than sixty per cent in any two subjects; *provided*, that any applicant shall be granted a credit of one per cent upon the general average for each year of actual practice since graduation, *provided, further*, that any applicant for physician and surgeon certificate' obtaining seventy-five per cent each in seven subjects, and any applicant for 'drugless practitioner certificate' obtaining seventy-five per cent each in five subjects and an applicant for a certificate to practice chiropody obtaining over seventy-five per cent in five subjects, and an applicant for a certificate to practice midwifery obtaining seventy-five per cent in one subject, shall be subsequently reexamined in those subjects only in which he failed, and without additional fee. Any person who at any time prior to January 1, 1916, shall pay to the secretary of said board the fee of twenty-five dollars and submits satisfactory proof of good moral character and of a resident one-year course of not less than one thousand hours in a legally chartered school approved by the board and satisfactory proof of three years of actual practice of a drugless system of the healing art, such three years of actual practice to have been in the State of California, shall be admitted to the drugless practitioner examination: *provided, however*, that in the event of a license being granted to such applicant he will not be eligible thereafter for the physician's and surgeon's certificate without a full and complete compliance with the terms and provisions of sections nine and ten hereof

Any one who shall pay the fee of fifty dollars to the secretary of the board prior to January 1, 1916, and submits to the board satisfactory proof of a good moral character and proof of six years' actual practice of a drugless system of the healing art, three years of which must have been in the State of California, and satisfactory proof of a resident one-year course of not less than one thousand hours in a legally chartered school approved by the board and upon proof of competency in a drugless system may be granted a certificate to practice a drugless system in this state; *provided, however*, that such licensee shall not be permitted to take the physician's and surgeon's examination without a full and complete compliance with the terms of sections nine and ten hereof

The examination papers shall form a part of the records of the board and shall be kept on file by the secretary for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall in no instance participate as an examiner in any examination held by the board. All questions on any subject in which examination is required under this act shall be provided by the board of medical examiners upon the morning of the day upon which examination is given in such subject, and when it shall be shown that the secretary or any member of the board has in any manner given information in advance of or during examination to any applicant it shall be the duty of the governor to remove such person from the board of medical examiners or from the office of the secretary.

All certificates issued hereunder must state the extent and character of practice which is permitted thereunder and shall be in such form as shall be prescribed by the board."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 14, of the printed bill, strike out the words, "or in any other manner most beneficial to the", and on line 15 strike out the words, "interest of all concerned therein,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography, to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of printed bill, strike out all of section 1, and insert in lieu thereof the following:

"For the purpose of this act radiography is defined to be a group of physical procedures to be prescribed by legally licensed physicians and surgeons or dentists and carried out according to the direction of such physicians and surgeons or dentists by persons registered under this act.

The physical agencies and activities included for purposes of this act under the general term of radiography are

Radiography of the human anatomy by means of the X-ray or Roentgen ray in connection with photographic processes as an aid for diagnosis of the diseases or deformities of the human body;

Localizing foreign substances in the human body by means of the X-ray or Roentgen ray

Radiographs, for the purposes of this act, are hereby defined to be the photographic negatives made of the human body by the use of X-ray or Roentgen ray

Reports of the findings of the radiographic plates, films or other impressions may be made only to legally licensed physicians and surgeons or dentists, when requested by said legally licensed physicians and surgeons or dentists, said reports to be accompanied with the plates, films or other photographic negatives on which the report is based

Radioscopy, or the examination of the deep structures of the human body by means of the fluoroscope is to be done only upon the written prescription of and under the supervision of a legally licensed physician and surgeon."

AMENDMENT NUMBER TWO.

Strike out all of section 2, on page 2 of the printed bill, and insert in lieu thereof the following:

"No persons shall be entitled to practice radiography in the State of California except legally licensed physicians and surgeons or dentists or those who shall have had a certificate of registration issued to him as provided in this act, *provided, however*, that the provisions of this act shall not prohibit the making of radiographs by any person legally licensed to treat the sick and afflicted in the State of California.

Nothing herein contained, however, shall prevent a licensed physician or surgeon or dentist or person licensed under this act or persons now licensed to treat the sick and afflicted from employing assistants who shall work under the supervision of such physician and surgeon or dentists or licensees under this act, or persons now licensed to treat the sick and afflicted."

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, strike out the word "doctors", and insert in lieu thereof the words "legally licensed physicians and surgeons or dentists".

AMENDMENT NUMBER FOUR.

On page 3, line 3, of the printed bill, after the word "then", strike out the words "one year", and insert in lieu thereof the words "three years practice in radiography."

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out all of section 10 and insert in lieu thereof the following:

"SEC. 10. All moneys collected under the provision of this act shall be paid into the state treasury, to the credit of the general fund. The state board of health are hereby authorized to draw against the general fund for the payment of expenses in the performance of necessary duties in compliance with this act, not however, in excess of the amount collected and actually paid into the general fund under this act. Claims against the general fund under this act shall be audited by the state board of health and by the board of control, and shall be paid by the state treasurer on warrants drawn by the state controller."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1011—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of section 1, of the printed bill, after the word "emergency" strike out the period (.) and insert in lieu thereof a comma (,) and the following words "nor to public utilities subject to interstate commerce commission regulations".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1033—An act to amend section 19x42 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establish-

ing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192*a*, relating to commitment of imbeciles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496*b*, making second hand dealers liable for receiving stolen books.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the semi-colon following the word "sessions", strike out the words "and pro-", also all of lines 13, 14, 15 and 16, and in lieu thereof insert the following

"*provided, also*, that in counties of the first class, a session of the superior court shall be held at each city in said county containing a population of not less than fifty thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, wherein the city hall of said city is not less than fifteen miles distant from the site of the county court house, and a majority of the judges of the superior court of

said county may, by an order filed with the county clerk, and published as they may prescribe, provide for and direct the holding of additional sessions in each of said cities, when they deem such additional sessions necessary or convenient."

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, after the semi-colon following the word "seat", strike out the word "and", also all of lines 9, 10, 11, and 12, and in lieu thereof insert the following

"*provided, further*, that in counties of the first class at least one session of the superior court shall be held in each city of said county containing a population of not less than fifty thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, wherein the city hall of said city is not less than fifteen miles distant from the site of the county court house."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1173—An act to amend section 296 of the Civil Code, relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 983—An act to amend sections 6, 16 and 17, of an act entitled "the Corporate Securities Act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of line 1 following the period and all of lines 2 to 21, both inclusive, and insert in lieu thereof the following.

"Section two of an act entitled "The Corporate Securities Act," approved May 18, 1917, as amended, is hereby amended to read as follows:

SEC. 2. Words used in this act in the present tense include the future as well as the present, words used in the masculine gender include the feminine and neuter, and in the neuter the masculine and feminine, the singular number includes the plural, and the plural, the singular, "writing" includes "printing" and "typewriting"; "oath" includes "affirmation", the word "county" includes "city and county"; and "territory" includes "district" The following words have in this act the signification attached to them in this section, unless otherwise apparent from the context

1 The word "department" means the "state corporation department" created by this act.

2. The word "commissioner" means the "commissioner of corporations"

3. The word "company" includes all domestic and foreign private corporations, associations, joint stock companies, and partnerships, of every kind, trustees, as hereinafter defined, and also individuals as hereinafter defined; excepting therefrom:

(*a*) All national banking associations and other corporations organized and existing under and by virtue of the acts of the congress of the United States;

(*b*) All public utilities subject to the jurisdiction, control, and regulation of the railroad commission of this state,

(*c*) All corporations now or hereafter organized under the laws of this state for the purpose of conducting the business of banking within this state and all corporations transacting insurance business within this state, when such corporations are issuing securities of their own issue against their own assets

(*d*) All corporations, associations, or societies transacting business under the supervision, examination, and license of the bureau of building and loan supervision; and

(*e*) Every corporation organized under the laws of this state exclusively for the purposes provided in any of the following titles, to wit. XI*a*, XII, XII*a*, and XIV, of part IV, division first, of the Civil Code, and in accordance with the provisions of such titles.

4 The word "trust" as used in this act includes all voluntary trusts, as the same are defined in the Civil Code, expressly created by or declared in an instrument in writing, other than a will or a judicial writ, order, decree, or judgement, to carry on any business or to secure the payment or repayment of money.

5. The word "trustee," except as hereinafter used in subdivision nine of this section, includes only persons or companies executing trusts as hereinbefore defined.

5*a*. The word "individual" in so far as it is included in the definition of a "company", includes only persons selling, offering for sale, negotiating for the sale of or taking subscriptions for any security as hereinafter defined in subdivision 6*a* of this section, of their own issue.

6. The word "security" includes:

(*a*) All shares or other interests or rights into which the capital, capital stock, or property of companies or rights of stockholders or members thereof are divided, including all treasury shares and shares of their own capital stock purchased or otherwise acquired by companies upon delinquent assessment sales or in any other lawful manner, and all certificates and other instruments issued by them or their authority, evidencing or representing such shares, interests, or rights;

(*b*) All bonds, debentures, and evidences of indebtedness issued by any company; and

(*c*) Any instrument issued or offered to the public by any company, evidencing or representing any right to participate or share in the profits or earnings or the distribution of assets of any business carried on for profit; excepting therefrom the following:

1. Bills of exchange and promissory notes not offered to the public by the drawer, maker, or underwriter thereof, and all mortgages and deeds of trust of property situated in this state, executed to secure the payment thereof; and

2. Any security listed in any standard manual of information, as to which the commissioner shall first make and file his written finding to the effect that such security is fully and accurately described in such manual and that a sale thereof will not, in his opinion, work a fraud upon the purchaser thereof, *provided*, that if such finding shall thereafter be vacated or set aside, such security shall not thereafter be deemed to be included within this exception.

6*a*. The word "security", in so far as it applies to "individuals", includes:

(*a*) Any instrument offered to the public by an "individual" evidencing or representing any right to participate or share in oil, gas or other hydrocarbon substances or other minerals of any sort, as yet undeveloped, or in the proceeds of sale thereof;

(*b*) All bonds, debentures and evidence of indebtedness offered to the public by an "individual".

7. A "sale," within the meaning of this act, includes every contract by which, for a pecuniary consideration, called a price, one transfers to another an interest in property, and also an exchange, a pledge, a hypothecation, and any transfer in trust or otherwise as security for the performance of an obligation; and also any issue of any security by a company, and the word "sell," as used in this act, includes every act by which such sale is made; *provided, however*, that the execution or delivery of a certificate or certificates in exchange for a certificate or certificates evidencing a like aggregate par value of its shares theretofore legally issued by it, shall not be construed to be a sale.

8. The word "agent", as used in this act, means and includes every person or company employed or appointed by a company or broker who shall, within this state, either as an employee or otherwise, for a compensation, sell, offer for sale, negotiate for the sale of, or take subscriptions for any "security" of any company.

9. The word "broker", as used in this act, includes every person or company, other than an agent, who shall, in this state, engage either wholly or in part in the business of selling, offering for sale, negotiating for the sale of, or otherwise dealing in any "security" or "securities" issued by others, or of underwriting any issue of "securities", or of purchasing such "securities" with the purpose of re-selling them, or of offering them for sale to the public. The word "securities", as used in this paragraph, includes the following "securities" issued by "individuals":

Any instrument offered to the public by an "individual" evidencing or representing any right to participate or share in oil, gas or other hydrocarbon substances or other minerals of any sort, as yet undeveloped, or in the proceeds of sale thereof;

All bonds, debentures and evidence of indebtedness offered to the public by an "individual".

The following are excepted from the provisos of this paragraph:

(*a*) Any owner of any security who is not the issuer or an underwriter thereof, who sells or exchanges the same for his own account; *provided*, that such sale or exchange is not made in the course of repeated and successive transactions of like or similar character by him;

(*b*) Any trustee of a trust created by or declared in a will or a judicial writ, order, decree or judgment, who, in such capacity, lawfully disposes of any property;

(*c*) Any company transacting a banking or insurance business in this state, selling a security for an owner thereof or a broker, other than an underwriter thereof, at a commission of not more than two per cent of the par or face value thereof; *provided*, such sale is not made in the course of repeated and successive transactions of like or similar character by such company;

(*d*) One, not the issuer, who disposes of securities to a broker or to a purchaser who, as a part of his regular business, purchases such securities;

(c) Any pledge holder selling, in good faith and not for the purpose of avoiding the provisions of this act, and in the ordinary course of business, a security pledged with him as security for a bona fide debt

10. The words "actual fraud," as used in this act, are defined in section one thousand five hundred seventy-two of the Civil Code.

SEC. 3. Section five of said act is hereby amended to read as follows:

SEC. 5. No person or company shall act as an agent or broker until such person or company shall have first applied for and secured from the commissioner a certificate, then in effect, authorizing such person or company so to do. Every such certificate shall expire on the thirty-first day of December next after its issuance, unless sooner revoked. To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner

1. The name and address of the applicant, and, if it be a corporation, association, or joint stock company, the name and address of each of its managing officers and agents, and, if it be a partnership, the name and address of each of the partners;

2. A succinct statement of facts showing that the applicant, and its managing officers and agents, if it be a corporation, or members, if it be a partnership, have a good business reputation;

3. If the applicant is a broker, the general plan and character of the business of the applicant.

At the time of filing an application for a broker's certificate, the applicant shall deliver to the commissioner of corporations, a good and sufficient bond for five thousand dollars, payable to the State of California, to be executed by said applicant, together with a surety company, and to be approved by the commissioner of corporations. Said bond shall be conditioned upon the faithful compliance with the provisions of law by said applicant and by all agents representing the said applicant, and shall provide that upon failure to so comply the applicant shall be liable to any and all persons who may suffer loss by reason thereof

For filing such application, the applicant shall pay a fee as hereinafter provided. If the applicant is a corporation or association organized under the laws of any other state, territory, or government, it shall file with its application a copy of its articles of incorporation or association, together with a certificate executed by the proper officer of such state, territory, or government not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in such state, territory, or government, and also, in such form as the commissioner may prescribe, its written instrument, irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the actual fraud of such applicant in the sale of securities within this state, may be served, with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein."

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out the figure "2" and insert in lieu thereof the figure "3".

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "take" insert the words "and transcribe".

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "4".

AMENDMENT NUMBER FIVE.

On page 2, line 42, of the printed bill, after the word "investigation" insert the words "and return".

AMENDMENT NUMBER SIX.

On page 2, line 44, of the printed bill, after the word "to" insert the words "and from".

AMENDMENT NUMBER SEVEN

On page 2, after line 51, of the printed bill, insert the following:

"SEC 5. A new section is hereby added to said act, approved May 18, 1917, as amended, to be numbered twenty-four *a*, and to read as follows

"24*a*. The commissioner may, when he deems it necessary, destroy all applications, permits and certificates, together with the files and folders, as the same have become useless or obsolete."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Page 1, line 1, after the period following the figure 1 insert the following: "This act shall be known, and for any and all purposes may be designated and referred to, as "The California fruit and vegetable standardization act."

SEC 2. To promote the development of the California fresh fruit, nut and vegetable industry and to prevent deception in the packing, shipping or sale of fruits, nuts and vegetables for state or interstate shipment, there are hereby created and established certain standards and standard packages for walnuts, apricots, berries, cantaloupes, cherries, grapes, melons, oranges, peaches, pears, plums, prunes, quinces, head lettuce, onions, potatoes, sweet potatoes, and tomatoes

SEC 3 All fresh fruits, nuts and vegetables of the kind specified in section two of this act, except oranges which shall be governed by the provisions of section ten, and except such fruits and vegetables for which special grades shall be established under section four of this act, when being packed, or after packing, or when shipped, delivered for shipment, offered for sale or sold, in any container or subcontainer shall be mature but not overripe, well colored for the variety and locality, virtually uniform in quality, virtually free from insect, nematode and fungous pests, rots, bruises, frost injury, sunburn and other serious defects, and except in the case of unpacked fruit or vegetables, shall be virtually uniform in size When packed in layers there shall be approximately the same numerical count in each layer throughout a container or subcontainer having straight sides. In the case of sloping side containers no layer below the top layer shall contain a greater numerical count than the top layer.

SEC. 4 The director of agriculture is hereby empowered, through his duly authorized agents, and the county horticultural commissioners of each county of the state, their deputies and inspectors, to enforce all the provisions of this act The director of agriculture shall have supervision and control over all enforcing officers of this act in the State of California. The refusal of any officer to carry out the orders and directions of the director of agriculture in the enforcement of this act shall be deemed neglect of duty. The director of agriculture is also empowered to establish and enforce such additional grades and grading rules as may be deemed necessary on fruits and vegetables for which standards have not been provided in this act, after a thorough investigation has been made of the needs of the particular fruit or vegetable for which grades are contemplated Such grades or grading rules must, before they become effective, be approved in one or more public meetings attended by representative growers and shippers of the locality interested in the industry affected. Such meetings shall be advertised at least once in a newspaper published in that locality one week or more prior to the meetings and every grower and shipper in that locality of the commodity in question whose name is on file with the department of agriculture shall be duly notified in writing of such meetings said meetings shall be presided over by the director of agriculture, or any of his duly authorized agents, and shall, in so far as possible and practicable, be conducted at such place or places that can be conveniently reached by representatives of the affected industry. In like manner the director of agriculture may provide for standard packages other than those provided for in section seven of this act. Grades and grading rules established in accordance with the provisions of this section shall not be modified

during the current shipping season of the fruits or vegetables for which such grades were established nor shall standard packages be changed without two years notice to the industry involved. On receipt of a written appeal signed by at least twenty-five representative growers and shippers of the commodity for which grades, grading rules or standard packages have been established under the provisions of this section, protesting against the grades, grading rules or standard packages so established, the director of agriculture shall call a hearing within ten days after the receipt of such an appeal. Due notice shall be given by the director of agriculture to all interested parties of the date and place of such hearing and the grades, grading rules or standard packages established shall be sustained, modified, or revoked in the discretion of the director of agriculture on the basis of the evidence presented. If such grades, grading rules or standard packages are not changed or modified by the director of agriculture in accordance with the provisions of this section they shall continue to be in full force and effect. Grades, grading rules and standard packages established under the provisions of this section shall be promulgated by the director of agriculture, published in one or more newspapers and farm journals of general circulation in the State of California and distributed by mail to those growers and shippers affected whose names are on file with the department of agriculture.

SEC. 5. All fresh fruits or vegetables of the kind specified in this act intended for use in processing, preserving, or in the manufacture of by-products, except that grapes must conform to the sugar standards in section ten hereof, shall be exempt from the provisions of this act, and any inspector of fresh fruits and vegetables may require from the owner or shipper of such fruits or vegetables such proof as he may deem necessary that they will be used in processing, preserving, or in the manufacture of by-products, and shall hold same until satisfactory proof is given.

SEC. 6. When used in this act the words herein mentioned shall be defined as follows: "Packages" shall mean any box, crate, lug, basket, barrel, drum, sack, or other container used for packing, shipping or selling fruits, nuts or vegetables. "Pack, packing or packed," shall mean the regular compact arrangement of all or part of the fruit or vegetables in any container or subcontainer used for the purpose of sale or transportation for sale. "Deceptive pack" shall mean any package of fruits, nuts or vegetables, which has in the outer layer or the exposed surface fruits, nuts or vegetables which are so superior in quality or condition to those in the interior of the package, or the unexposed portion, as to materially misrepresent the entire contents. "Fresh fruit (except oranges) or fresh vegetables" shall mean the fresh product of any tree, vine or plant which produces edible fruits or vegetables suitable for human consumption. "Mature" shall mean a degree of ripeness fit for shipment. "Virtually uniform in size" shall mean in the case of packed fruits a difference in size of the various fruits as follows: pears, peaches and quinces, a variation of not more than one-half of an inch when measured through widest portion of cross-section; apricots, plums and prunes, a variation of not more than one-fourth of an inch when measured through widest portion of cross-section. "Virtually free" from insect, nematode and fungous pests, rots, bruises, frost injury, sunburn, and other serious defects shall mean that the total defects shall not exceed ten per cent in any one package of fruits or vegetables, and excepting grapes that there shall not be more than five per cent of any one defect. "By-product" shall mean any product manufactured from fresh fruits, fresh vegetables, or their juices. "County" shall include in its meaning a consolidated city and county. "Container" shall mean any box, crate, or other package utilized in handling fresh fruit or vegetables. "Subcontainer" shall mean any basket or other receptacle used within a container. "Substantially colored" shall mean at least seventy per cent color.

SEC. 7. Standard packages are hereby established as follows:

(1) Standard apricot, plum and grape basket, approximately eight inches square on top, six and one-half inches on bottom, and four inches deep, inside measurements.

(2) Standard berry baskets, dry pint containing an interior capacity of approximately thirty-three and six-tenths cubic inches and dry one-half pint containing interior capacity of approximately sixteen and eight-tenths cubic inches, *provided*, that the standard basket for strawberries shall be the dry pint.

	Depth inside in inches	Width inside in inches	Length outside in inches
(3) Standard pear box	$8\frac{3}{4}$	$11\frac{1}{4}$	$19\frac{3}{4}$
Half pear box	$4\frac{1}{2}$	$11\frac{1}{4}$	$19\frac{3}{4}$
Standard peach box	$4\frac{1}{4}$	$11\frac{1}{2}$	$19\frac{3}{4}$
Standard peach box	$4\frac{1}{2}$	$11\frac{1}{2}$	$19\frac{3}{4}$
Standard peach box	$4\frac{5}{8}$	$11\frac{1}{2}$	$19\frac{3}{4}$
Standard crates	$4\frac{1}{4}$	16	$17\frac{1}{2}$
Standard crates	$4\frac{1}{2}$	16	$17\frac{1}{2}$
Standard crates	$4\frac{5}{8}$	16	$17\frac{1}{2}$
(4) Standard grape crates	$4\frac{1}{4}$	16	$17\frac{1}{2}$
With heavy cleat 11/16 of an inch by 11/16 of an inch			
(5) Standard grape drum	14	$15\frac{1}{2}$	---
Containing 2642 cubic inches			

	Depth inside in inches	Width inside in inches	Length outside in inches
(6) Standard grape keg	---	---	---
Containing 2642 cubic inches minimum			
(7) California lug box	5¾	14	17½
(8) Peach size cherry lug	4	11½	19¾
(9) Standard cherry lug	4½	9	19¾
(10) Special cherry lug	3	9¼	19¾
(11) Special cherry lug	3	11½	19¾
(12) Standard cherry box	2¾	9	19¾
(13) Special fruit lug	4	14	17½

(14) Standard lettuce crate, depth, inside in inches, thirteen; width, inside in inches, eighteen; length, inside in inches, not less than twenty-one and three-fourths; length, outside in inches, twenty-four and one-half.

(15) Standard cantaloupe crates: twelve inches by twelve inches by twenty-two and one-half inches, to be packed with thirty-six or forty-five cantaloupes; four inches by twelve inches by twenty-two and one-half inches, to be packed with nine, twelve or fifteen cantaloupes; eleven inches by eleven inches by twenty-two and one-half inches to be packed with forty-five or fifty-four cantaloupes; thirteen inches by thirteen inches by twenty-two and one-half inches, to be packed with thirty-six or forty-five cantaloupes; four and one-half by thirteen and one-half by twenty-two and one-half inches, containing nine, twelve or fifteen cantaloupes. All cantaloupe packs other than those provided in this section shall be conspicuously marked in letters not less than one-half inch in height "irregular pack."

SEC. 8. All containers of fruit of a kind specified in this act, except subcontainers, when packed and offered for sale, shall bear upon them in plain sight and in plain letters on the outside thereof the following: Name of the orchard where the same was produced, with the post-office address thereof, or the name and post-office address of the person, firm, company or corporation, or organization who shall have first packed or authorized the packing of same or the name under which such packer shall be engaged in business, together with the post-office address of such packer; name of variety if known, and when not known the words "unknown variety"; minimum net weight or approximate number of fruits in the container or subcontainer, which number shall be within four of the true count, and no container or subcontainer shall have less than the minimum stamped thereon. When two or more varieties are packed or placed in a container, they shall be labeled "mixed varieties." Pears and peaches, when packed, shall have the correct number within four placed on the container.

Standard or other containers when used as subcontainers are exempt from the provisions regarding marking, when the container in which they are placed is marked in compliance with the terms of this section. No containers or subcontainers of fruits or vegetables shall bear grade or other designations that are in any way false or misleading. Nothing in this act shall be construed to conflict with any California or federal regulations regarding net weight markings on containers or subcontainers.

Containers in which the fruit in the top layer only is placed in regular compact arrangement, excepting cherries, berries, and grapes, shall be labeled "face and fill" in lieu of the approximate number of fruits or net weight.

SEC. 9. All fresh fruits and vegetables of the kinds specified in this act, except such as shall be used in the manufacture of by-products, when prepared or offered for sale or sold, shall be packed or placed in standard containers, which are hereby established, and shall conform to all provisions of this act; *provided*, that, with the exception of berries, other sized containers may be used if conspicuously marked in letters not less than one-half inch high, "irregular container."

SEC. 10. In addition to the standards prescribed in section three of this act, grapes shall show a sugar content of not less than seventeen per cent Balling scale, except Burger, Emperor, Gros Coloman, Pierce, Isabella and Cornichon, which shall show not less than sixteen per cent Balling scale; *provided, however*, that in cases where lower sugar content is required for processing, preserving or manufacturing grapes than is established in this section, the director of agriculture is authorized to issue a permit for delivery of same, such permit to be a matter of public record in the department of agriculture. Containers of grapes moved under special permit shall be conspicuously marked in letters not less than one-half inch in height "low sugar content."

Permits so issued shall be revocable at any time upon proper showing being made to the director of agriculture. Oranges shall be deemed properly matured for shipment or sale under the provisions of this act when the juice contains soluble solids equal to or in excess of eight parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization; *provided*, that the oranges have attained at least twenty-five per cent yellow or orange color before picking, and oranges which are substantially or at least seventy per cent colored at the time of picking shall be deemed properly matured for shipment or sale irrespective of analysis of the juice. When packed, shipped, delivered for shipment, offered for sale or sold, oranges shall be virtually free from insect and

fungous diseases and other serious defects. Oranges shall be considered unfit for shipment when frosted to the extent of endangering the reputation of the citrus industry, if shipped. The foregoing provisions shall not apply to shipments of oranges to foreign countries other than the Dominion of Canada, during any season, provided such shipments are made after the first day of November.

In addition to the standards prescribed in section three of this act, during the months of January, February and March, of each year, head lettuce when packed, or after packing, or when shipped, delivered for shipment, offered for sale or sold as a standard pack, shall contain not less than three dozen, nor more than five dozen heads of lettuce per crate, which are firm or fairly firm, and which are not less than eleven inches in circumference when measured around the widest portion of head between butt end and top after outer leaves are removed. All head lettuce shall be tightly packed with a slight bulge of crates when lidded, and crates shall contain not more than thirty pounds of ice. Crates in which lettuce does not conform to the above standards shall be marked "irregular pack" in letters not less than one-half inch in height. All crates of lettuce shall be conspicuously marked with the exact number of heads contained therein, and with the name and post office address of the person, firm, company, organization or corporation packing or shipping same.

Cantaloupes shall be considered mature when the juice of the edible portion of the cantaloupe contains not less than nine per cent soluble solids as determined by the Brix hydrometer. Cantaloupes shall be considered unfit for shipment when soft or overripe.

SEC. 11. The horticultural commissioner of each county, his deputy and inspectors, shall be, by virtue of their office, inspectors of fruits and vegetables under this act in their respective counties.

SEC. 12. All enforcing officers under the provisions of this act shall have power to enter and to inspect every place within the county for which they have been appointed where any fruits, nuts or vegetables mentioned in this act are produced, stored, packed, shipped, delivered for shipment, offered for sale or sold, and to inspect such places and all such fruits, nuts and vegetables and the containers thereof and equipment found in any such places. It shall be the duty of all enforcing officers mentioned in this act, to carry out the provisions of this act in their respective districts, and to cause the prosecution of any person, firm, corporation or organization, whom they know or have reason to believe to be guilty of the violation of any of its provisions. Any enforcing officer in the performance of his duties shall have the same powers possessed by peace officers of the city, county, or state, and shall have the right while exercising such police powers to seize and hold as evidence part or all of any pack, load, consignment or shipment of fresh fruits, nuts or vegetables packed, shipped, delivered for shipment, offered for sale or sold in violation of this act, as may in his judgment be necessary to secure the conviction of the party he knows or believes has violated or is violating any of the provisions of this act. He may start proceedings in any court of the county, or city and county, within his jurisdiction to secure the conviction of the party or parties who have violated any of the provisions of this act. It shall be the duty of the district attorney of said county, or city and county, in which any violation of this act may occur, to prosecute the person, firm, company, organization or corporation accused of such violation and also, at the request of the director of agriculture or his duly authorized agents, to institute and prosecute such action as may be authorized under the provisions of this act.

SEC. 13. It shall be lawful for any forwarding company, person, firm, corporation or organization and for any common carrier to decline to ship or transport any fresh fruits or vegetables which upon inspection are found to be delivered for shipment in violation of any of the provisions of this act, and any such forwarding company, person, firm, corporation, organization or a common carrier may reserve the right in any receipt, bill of lading or other writing given to the consignor thereof, to reject for shipment and to return to such consignor or hold at the expense and risk of the latter, all fresh fruits and vegetables which upon inspection are found to be delivered for shipment in violation of the provisions of this act.

SEC. 14. It shall be unlawful for any person, firm, company, organization or corporation to pack or cause to be packed for sale or shipment, import, sell, offer for sale, or deliver for shipment any of the fresh fruits, nuts or vegetables specified in this act that do not conform to the standards herein provided. It shall also be unlawful to prepare, sell or offer for sale, a deceptive pack of fresh fruits, fresh vegetables, nuts, dried fruits or dried vegetables, or to mislabel any package of such fruits, nuts or vegetables. Any person, firm, company, corporation or organization who shall violate any of the provisions of this act shall be deemed to be guilty of a misdemeanor.

SEC. 15. The director of agriculture is empowered to define, promulgate and enforce such rules and regulations as may be deemed necessary to carry out the provisions of this act, and to prescribe the limits of tolerance within which deviations from the standard dimensions set forth in section seven shall be permitted.

SEC. 16. The director of agriculture and his duly authorized agents or employees may investigate and certify to shippers or other interested parties the quality and condition of fruit, vegetables, and other farm products under such rules and regula-

tions as he may prescribe, including the payment of such fees as will be reasonable; *provided*, that certificates issued by authorized agents of the department of agriculture shall be received in all courts of the State of California as prima facie evidence of the truth of the statements therein contained. Such investigations shall not be made or such certificates issued by any person not specially authorized by the director of agriculture. All moneys collected under the provisions of this section shall be paid into the "standardization fund," which fund is hereby created, and of which one thousand dollars ($1,000) may be used as a revolving fund, subject to the approval of the state board of control. The "standardization fund" shall be held subject to the uses of the director of agriculture for the purpose of carrying out the provisions of this act.

SEC. 17. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 18. An act entitled "An act to promote the development of the California fruit and vegetable industry in state and interstate markets, and to protect the state's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof and repealing all acts inconsistent herewith," approved May 27, 1919, is hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 12 to 23, both inclusive, and in lieu thereof insert the following:

"SEC. 2. The following standard grades and standard box are hereby established for apples, packed, shipped, delivered for shipment, offered for sale or sold, in the State of California.

(*a*) The "extra fancy" grade shall consist of well grown, properly matured apples of one variety, hand picked, well colored and normally shaped for the locality where produced, uniform in size, well packed, in clean standard boxes, and shall be free from insect pests, diseases, visible rot, visible dry rot, visible Baldwin spot, insect bites, bruises, skin punctures, skin broken at stem and other defects, except such bruises as are necessarily caused in the operation of packing, and virtually free from dirt; *provided, however*, that russeting confined within the basin of the stem shall be permitted and that a variation from the said standard as to insect pests, diseases, dry rot, Baldwin spot, insect bites, bruises and other defects shall be allowed not to exceed ten per cent total thereof, in any one package, and not to exceed five per cent of any one thereof, in any one package; *provided, further*, that a variation in the size of the apples shall be allowed, not to exceed three-eighths of one inch when measured through the widest portion of cross-section thereof.

(*b*) The "fancy" grade shall consist of well-grown, properly matured apples of one variety, hand picked, normally shaped for the locality where produced, well packed, uniform in size and shall be free from insect pests, diseases, visible rot, visible dry rot, visible Baldwin spots, insect bites, skin punctures, skin broken at stem bruises and other defects, (except such bruises as are necessarily caused in the operation of packing), and virtually free from dirt; *provided*, that smooth caterpillar bites, which on any one apple and in the aggregate shall not exceed one-half of one inch in diameter, slight limb-rubs and not to exceed two healed-over case-bearer or aphid stings on each apple, slight sun-spots and slight flyspeck fungus,

and scab spots which on any one apple and in the aggregate shall not exceed one-fourth of one inch in diameter, russeting which is not excessively rough and which does not appear on more than twenty-five per cent of the surface of any one apple in the aggregate shall be permitted in this grade; *provided, further*, that a variation in size of the apples in each package, shall be allowed not to exceed three-eighths of one inch when measured through the widest portion of the cross-section thereof; *and provided, further*, that a variation from said standard as to the pests, diseases and defects above mentioned as forbidden shall be permitted, not to exceed ten per cent total thereof, nor to exceed five per cent of any one thereof, in any one package; *and provided further*, that apples slightly soiled, and or slightly dirty shall be permitted in this grade.

(*c*) The "C" grade shall consist of properly matured apples of one variety, hand picked, well packed, uniform in size, free from insect pests, visible rot, visible dry rot, visible Baldwin spots, and other diseases, and from broken skin, sun scald, and frost bite, more than skin deep; *provided* that scab spots on any one apple not larger than one-half of one inch in diameter in the aggregate, and apples showing blossom end cracks, shall be permitted in this grade; *provided, further*, that a variation from said standard as to such insect pests, dry rot, Baldwin spots, diseases and defects, shall be allowed not to exceed ten per cent total thereof in any one package, nor to exceed five per cent of any one thereof; *and provided, further*, that a variation in the size of the apples shall be allowed not to exceed three-eighths of one inch when measured through the widest portion of the cross-section thereof.

(*d*) The standard container shall be a box of the following dimensions, inside measurements, when measured without distention of parts: Depth of end ten and one-half inches; width of end eleven and one-half inches; length of box eighteen inches, and having a cubical content of as nearly as possible two thousand one hundred seventy-three and one-half cubic inches.

(*e*) All packed apples, when shipped, offered for sale or sold, shall be placed in the standard box herein-described; *provided, however*, that other size containers may be used (except where the words "extra fancy" are used as the grade designation) if conspicuously marked in letters not less than one-half inch high "irregular container".

SEC. 3. Every packed container of apples shipped, delivered for shipment, offered for sale or sold in the State of California, shall bear upon the outside thereof, and on the end, in plain words or figures and in the English language, the following: The grade of the apples therein contained as herein defined; the designation of grade, when the stamps hereinafter provided for are not used, being stated in letters not smaller than thirty-six point type, that is, not less than one-half inch in height; the number of apples contained in the package, or the minimum net weight of the apples contained therein; the variety of the apples contained in the package, unless the variety be unknown to the packer, in which case the variety shall be stated as unknown; the name and business address of the person, firm, company, organization or corporation, who first packed or caused the same to be packed, and if repacked, the name and business address of the person, firm, company, organization or corporation who repacked the same or caused same to be repacked; the date when such apples were first packed, or if repacked, the date of repacking, and on each container of apples which have been held in cold storage for more than fifteen days after being packed a statement showing the fact that the contents have been held in cold storage; *provided, however*, that a variation of five apples, more or less, than the number stated shall be allowed.

(*a*) The term "packed", whenever used in this act, shall be construed to mean the regular, compact arrangement of all or a part of the fruit in any container; the term "well packed", whenever used in this act, shall be construed to mean the regular compact arrangement of all of the fruit in any container, the fruit being compacted with sufficient solidity so that it will not move in the container when lidded, the top and the bottom of the box, when lidded, having a bulge of not less than one-half inch and not more than three-fourths of an inch, and, where wrappers are used, all of the apples in the box being wrapped, with the exception of the bottom layer, which may be "flagged". The term "flagged" shall be construed to mean the incomplete covering of the apples by the use of wrappers which are not closed.

(*b*) The terms "three and one-half tier," "four tier," "four and one-half tier" and "five tier", whenever used as the designation of the size of apples sold or offered for sale, shall have the following meanings, respectively, to wit:

The term "three and one-half tier" shall mean an apple larger in size than three and one-eighth inches when measured through the widest cross-section thereof; the term "four tier" shall mean an apple larger in size than two and five-eighths inches and not larger than three and one-eighth inches when so measured; the term "four and one-half tier" shall mean an apple not smaller in size than two and one-fourth inches nor larger than two and five-eighths inches, when so measured; the term "five tier" shall mean an apple not smaller in size than one and seven-eighths inches nor larger than two and one-fourth inches, when so measured.

(*c*) The term "cross-section", whenever used in this act, shall mean the section of an apple taken at a right angle to a straight line drawn from the stem end to the blossom end thereof.

(*d*) When the size of the apples in any container shall be designated by the terms "three and one-half tier", "four tier" "four and one-half tier", or "five tier", at least ninety-five per cent of the apples in each such container shall conform to the definition of the tier marking used, as herein defined, and no apples in the container shall be smaller than the size next smaller, as herein defined.

SEC. 4. No person, firm, company, organization or corporation shall sell or offer for sale, within the State of California, any apples labeled, designated, invoiced or represented to be, of "extra fancy", "fancy" or "C" grade, whether contained in closed packages or otherwise, unless the same shall conform to the standard for such grade herein established.

SEC. 5. Except as in this act expressly permitted, no person, firm, company, organization or corporation shall import into this state or sell, barter, offer for sale or have in his possession for sale any apples infected with any insect pest or the pupæ or larvæ thereof or any disease, and whenever apples are sold or kept or offered for sale, loose in the container, or are not so arranged as to comply with the definition of the term "well packed", as herein defined, then the container must be marked on the outside thereof, in the English language and in letters not less than one-half inch in height, with the words "unclassified apples"; provided, however, that this section shall not be construed to prevent a grower of fruits in the State of California from selling the same unpacked and unmarked, and so infected, as a part of his crop in bulk, to a packer, or to prevent a grower or packer from manufacturing the same into any apple by-product or from selling the same unpacked and unmarked to any person, firm, company, organization or corporation actually engaged in the operation of an apple by-product factory, and for the express purpose of being used in the manufacture of an apple by-product.

SEC. 6. No statement, figure, design or device appearing upon any container in which apples are sold, bartered, or offered for sale, or in which apples are packed for sale or shipment, or upon the brand or lining of any such container, or upon the wrapper of any apple therein contained, or upon any sign or placard used in connection therewith and having reference to the apples contained, shall be false or misleading, in any particular. The words "extra fancy" shall not be used with reference to any apples the grade of which does not conform to the standard for "extra fancy" grade as in this act defined; and the word "fancy" shall not be used with reference to any apples the grade of which does not conform to the standard for "fancy" grade as in this act defined; nor shall the letter "C", as an indication of grade, or quality, be used with reference to any apples the grade of which does not conform to the standard for "C" grade as in this act defined.

SEC. 7. The director of agriculture of the State of California shall be charged with the enforcement of the provisions of this act, and for that purpose shall have the power:

(*a*) To enter and to inspect every place within the State of California where apples are produced, packed, stored, shipped, delivered for shipment, offered for sale or sold, and to inspect such places and all apples and apple containers and equipment found in any such place.

(*b*) To provide a uniform method of stamping or otherwise marking or identifying packages of apples which have been inspected by him or his deputies or inspectors, such method when once provided shall not be changed during that fiscal year, but with this exception, may be varied from time to time as he may determine.

(*c*) In accordance with the provisions of the civil service law of this state, to appoint, superintend, control and discharge such chief inspectors and subordinate inspectors as in his discretion may be deemed to be necessary, for the special purpose of enforcing the terms of this act, to prescribe their duties, and, in conjunction with the board of control, to fix their compensation.

(*d*) Personally, or through any deputy or any such inspector, to seize and retain possession of, any apples or apple containers packed, shipped, delivered for shipment, offered for sale, or sold, in violation of any of the provisions of this act.

(*e*) In the name of the people of the State of California to cause to be instituted and to prosecute, in the superior court of any county or city and county of the State of California in which apples packed, shipped, delivered for shipment, offered for sale or sold, in violation of any of the provisions of this act, may be found, an action or actions for the condemnation of apples as provided in section thirteen of this act.

(*f*) The director of agriculture, at the request of any person interested, personally, or by his duly appointed deputies or inspectors, may inspect any package or lot of apples and at the request of any person interested may issue a certificate stating the fact and the quality and condition of the package or lot of apples so inspected. Such certificate shall be received in evidence in all of the courts of the State of California as prima facie proof of the truth of the statements therein contained. For such inspection certificate, when the apples have theretofore been inspected by him, or by any of his deputies, or inspectors, the director of agriculture may charge and collect such fee as he may determine to be reasonable; *provided*, that such fees shall be uniform for each fiscal year.

(*g*) From time to time to establish, promulgate and enforce such reasonable and uniform rules and regulations, not in conflict with any of the provisions of this act,

as he may deem to be proper for the conduct of inspectors, the inspection of fruit, the use of stamps, marks or other designation, the form of, and the collection of fees for, certificates and the charges to be made hereunder for the use of such stamps, marks or other designation.

SEC. 8. For the privilege of affixing to or using upon any container of apples the stamp, mark or other designation provided by the director of agriculture to identify apples which have been inspected as provided by section seven of this act, there shall be paid to said director such sum as he may determine hereunder, not to exceed three-fourths of one cent for each container bearing such stamp, mark or other designation. No such stamp, mark or other designation, so provided by the director of agriculture, shall be affixed to or used upon any container of apples, the contents of which have not been inspected, or which is not one of a unit of like containers so inspected. All moneys received by the director of agriculture for certificate fees, or for such privileges, shall be paid over to the treasurer of the State of California, who shall deposit the same to the credit of the standard apple fund, which fund is hereby created to be used exclusively for the payment of the expenses of enforcing the provisions of this act, and to be paid out only upon claims approved by the director of agriculture and by the board of control. Subject to the approval of the board of control, one thousand dollars of the standard apple fund may be used as a revolving fund for the purposes of carrying out the provisions of this act.

SEC. 9. The inspectors appointed by the director of agriculture of California, as in section seven hereof provided, shall be citizens of the United States, and of the State of California, not less than twenty-one years of age, shall be skilled in the inspection of apples, and have a thorough knowledge of insect pests and diseases commonly preying upon and other defects found in or upon such fruit; they shall have power to enter and to inspect every place within the State of California where apples are produced, packed, stored, shipped, delivered for shipment, offered for sale or sold, and to inspect all such places and apples and apple containers and the equipment found in any such place; and shall perform such other duties as may be prescribed by the director of agriculture of California, or by law.

The said director of agriculture shall assign such inspectors to such territory, within the state, as he may see fit: *provided*, that when for any year the moneys paid in for certificates and for the privilege of using the said stamps, marks, or other designations, by packers in any town, city or district, shall yield a sum of money sufficient to pay the expense thereof, such director of agriculture shall assign one inspector or more for special duty in such town, city or district, during the packing season of that year, or for a longer period, if deemed to be necessary.

SEC. 10. It shall be the duty of each of such inspectors to enforce the provisions of this act and to cause the prosecution of any person, company, firm, corporation or organization, whom he knows or has reason to believe to be guilty of the violation of any of its provisions. Every inspector, in the performance of his duties, shall have the same powers possessed by peace officers under the laws of the State of California.

SEC. 11. No container to or on which is attached or affixed any such stamp or mark or on which shall appear the designation of grade as "extra fancy", "fancy" or "C" grade, shall be used as the container of any apples, other than those originally packed therein, until such stamp or grade designation has been removed; *provided*, that when apples are repacked, without the addition of new stock other than stock of the same grade and from the same lot of which the package or packages repacked is or are a part, the same containers may be used without removing the stamps, marks or grade designations.

SEC. 12. No person, firm, company, organization, or corporation, shall refuse to permit the director of agriculture of California, or any of his duly appointed deputies, or any inspector duly appointed by said director of agriculture under the provisions of this act, to enter or to inspect any place within the State of California where apples are produced, packed, stored, shipped, delivered for shipment, offered for sale or sold, or to inspect such places, or any apples or apple containers or any equipment found therein.

SEC. 13. Any person, firm, company, organization or corporation, who shall violate any of the provisions of this act shall be punishable by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

SEC. 14. Any apples packed, shipped, stored, delivered for shipment, offered for sale or sold, in violation of any of the provisions of this act, and the containers in which they may be, shall be deemed to be a public nuisance, may be seized by said director of agriculture, his deputies or any inspector appointed as herein provided, and by order of the superior court of the county, or city and county, within which the same may be found, shall be condemned and destroyed, or released upon such conditions as the court, in its discretion may impose, to insure that they will not be packed, shipped, delivered for shipment offered for sale or sold in violation of any of the provisions of this act

SEC. 15. It shall be lawful for any person, firm, company, corporation or organization and for any common carrier to refuse to accept for shipment or transportation, and to refuse to ship or to transport, any apples which upon inspection are found to

be or to be packed in violation of any of the provisions of this act, and any such person, firm, company, corporation, organization or common carrier, may reserve the right in any receipt, bill of lading or other writing given to the consignor thereof, to reject for shipment or transportation and to return to such consignor, or to hold at the expense and risk of the latter, all apples which upon inspection are found to be or to be packed in violation of any of the provisions of this act

SEC. 16 No person, firm, company, organization or corporation, shall be convicted of a violation of any provisions of this act, if he shall establish a guaranty, signed by the person, firm, company, organization or corporation residing or lawfully engaged in business in the State of California, by or for whom the apples in question were originally packed, or repacked, to the effect that the apples, container, brand and label in question comply in all respects with the provisions of this act, and in addition, shall establish that the same are in substantially the same condition, in every respect, as they were when they were delivered out of the possession of such packer, and that the accused was not aware that such apples, container, brand or label, were or was in any respect in violation of any provision of this act. The signature to such guaranty may be printed, when done by the authority of the signer. To afford protection, such guaranty, in form and substance, must be substantially as follows

"The undersigned guarantees that (this box or other package of apples or the boxes or other packages of apples mentioned in this, or the attached invoice, or all boxes or other packages of apples packed or repacked by the undersigned), comply in all respects with the California standard apple act. (Signature of packer, with statement as to whether packer is firm, company, organization or corporation and business address.)"

Where the guaranty is used on each separate box, it may consist of the legend, "guaranteed by the packer, under the California standard apple act", printed, stamped or written on the labeled or branded end of the package.

SEC 17. It shall be the duty of the district attorney of the county, or city and county, in which any violation of this act may occur, to prosecute every person, firm, company, organization and/or corporation accused of such violation, and also, at the request of the director of agriculture, or any one of his deputies, to institute and prosecute such actions for condemnation as may be authorized under the provisions of this act.

SEC. 18. No act which is made unlawful by any provision of an act of the legislature of the State of California, entitled, "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors, and drugs and making an appropriation therefor," approved March 11, 1907, or any amendment thereto, shall be deemed lawful by reason of any provision of this act; nor shall this act be construed in any respect to limit the powers of the state board of health.

SEC 19. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Badaracco asked for and was granted unanimous consent to take up Assembly Bill No. 1268, at this time, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SIXTY-EIGHT.

Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of

the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect", approved June 16, 1913, as amended

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Badaracco moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, after the word "inclusive" insert the words "and the legislative body of any city or town,".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, after the word "measures", insert the words "fix his compensation,".

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, strike out the words "one hundred seventy-five dollars", and insert in lieu thereof the words "one hundred fifty dollars".

AMENDMENT NUMBER FOUR.

On page 2, line 18, of the printed bill, before the word "for", insert the words ", or at the rate of one hundred fifty dollars per month".

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, after the words "or city and county" insert the words "or city and town.".

AMENDMENT NUMBER SIX.

On page 2, lines 23 and 24, of the printed bill, strike out the words "one hundred fifty dollars per month for each month." and insert in lieu thereof the words "five dollars per day for each day".

AMENDMENT NUMBER SEVEN.

On page 2, line 25, of the printed bill, strike out the period and insert in lieu thereof the following ", or city and town.".

AMENDMENT NUMBER EIGHT.

On page 2, line 29, of the printed bill, after the period insert the words "He shall be subject to removal by the power appointing him."

AMENDMENT NUMBER NINE.

On page 2, line 30, of the printed bill, after the words "city and county", insert the words "or city, or town.".

AMENDMENT NUMBER TEN.

On page 2, line 47, of the printed bill, before the word "salaries", insert the word "the".

AMENDMENT NUMBER ELEVEN.

On page 3, line 4, of the printed bill, strike out the period and insert in lieu thereof the following ", except within the territorial limits of those cities and towns within which sealers have been appointed under the provisions of this act.".

Motion carried.

The Speaker appointed Mr. Badaracco as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1268, with instructions, reports that the instructions of the Assembly have been carried out.

BADARACCO, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION.

Mr Jones moved that his request to introduce bill be withdrawn from the Committee on Introduction of Bills.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fulwider asked for and was granted unanimous consent to take up Senate Joint Resolution No. 1, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ONE.

Senate Joint Resolution No. 1—Relative to the insufficiency of transportation.

Senate Joint Resolution No. 1 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 finally adopted by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 1 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 1

Relative to the insufficiency of transportation.

WHEREAS, The Senate of the State of California realizing the urgency of immediate action to prevent a repetition of the immense loss suffered by California growers as a result of the lamentable insufficiency of transportation facilities during the past shipping season caused by shortage of suitable cars and eastern terminal facilities on our transcontinental railroads—now therefore be it

Resolved by the Senate and the Assembly, jointly, That we do most urgently request the Interstate Commerce Commission to adopt such means of readjustment as will prevent a repetition of the disheartening and disastrous losses of the past season both to the grower and to the consumer.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Badham asked for and was granted unanimous consent to take up Assembly Bill No 317, at this time, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED SEVENTEEN.

Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Badham moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 6, both inclusive, and insert in lieu thereof the following:

"SECTION 1. Whenever any county, city, or city and county, is now or may be hereafter authorized by law to levy a special tax for advertising, exploiting and making known the resources of said county, city, or city and county, or for the purpose of inducing immigration to and increasing the trade and commerce thereof, said county, city, or city and county, may either individually or jointly with other like political subdivision provide public entertainments Such entertainments may consist of musical selections, dramatic presentations, historical or artistic pageants,

athletic contests or a combination of the above: provided, however, that no entertainment herein provided for shall be of a religious or sectarian character or in furtherance of any religious creed, sectarian denomination or church, or susceptible to the promotion of racial prejudice.

Motion carried.

The Speaker appointed Mr. Badham as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 317, with instructions, reports that the instructions of the Assembly have been carried out.

BADHAM, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. Dozier moved that Assembly Bill No. 1269 be withdrawn from the file, and ordered re-referred to Committee on County Government.

Motion carried.

Assembly Bill No. 1269 re-referred to Committee on County Government.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Pursuant to adoption of a motion to reconsider, I am directed to request your honorable body to return to the Senate, Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—transmitted to your honorable body on March 22, 1923.

J. A. BEEK, Secretary of Senate.

MOTION.

Mr. Carter moved that the Assembly concur to the Senate request to return Senate Constitutional Amendment No. 18.

Motion carried.

Senate Constitutional Amendment No. 18 ordered returned to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 461 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Crofter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 462 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300*c*, of the Political Code, relating to recorders and fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 464 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Kline, McDowell, McPherson, Miller, Moore, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 463—An act to amend sections 408 and 409 of the Political Code, relating to the Secretary of State.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 463 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Carter, Christian, Clarke, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McDowell, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Morris—1.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RESCIND ACTION.

Mr. Hornblower moved that the action of the Assembly appointing a Select Committee of One to amend Assembly Bill No. 325 on Tuesday, March 27, 1923, be rescinded and the record expunged.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at

retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the word "day", strike out all of lines 12, 13 and 14, and insert in lieu thereof the following: "Or for more than one hundred eight hours in any two consecutive weeks nor on more than thirteen days in such two consecutive weeks".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 20, after the word "day" and all of line 21, and insert in lieu thereof the following: "Or for more than one hundred eight hours in any two consecutive weeks nor on more than thirteen days in such two consecutive weeks; *provided, however*, that the periods of rest to be taken by the employee must be so apportioned that the employee shall be entitled to one complete day of rest during one of such weeks, and to two half day periods in the other of such weeks; but nothing herein contained shall prevent the employer from granting to the employee a complete day of rest during each of such weeks."

Motion carried.

The Speaker appointed Mr. Hornblower as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER. Your Select Committee of One, to which was referred Assembly Bill No. 325, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Fellom moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, strike out the word "reason" and insert in lieu thereof the word "fact".

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, strike out the word "why" and insert in lieu thereof the word "that".

Motion carried.

The Speaker appointed Mr. Fellom as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 84, with instructions, reports that the instructions of the Assembly have been carried out.

FELLOM, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage

Assembly Bill No. 1277—An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr McPherson moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On line 1 of the title, after the word "franchises", insert the following. "for terms expressly limited to not exceeding thirty years"

AMENDMENT NUMBER TWO.

On line 3 of the printed bill, after the word "California", insert the following "for terms expressly limited to not exceeding thirty years".

Motion carried.

The Speaker appointed Mr. McPherson as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1277, with instructions, reports that the instructions of the Assembly have been carried out.

McPHERSON, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

APPOINTMENT OF SELECT COMMITTEES.

In accordance with Assembly Concurrent Resolution No 16, the Speaker appointed Messrs. Carter, Rosenshine, Moore, Jones and Mrs. Saylor, as such Select Committee.

In accordance with Assembly Concurrent Resolution No. 17, the Speaker appointed Messrs. Bromley, Burns, Cleary, Donohue, Snyder and Arthur A. Ohnimus as such Select Committee.

ADJOURNMENT.

At twelve o'clock and eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, March 29, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 29, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Cleveland, Mr. Baker, C. C., was granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr. Roberts was granted leave of absence for the day.

On motion of Mr. Noyes, Mr. McMillan was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Smith, Mr. Clyde Grayless of Oakland was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Fox, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Mecca to Blythe highway in Riverside County; and,

WHEREAS, The said highway bond issue was a definite contract between the people and the State of California to spend $300,000 of said bond issue on said road, and,

WHEREAS, The personnel of the State Highway Commission having changed since the voting of said bond issue and the present Highway Commission having recently indicated their opposition to and declared that the contract of the people with the State to spend $300,000 on the road aforesaid would not be adhered to or considered, and that said $300,000 would not be spent on said Mecca to Blythe road, therefore, be it

Resolved, By the Riverside County Chamber of Commerce in regular meeting assembled this twentieth of March, 1923, that the action of the Highway Commission of the State of California refusing to carry out their obligation on behalf of the State, be, and the same is, hereby condemned and they be requested to reconsider said action and carry out the contract heretofore entered into in good faith; and be it further

Resolved, That a copy of this resolution be addressed to all the chambers of commerce in southern California, especially in Riverside and Los Angeles counties.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests;

Also Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

POMEROY, Chairman.

The above reported bills ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 187—An act providing for the establishment of the California Psychopathic Hospitals, a corporation, with two hospitals, and for the establishment, government and maintenance thereof, regulating the admission of patients thereto, their treatment therein and discharge therefrom; for out-patient, preventive and follow-up work; providing for the transfer of patients between institutions and the expense of transfer and maintenance in the hospitals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be referred to Committee on Ways and Means.

CLARKE, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be referred to Committee on Ways and Means.

CLARKE, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CLARKE, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810*d*, relating to estates of minors;

Also: Assembly Bill No. 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution;

Also: Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments;

Also: Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate;

Also: Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "*An act to provide for the organization, incorporation and government of municipal utility districts*, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921;

Also: Assembly Bill No. 892—An act to amend sections 2, 3, 4 and 5 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section 8, article XI, of the constitution," approved March 2, 1891;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness;

Also: Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness;

Also: Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property;

Also: Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer;

Also Assembly Bill No 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians,

Also Assembly Bill No 1276—An act to add a new section to the Political Code, to be numbered 2192*a*, relating to commitment of imbeciles.

Also Assembly Bill No 1042—An act to add a new section to the Penal Code, to be numbered section 496*b*, making second hand dealers liable for receiving stolen books,

Also Assembly Bill No 1173—An act to amend section 296 of the Civil Code, relating to corporations,

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 879—An act to refer to its provisions as the general dairy law of California, to provide for the maintenance of a uniform high standard of quality in California dairy products, to prevent the manufacture and sale of unwholesome or adulterated dairy products to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese to provide for the enforcement of its provisions and for the punishment of violations thereof and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and seal of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act" Approved April 21, 1911 and to repeal all parts of acts in conflict herewith—and reports that the same has been correctly engrossed.

ROBERTS Chairman

The above reported bill ordered on file for third reading

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28 1923

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended

MITCHELL, A. G., Chairman

The above reported constitutional amendment ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 38—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article I thereof relating to indictment information and grand jury—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and be re-referred to Committee on Judiciary.

MITCHELL, A G., Chairman

The above reported constitutional amendment ordered re-referred to Committee on Judiciary.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR SPEAKER Your Committee on County Government to which was referred Assembly Bill No 548—An act to amend section 4261 of the Political Code, relat-

ing to the salaries, fees and expenses of officers in counties of the thirty-second class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

SMITH, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 19 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended;

Also, Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 354 read first time, and referred to Committee on Education.

Senate Bill No. 119 read first time, and referred to Committee on Conservation.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21*a*, 24*a*, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

Also, Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Also, Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; estab-

lishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 154 read first time, and referred to Committee on Banking.

Senate Bill No. 291 read first time, and referred to Committee on Judiciary.

Senate Bill No. 289 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Also: Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 290 read first time, and referred to Committee on Judiciary.

Senate Bill No. 272 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20a providing for the alteration of the boundaries of drainage districts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 19?

AMENDMENT NUMBER ONE

On page 5, line 48, of the printed bill, after the word "Outstanding" insert the words "Bonds or"

AMENDMENT NUMBER TWO

On page 5, line 3, of the printed bill, after the word "Said" insert the words "Bonds or".

The roll was called, and Senate amendments to Assembly Bill No. 19 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin Ball, Bernard, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crotei, Davis, Dawson, Dean, Donohue, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McPherson, Miller, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 16—Relative to the appointment of a committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable G. H. Douglas.

Also: Assembly Concurrent Resolution No. 17—Relative to the appointment of a committee to take charge of arrangements for the funeral services of the late Honorable Gustave H. Douglas.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolutions ordered to engrossment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 234—An act providing for the appearance of the Attorney General of the State of California in behalf of the public before the Railroad Commission of the State of California, at hearings in which the public is interested, and providing for expert services in aid thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1210—An act to amend sections 877 and 880 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In lines 1 and 2 of the title of the printed bill strike out the following "sections eight hundred seventy-seven and eight hundred eighty", and insert in lieu thereof the words "section eight hundred fifty-one".

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, after the period insert the following

"Section eight hundred fifty-one of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, is hereby amended to read as follows

SEC 851. The government of such city or town shall be vested in a board of trustees to consist of five members a clerk, a treasurer; an assessor to be appointed by the board of trustees, a marshal to be appointed by the board of trustees, a recorder to be appointed by the board of trustees a tax and license collector to be appointed by the board of trustees, a superintendent of streets to be appointed by the board of trustees, and such subordinate officers as hereinafter provided for. *Provided*, that the board of trustees may, by vote of four of its five members, in its discretion by an ordinance adopted, published and recorded as required for general ordinances, unite and consolidate or segregate any elective office other than the office of trustee, with one or more appointive offices, and *provided further*, that the board of trustees may, in its discretion, by ordinance or resolution, unite and consolidate, or segregate, one or more of the appointive offices, and *provided, however*, that when an appointive office has been consolidated with an elective office as hereinbefore provided, and an official elected to such office, the appointive office shall not during the time such selected official holds office, be segregated from the elective office with which it has been consolidated, and *provided further*, that the board of trustees may, with the consent of the officer holding an elective office and by resolution or ordinance consolidate or unite one or more appointive offices with an elective office."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1160—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeitures for noncompletion of work within period fixed by contract, and manner of payments; and repealing all acts and parts of acts inconsistent therewith

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the period add the following: "It shall be discretionary with all state boards, commissions and officers, boards of supervisors, city councils, boards of trustees, school boards, school trustees and all other public boards, commissions and officers charged or which may in the future be charged under the law for the letting of contracts for public work in this state to insert a written stipulation in any such contracts providing that disputes arising under such contracts or in the performance of the work thereunder between the parties to any such contracts may be submitted to and determined by arbitration in the manner specified in such stipulation. Such stipulation may also be made to provide that the decision of the arbitrator or arbitrators, or a majority of them, upon any question submitted to arbitration shall be a condition precedent to any right of legal action as to any of the matters or things submitted to arbitration. Such stipulation may further provide that a judgment of a court of record, specified in writing, shall be rendered upon the award, made pursuant to the submission. If the stipulation does not specify the county in which the judgment shall be entered, the judgment may be entered in any county. Such judgment may be entered and the court may vacate, modify or correct any award in accordance with the provision of section twelve hundred eighty-six, twelve hundred eighty-seven, twelve hundred eighty-eight and twelve hundred eighty-nine of the Code of Civil Procedure."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties.

Assembly Joint Resolution No. 2 read.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Croter, Davis, Dean, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 2 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to building a bridge between San Francisco and Marin Counties.

WHEREAS, The people have in contemplation the constructing of a bridge from the city and county of San Francisco to the county of Marin, in the State of California, to span the bay of San Francisco, near the Golden Gate;

Resolved by the Assembly and the Senate, jointly, That such project is looked upon as of vast interest to the present needs and future development of the State, and that such undertaking is approved and should be encouraged. That the Secretary of War be requested to grant such privileges in the matter as may be required, and to render such assistance as may be compatible with the public service.

That the clerk is directed to transmit this resolution by wire to the Secretary of War

Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Anderson, Badham, Broughton, Carlson, Clarke, Cleary, Cleveland, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McPherson, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Wright—50.

NOES—Bernard, Graves, and Mr. Speaker—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 880—An act to provide for the county boards of supervisors paying indemnities for breeding dairy cattle branded as tubercular reactors by representatives of the United States department of animal industry or the State Division of Animal Industry in the counties where bovine tuberculosis eradication and control work is being carried on under the provisions of an act entitled "An act to prevent, control and eradicate tuberculosis in cattle in the State of California; to empower the Director of Agriculture to establish tuberculosis eradication or free areas, providing penalties for the violation hereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 880 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin · Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McPherson, Miller, Mitchell, A G., Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—55

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 31—An act to amend section 19x10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913 and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 31 passed by the following vote:

AYES—Anderson Badaracco Badham Baker, Edwin, Ball Bernard, Bromley, Broughton, Clarke, Coombs, Croter, Davis, Dawson, Dean, Donohue Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider Graves, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McPherson, Miller, Mitchell, A G, Mitchell, T A, Moore, Mueller, Noyes, Pedrotti, Pomeroy Reindollar, Rock, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stow, Weller Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—55

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 322 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Broughton, Carlson, Carter, Clarke, Coombs, Davis Dawson, Dean Duval Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Jones, Kline McPherson, Miller Mitchell, A G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar Rock, Rosenshine Schmidt, Scott Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, and Woodbridge—45

NOES—Graves, Johnston, and Mr. Speaker—3

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11*a*, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 85 passed by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson Johnston, Jones, Mathews, McPherson, Miller, Mitchell, T. A, Moore, Morrison, Mueller, Noyes, Reindollar, Rock, Rosenshine, Schmidt, Scott, Spalding Spence, Stevenot, Whitacre, Woodbridge, Wright, and Mr Speaker—43

NOES—Anderson, Badham, Baker, Edwin, Carter, Davis, Dawson, Dozier, Duval, Foster, Graves, Mitchell, A G, Pomeroy, Stow, Weller, and Williams—15

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 516—An act to add a new section to the Political Code, to be numbered 4041*g*, relating to the powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Lyman, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1169 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Clarke, Coombs, Croter, Dawson, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 734 passed by the following vote:

AYES—Anderson, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Badham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 299—An act to amend section 537 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 299 passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 303—An act to amend section 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of said code, relating to judgment liens and transcripts of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Mathews, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 305 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Coombs, Croter, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 259 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Coombs, Croter, Davis, Donohue, Dorris, Dozier, Duval,

Emme, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—54.

NOES—Anderson, Badaracco, Burns, Carlson, Cleveland, Connolly, Crittenden, Fellom, Hornblower, Mitchell, T. A., Noyes, Rosenshine, Schmidt, Snyder, Spalding, and Wright—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 248—An act to amend section 453 of the Civil Code relating to assessments and to by-laws which may be made for mutual benefit and life associations.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lyons gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 248 was this day passed.

Assembly Bill No. 281—An act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 281 passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin, Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McPherson, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 97 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emine, Erb, Fellom, Fox, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Scott moved that Assembly Bill No. 1043 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

Motion carried.

Assembly Bill No. 1043 re-referred to Committee on Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Baker, Edwin:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 597 of the Political Code, relating to insurance companies.

Referred to Committee on Introduction of Bills.

By Mr. Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.

Referred to Committee on Introduction of Bills.

By Mr. Williams:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1733*a* of the Political Code, relating to high school districts.

Referred to Committee on Introduction of Bills.

By Mr. Coombs:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Referred to the Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees

and city boards of education—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females,

Also: Assembly Bill No. 1033—An act to amend section 19742 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers, And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DONOHUE, Chairman.
BADHAM.
POMEROY.
EMME.
JONES
ANDERSON.
PEDROTTI.
LYONS.
EKSWARD.
SCHMIDT.
SMITH.

The above reported concurrent resolution ordered on file for adoption.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 547—An act to amend section 19732 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof;

providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on County Government.

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on County Government.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 866—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process.

Also: Assembly Bill No. 867—An act to add a new section to be numbered 1540*a* of the Penal Code, relating to search and seizures and evidence in criminal cases;

Also: Assembly Bill No. 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to person from whom it was taken.

Also: Assembly Bill No. 710—An act to add a new section to the Penal Code, to be numbered 211*a*, relating to robbery committed on persons in vehicles on public highways.

Also: Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury;

Also: Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146*a*, relating to the sending or receiving of threatening letters, and to the mailing or delivery of any paper or document intending to simulate court processes;

Also: Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON REAPPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Reapportionment, to which was referred Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts, and to repeal all acts in conflict with this act—has had

the same under consideration, and respectfully reports the same back, and recommends that it do not pass as amended.

EKSWARD, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR LEAVE OF ABSENCE.

Mr. Bromley asked for and was granted permission to absent himself from the Assembly for the remainder of the day.

RECESS.

At twelve o'clock noon, on motion of Mr Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation proposed March 1, 1887," by adding a new section thereto to be numbered section 64—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized,' approved June 13, 1913, by amending section 37 thereof, relating to consent of commission for expenditure of funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts, and for the issuance of county waterworks bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section

14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32b, relating to the creation of an irrigation district bond security fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 18 read and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools;

Also: Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the juvenile court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act;

Also: Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the public utilities act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof;

Also: Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads;

Also: Senate Bill No. 123—An act to amend section 1616 of the Political Code, relating to kindergartens.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 46 read first time, and referred to Committee on Education.

Senate Bill No. 6 read first time, and referred to Committee on Judiciary

Senate Bill No. 434 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 540 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 123 read first time, and referred to Committee on Education.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Rosenshine:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states

Referred to Committee on Introduction of Bills.

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to recognize and declare valid all proceedings in Mendota Irrigation District.

Referred to Committee on Introduction of Bills.

MOTION TO SUSPEND RULE.

Mr. Eksward moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their respective names be stricken from the roll to date from and including the following dates, respectively:

From March 25, 1923:

Lena F. Heisinger, Committee Clerk $4 00
J. E Lindsay, Assistant Sergeant-at-Arms 5 00
Eugene L. Weber, Assistant Engrossing and Enrolling Clerk 5 00

From March 30, 1923:

Frank Fletcher, Assistant History Clerk 5 00

CARTER, Chairman.

Resolution read, and on motion of Mr. Carter adopted.

Also:

MR SPEAKER Your Committee on Attaches and Employees respectfully report and recommends the adoption of the following resolution

Resolved, That the following named persons be and are hereby appointed and employed for the position and at the per diem set opposite their respective names, said employment to date from and be effective as follows

Effective March 25, 1923

Lena F Heisinger, Assistant Engrossing and Enrolling Clerk---- $5 00

Effective March 26, 1923

Arabel Murphy, Stenographer ---------- 5 00

Effective March 28, 1923:

Reynold A. Waestman, Assistant Engrossing and Enrolling Clerk-- 5 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named persons upon the appropriation for payment of officers and employees of the Assembly and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Badham, Ball, Carter, Christian, Clarke, Cleary, Croter, Davis, Dawson, Donohue Duval, Eksward, Emme, Erb, Fellows, Fox, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pedrotti, Prendergast, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker —44

NOES—None.

SECOND READING OF SENATE BILLS.

Senate Bill No 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the word "community" and insert in lieu thereof the word "his".

AMENDMENT NUMBER TWO

On page 1, line 14, of the printed bill, after the word "the", strike out the word "other".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, after line 48, insert the following:

"If the board of directors shall determine that the benefit to the lands in the

district will be uniform and equal they may assess the amount of benefits that are to accrue to each tract by reason of the proposed improvement uniformly at a sum of money per acre sufficient to raise the amount necessary to pay the cost of the proposed improvement and damages awarded".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

Bill read second time, ordered to engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Senate Bill No. 106, at this time, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIX.

Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Eksward moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "treasurer" insert the words "of the county or municipality as the case may be".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, after the word "bank" insert a period.

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out the words "while there are other qualified banks in such", all of lines 20 to 23, both inclusive, and all of line 24 preceding the word "Any".

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, strike out the word "monthly" and insert in lieu thereof the word "quarterly", and after the period add the following "The treasurer of the county or municipality, as the case may be, shall render to such depositary and to the county auditor a statement showing the amount of accrued interest for each such depositary for the preceding quarter. Interest on all moneys deposited as herein provided for shall belong to the county or municipality represented by the officer making such deposit, and shall be paid quarterly into the general fund of such county or municipality, except where the law otherwise directs."

AMENDMENT NUMBER FIVE

On page 2 of the printed bill, lines 45, 46 and 47, strike out the words "to an amount in value at least ten per cent in excess of the amount of deposit in such bank or banks", and insert in lieu thereof the following "The market value of the bonds furnished shall be at least 10 per cent in excess of the amount of the deposit secured thereby, but the amount of the deposit shall in no case exceed the face value of the bonds furnished as security therefor."

AMENDMENT NUMBER SIX

On page 3, line 1, of the printed bill, after the semi-colon strike out the word "provided," and insert in lieu thereof the following "*provided, however,*"

AMENDMENT NUMBER SEVEN

On page 4 line 15, of the printed bill strike out the word "monthly" and insert in lieu thereof the word "quarterly".

Motion carried.

The Speaker appointed Mr Eksward as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 106, with instructions, reports that the instructions of the Assembly have been carried out.

EKSWARD, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

MOTION TO APPOINT SELECT COMMITTEE.

Mr. Kline moved that the Speaker appoint a Select Committee of Five to invite and escort to the Assembly, His Excellency, Friend Wm. Richardson, Governor of California, and Hon. Charles R. Mabey, Governor of Utah.

Motion carried

APPOINTMENT OF SELECT COMMITTEE

In accordance with Mr. Kline's motion, the Speaker appointed Messrs. Kline, Prendergast, McPherson, Mathews and Hawes as such select committee.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p*, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 40 passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Lyman, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising

the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 320 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Hornblower, Johnson, Johnston, Jones, Lyons, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR SPEAKER Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows.

By Mr. Baker, C. C.: An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended, March 1, 1872.

By Mr Whitacre An act to amend section 4236a of the Political Code, relating to jurors fees in counties of the seventh class.

By Mr. Fox An act to amend section 4 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, and as amended by an act approved May 26, 1917.

By Mr. Rosenshine An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, and amended and approved May 29, 1917; and amended and approved April 8, 1919.

FOX, Chairman.

Mr Fox moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Burns, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Baker, C. C.: Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto", approved March 5, 1870, as amended, March 1, 1872.

Bill read first time, and referred to Committee on County Government.

By Mr. Whitacre: Assembly Bill No. 1302—An act to amend section 4236*a* of the Political Code, relating to jurors fees in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Fox: Assembly Bill No. 1303—An act to amend section 4 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, and as amended by an act approved May 26, 1917.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Rosenshine: Assembly Bill No 1304—An act to amend sections, 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read first time and referred to Committee on Elections.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Connolly:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

Referred to Committee on Introduction of Bills.

By Mr. Lyons:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Whitacre asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 19, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINETEEN.

Senate Concurrent Resolution No. 19—Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923.

Senate Concurrent Resolution No. 19 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 19 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Fox, Graves, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noves, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 19 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 19.

Approving seven certain amendments to the charter of the city of San Diego, in the county of San Diego, State of California, voted for and ratified by the electors of the said city of San Diego at a municipal election held therein on the twentieth day of March, 1923.

MOTION TO SET SPECIAL ORDER.

Mr. Weller moved that consideration of Assembly Bill No. 20 be made a special order for Wednesday, April 4, 1923, at eleven o'clock a.m.

POINT OF ORDER.

Mr. Hornblower arose to the following point of order: That the motion of Mr. Weller was out of order.

RULING OF THE SPEAKER.

The Speaker ruled that the point was not well taken.

REQUEST FOR ROLL CALL.

On request of Messrs. McPherson, West, Fellom, Bernard and Smith, the Speaker ordered a roll call taken on the motion to set special order.

The question being on the motion to set special order.

The roll was called, and the motion to set special order lost by the following vote:

AYES—Badham, Ball, Carter, Christian, Cleveland, Coombs, Davis, Dawson, Dozier, Fib, Fox, Graves, Hawes, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Noves, Pedrotti, Pomeroy, Rock, Scott, Stow, Weller, Whitacre, Williams, and Woodbridge—29.

NOES—Anderson, Badaracco, Bernard, Broughton, Burns, Clarke, Cleary, Connolly, Crittenden, Croter, Dean, Dorris, Eksward, Emme, Fellom, Foster, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McPherson, Miller, Mueller, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, and Mr. Speaker—36.

REPORT OF SELECT COMMITTEE.

Messrs. Kline, Prendergast, McPherson, Mathews and Hawes appeared at the bar of the House and announced to the Speaker of the Assembly the presence of His Excellency, Friend Wm. Richardson, Governor of California, and Hon. Charles R. Mabey, Governor of Utah.

At the invitation of Hon. Frank F. Merriam, Speaker of the Assembly, the Governor of California and the Governor of Utah were escorted to the platform

RECESS.

At 2 o'clock and 43 minutes p m., the Speaker declared the Assembly at recess for the purpose of allowing Governor Mabey of Utah to address the Assembly.

REASSEMBLED.

At 2 o'clock and 52 minutes p m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

RESOLUTION.

The following resolution was offered:

By Mr. Eksward:

WHEREAS, The Giver of Life has seen fit, in his great design to take from this Forum to a higher Forum a member admired for his usefulness and loved for his qualities, and to deprive the Nation, State and his fellow members of the benefit of his counsel and activities and of association with him, the Honorable Gustave H. Douglas, therefore, be it

Resolved, That when the Assembly adjourns on Monday, April 2, 1923, it adjourn until 9 30 Tuesday morning, April 3, 1923, out of respect to the memory of our deceased colleague, and be it further

Resolved, That the members meet in a body Monday afternoon at 2 o'clock in this chamber for the purpose of participating in the funeral services.

Resolution read, and on motion of Mr. Eksward, unanimously adopted by a rising vote.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWENTY—(RESUMED).

Assembly Bill No. 20—An act to amend sections 5, 7 and 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Assembly Bill No. 20 read.

MOTION TO ADJOURN.

During the debate, Mr. Kline moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m., Friday, March 30, 1923.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Cleary, Mathews, West, and Badaracco, the Speaker ordered a roll call taken on the motion to adjourn.

The question being on the motion to adjourn.

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

AYES—Badham, Baker, Edwin, Ball, Carter, Christian, Cleveland, Davis, Dawson, Dozier, Foster, Fulwider, Graves, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Rock, Scott, Stow, Weller, and Williams—25.

NOES—Badaracco, Bernard, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McPherson, Miller, Mueller, Noyes, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Mr. Speaker—41.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWENTY—(RESUMED).

Assembly Bill No. 20—An act to amend sections 5, 7 and 23 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

POINT OF ORDER.

Mr. Heisinger arose to the following point of order: That there was nothing before the House.

RULING OF THE SPEAKER.

The Speaker ruled that the point was not well taken.

POINT OF ORDER.

Mr. Eksward arose to the following point of order: That Mr. Foster had once spoken to the question, and therefore was out of order until all members desiring to speak had been recognized.

RULING OF THE SPEAKER.

The Speaker ruled that the point was not well taken, as no one had sought the floor at the time the Chair recognized Mr Foster.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Jones, Heisinger, Prendergast, Smith, and Bernard demanded the previous question.

REQUEST FOR ROLL CALL.

On request of Messrs. Eksward, Kline, Carter, McDowell, and Heisinger, the Speaker ordered a roll call taken on the demand for the previous question.

The question being on the demand for the previous question.

The roll was called, and the demand for the previous question lost by the following vote:

AYES—Badaracco, Bernard, Broughton, Burns, Clarke, Cleary, Connolly, Croter, Davis, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Heisinger, Johnson, Jones, Lyman, McPherson, Miller, Mueller, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Whitacre, and Woodbridge—32.

NOES—Anderson, Badham, Baker, Edwin; Ball, Carter, Christian, Cleveland, Coombs, Crittenden, Dawson, Dozier, Erb, Foster, Fox, Fulwider, Graves, Hawes,

Johnston, Kline, Lyons, McDowell, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Scott, Spence, Stow, Weller, West, Williams, and Mr. Speaker—35.

Assembly Bill No. 20 read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion carried.

Time, four o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE

At four o'clock and thirty-seven minutes p.m., Mr. Eksward moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Messrs. Eksward, Schmidt, Badham, Rosenshine, and Badaracco, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under the call of the House.

The question being on the motion to dispense with further proceedings under the call of the House.

The roll was called, and the motion to dispense with further proceedings under the call of the House lost by the following vote:

AYES—Badaracco, Bernard, Burns, Clarke, Cleary, Cleveland, Coombs, Dorris, Eksward, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Lyman, McPherson, Morris, Rosenshine, Schmidt, Spalding, and Stevenot—22.

NOES—Anderson, Badham, Baker, Edwin, Carter, Christian, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Rock, Saylor, Scott, Smith, Spence, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—38.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and forty-three minutes p.m., further proceedings under the call of the House was dispensed with, on motion of Mr. Weller.

The roll of absentees was called, and Assembly Bill No. 20 refused passage by the following vote:

AYES—Badham, Baker, Edwin; Carter, Christian, Davis, Dawson, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyons, McDowell, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Rock, Scott, Stow, Weller, Williams, and Mr. Speaker—28.

NOES—Anderson, Badaracco, Bernard, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Lyman, Mathews, McPherson, Miller, Pomeroy, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, and Woodbridge—38.

NOTICE OF RECONSIDERATION.

Mr Pomeroy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 20 was this day refused passage.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented·

By Mr Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows·

An act to amend section 4013 of the Political Code relating to county officers.

Referred to Committee on Introduction of Bills

By Mr McDowell:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows·

An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county, and prescribing his duties and term of office.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER· Your Committee on Education, to which was referred Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Vice Chairman.

The above reported bill ordered on file for second reading

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows

By Mr. Connolly· An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

By Mr Lyons An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities

By Mr Baker, Edwin. An act to amend section 597 of the Political Code, relating to insurance companies.

By Mr. Williams· An act to amend section 1733*a* of the Political Code, relating to high school districts

By Mr Hornblower· An act to add a new section to the Penal Code to be numbered 439, relating to defamation of insurance companies by rival companies

By Mr. Coombs· An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class

By Mr. Heisinger· An act to recognize and declare valid all proceedings in Mendota Irrigation District.

By Mr Rosenshine An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare

title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code, all relating to partnerships; and to make the Partnership Law of the State of California uniform with the law of other states.

FOX, Chairman.

Mr. Fox moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Eksward moved a call of the House.

Motion carried.

Time, four o'clock and fifty-three minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, and Mr. Speaker—52.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and one minute p.m., further proceedings under the call of the House was dispensed with, on motion of Mr. Eksward.

The roll of absentees was called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Connolly: Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Lyons: Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Baker, Edwin: Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Williams: Assembly Bill No. 1308—An act to amend section 1733*a* of the Political Code, relating to high school districts.
Bill read first time, and referred to Committee on Education.

By Mr. Hornblower: Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.
Bill read first time, and referred to Committee on Insurance.

By Mr. Coombs: Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants in counties of the thirty-first class.
Bill read first time, and referred to Committee on County Government.

By Mr. Heisinger: Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.
Bill read first time, and referred to Committee on Irrigation.

By Mr. Rosenshine: Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.
Bill read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At five o'clock and eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, March 30, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 30, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—65.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by Rev. David C. Williams, member of the Assembly from the forty-ninth district.

LEAVES OF ABSENCE

On motion of Mr. Whitacre, Mr. Mueller was granted leave of absence for the day.

On motion of Mr. Spalding, Mr. Wright was granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr Roberts was granted leave of absence for the day.

On motion of Mr. Stow, Mr. Duval was granted leave of absence for the day.

On motion of Mr. Croter, Mr. Fox was granted leave of absence for the day.

On motion of Mr. Clarke, Messrs. Reindollar and Carlson were granted leave of absence for the day.

On motion of Miss Broughton, Mrs. Woodbridge was granted leave of absence for the day.

On motion of Mr Smith, Mr. Anderson was granted leave of absence for the day.

On motion of Mr. Stow, Mr. Baker, C. C., was granted leave of absence for the day.

On motion of Mr. Prendergast, Mr. Bromley was granted leave of absence for the day.

On motion of Mr. Johnson, Mr Cleary was granted leave of absence for the day.

On motion of Mr. Morrison, Messrs. Mathews and Mitchell, T. A, were granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Morris, Mr. F. Ray Groves of Los Angeles was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Weller, Mr. Harold I. Cruzon of Eagle Rock was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Rock, Hon. Henry Burns, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Bernard, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919;

Also: Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended;

Also: Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the state, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919,

Also: Assembly Bill No. 234—An act providing for the appearance of the Attorney General of the State of California in behalf of the public before the Railroad Commission of the State of California, at hearings in which the public is interested, and providing for expert services in aid thereof;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates,

Also: Assembly Bill No. 1011—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven;

Also: Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608*d* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district

Also: Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts, the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof;

Also: Assembly Bill No. 330—An act to add a new section to the Political Code to be numbered 1608*e* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts—and reports that the same has been correctly engrossed

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Also: Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor.

Also: Assembly Bill No. 1277—An act validating toll bridge franchises for terms expressly limited to not exceeding thirty years heretofore granted by boards of supervisors of the several counties of the State of California.

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1206—An act to amend sections 6, 10, 11, 13 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BALL, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

NOYES, Chairman.

The above reported concurrent resolution ordered on file for adoption.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 35—An act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 7 to 26, both inclusive, and all of pages 2, 3, 4 and 5 of the printed bill, and insert in lieu thereot the following:

"1 The county clerk, three thousand two hundred fifty dollars per annum, and also such compensation as is now or may hereafter be allowed by law, and in each year in which a new and complete registration of voters is required by law he shall receive such an amount as shall be necessary to pay deputy registration clerks for taking affidavits of registration outside of the office at the rate of ten cents each, and such an amount as shall be necessary to pay deputies in the office for enrolling the registrations upon the great register at the rate of four cents each, the claims for which shall be presented and allowed by the board of supervisors as other claims are presented and allowed, he may also appoint a deputy clerk, which office of deputy clerk is hereby created, whose salary shall be one thousand two hundred dollars per annum, payable as the salaries of county officers are paid. The provisions of this subsection do not increase the compensation of a county officer and shall take effect immediately.

2. The sheriff, six thousand dollars per annum.

3. The recorder, two thousand two hundred fifty dollars per annum; *provided*, that such recorder shall collect and pay into the county treasury for the use and benefit of the county the fees required by law to be so collected; *and provided*, that when the amount of said fees so collected shall amount to more than two hundred dollars in any one month, the said recorder may receive and retain for his own use, in addition to his salary, one-half of all fees in excess of two hundred dollars in one month so collected; *and provided*, that in counties of this class the recorder may appoint two deputy recorders for service in his office, which offices of deputies for the county recorder are hereby created, one of said deputies shall receive as compensation for his services the sum of one thousand two hundred dollars per annum, and one of said deputies shall receive as compensation for his services the sum of one thousand twenty dollars per annum, to be paid out of the county treasury in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the recorder is paid.

4. The auditor, two thousand five hundred dollars per annum; he may also appoint a deputy auditor, which office of deputy auditor is hereby created, whose salary shall be seventy-five dollars per month, payable as the salaries of all other county officers are paid. The provisions of this subsection do not increase the compensation of a county officer and shall take effect immediately.

5. The treasurer, two thousand dollars per annum; *and provided*, that in counties of this class the treasurer may appoint a deputy treasurer, which office of deputy treasurer is hereby created, and said deputy treasurer shall receive as compensation for such service the sum of nine hundred dollars per annum, to be paid out of the county treasury in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid.

6. The tax collector, one thousand dollars per annum, *provided* that said tax collector shall perform the duties and receive and retain for his own use, the fees provided by law for the license tax collector.

7. The assessor, four thousand two hundred fifty dollars per annum; *provided*, that in counties of this class the assessor may appoint a field deputy, which office of field deputy is hereby created, who shall hold office from the first day of March of each year up to and including the last day of July of each year. The salary of said field deputy herein provided for is fixed at the sum of one hundred fifty dollars per month, to include expenses for each month during which the said field deputy holds office, as herein provided. The salary of said field deputy shall be paid at the same time, in the same manner and out of the same fund as the salaries of other county officers are paid

8. The district attorney, two thousand four hundred dollars per annum; he may also appoint a deputy, which office of deputy district attorney is hereby created, whose salary shall be one thousand dollars per annum, payable as the salaries of other county officers are paid

9 The coroner, such fees as are now or may hereafter be allowed by law

10 The public administrator, such fees as are now or may hereafter be allowed by law.

11 The superintendent of schools, two thousand four hundred dollars per annum, including services on the board of education. He shall be allowed his actual traveling expenses not to exceed five hundred dollars per annum; he shall also be allowed one

deputy whose salary shall be seventy-five dollars per month, payable the same as the salary of county officers; *provided*, that he shall keep his office open from nine o'clock a.m. to five o'clock p.m., of each business day.

12. The surveyor shall receive a per diem of ten dollars for all work performed for the county, in addition thereto all necessary expenses and transportation on work performed in the field.

13. For the purpose of fixing the compensation of justices of the peace according to their duties, townships of this class of counties are hereby classified according to population. The population shall be determined by the board of supervisors upon the enactment of this act, and also at the time of the formation of any new township or townships.

Townships having a population of over three thousand shall belong to and be known as townships of the first class; townships having a population of one thousand five hundred and less than three thousand shall belong to and be known as townships of the second class; townships having a population of one thousand and less than one thousand five hundred shall belong to and be known as townships of the third class; townships having a population of four hundred and less than one thousand shall belong to and be known as townships of the fourth class; townships having a population three hundred and less than four hundred shall belong to and be known as townships of the fifth class; townships having a population of less than three hundred shall belong to and be known as townships of the sixth class.

Justices of the peace shall receive the following salaries: In townships of the first class, the sum of nine hundred dollars; in townships of the second class, the sum of six hundred sixty dollars; in townships of the third class, three hundred twenty dollars; in townships of the fourth class, one hundred eighty dollars; in townships of the fifth class, one hundred twenty dollars; in townships of the sixth class, sixty dollars.

Such salaries shall be paid in the same manner and out of the same fund as the salaries of county officers are paid and shall be compensation in full for all services rendered.

All fees received by justices of the peace shall be paid into the county treasury every month.

14. The constable shall receive the following fees, to wit: For serving summons and complaint, for each defendant served one dollar; for each copy of summons for service when made by him twenty-five cents; for levying writ of attachment or execution or executing order of arrest or for the delivery of personal property, one dollar; for keeping personal property, such sum as the court may order, but no more than two dollars per day shall be allowed for a keeper when necessarily employed; for taking bond or undertaking, fifty cents; for copies of writs and other papers, except summons, complaints and subpoenas, per folio ten cents; *provided*, that when correct copies are furnished him for use, no charge shall be made for copies; for serving any writ, notice or order, except summons, complaint or subpoenas, for each person served, fifty cents; for writing and posting each notice of sale of property twenty-five cents; for serving subpoenas, each witness, including copy twenty-five cents; for collecting money on execution, two and one-half per cent, to be charged against the defendant named in the execution; for executing and delivering a certificate of sale, one dollar; for executing and delivering constable's deeds, two dollars; for every mile necessarily traveled in his township, in going only, to serve any civil or criminal process or paper, or to take a prisoner before a magistrate or to a prison, twenty-five cents, outside of his township, but within his county, twenty cents; but when two or more persons are served or summoned in the same suit and at the same time, mileage shall be charged only for the more distant if they live in the same direction; for each mile traveling outside his county in making criminal arrests, both going and returning from the place of arrest, ten cents; in transporting prisoners to the county jail, or before a magistrate either upon arrest or for trial or examination or after conviction, he shall receive in addition to the above mileage his actual and necessary expenses for himself and prisoners; *provided*, that if two or more prisoners are transported at the same time, no more than one mileage shall be allowed; for making each arrest in criminal cases, one dollar and fifty cents; for sales of estrays, the same fees as for sales on execution; for summoning a jury two dollars, including mileage; for all other services, the same fees as are allowed sheriffs for like services; *provided, further*, that no more than sixty dollars shall be allowed to any constable in counties of this class in any one month for fees and mileage in criminal matters.

15. Each supervisor, six hundred dollars per annum, and twenty cents per mile for traveling from his residence to and from the county seat; *provided*, such mileage shall not be allowed more than once a month; and for his services as road commissioner he shall receive twenty cents a mile one way, for all distances actually and necessarily traveled by him in the performance of his duties; *provided*, he shall not in any one year receive more than six hundred dollars as such road commissioner. The road commissioner shall be reimbursed for all traveling personal and other necessary expenses while actually engaged in the performance of their duties upon the road; *provided*, that the full amount of expenses incurred shall not exceed six hundred dollars in any one year, to be allowed as any other claim by the board of supervisors.

16. In counties of this class grand jurors and jurors in the superior court shall receive for each day's attendance the sum of three dollars, and for each mile actually and necessarily traveled from residence to county seat the sum of twenty-five cents; such mileage to be allowed but once during each session such jurors are required to attend.

Sec. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 866—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 867—An act to add a new section to be numbered 1540*a* of the Penal Code, relating to search and seizures and evidence in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to person from whom it was taken.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 710—An act to add a new section to the Penal Code, to be numbered 211*a*, relating to robbery committed on persons in vehicles on public highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146*a*, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of line 7 following the comma, all of lines 8 to 12, both inclusive, and all of line 13 preceding the word "or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 16, insert the following:

"2. Real property, or an interest therein, belonging to the defendant, and held by any other person, or standing on the records of the county in the name of any other person, must be attached, by filing with the recorder of the county a copy of the writ, together with a description of the property, and a notice that such real property, and any interest of the defendant therein, held by or standing in the name of such other person (naming him), are attached, and by leaving with the occupant, if any, and with such other person, or his agent, if known and within the county, or at the residence of either, if within the county, a copy of the writ, with a similar description and notice. If there is no occupant of the property, a copy of the writ, together with such description and notice, must be posted in a conspicuous place upon the property. The recorder must index such attachment when filed, in the names, both of the defendant and of the person by whom the property is held or in whose name it stands on the records.

3. Personal property, capable of manual delivery, must be attached by taking it into custody.

4. Stocks or shares, or interest in stocks or shares, of any corporation or company, must be attached by leaving with the president, or other head of the same, or the secretary, cashier, or other managing agent thereof, a copy of the writ, and a notice stating that the stock or interest of the defendant is attached, in pursuance of such writ.

5. Debts and credits and other personal property, not capable of manual delivery, must be attached by leaving with the person owing such debts, or having in his possession, or under his control, such credits and other personal property, or with his agent, a copy of the writ, and a notice that the debts owing by him to the defendant, or the credits and other personal property in his possession, or under his control, belonging to the defendant, are attached in pursuance of such writ, except in the case of attachment of growing crops, a copy of the writ, together with a description of the property attached, and a notice that it is attached, shall be recorded the same as in the attachment of real property."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 8 and in lieu thereof insert the following: "drawn and attested by a civil engineer or licensed surveyor from his own survey of the ground. Said engineer or surveyor shall, in making the surveys, leave sufficient permanent monuments so that another surveyor or engineer may retrace his work. The nature and location of these monuments shall be plainly shown on the map: *provided, however*, that on all maps of tracts filed for the purpose of showing as acreage, land previously subdivided into numbered or lettered lots or parcels, no survey or certificate by surveyor or engineer shall be required. The map shall also particularly set forth and describe:"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of lines 24 to 27, inclusive, and insert in lieu thereof the following:

"10. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the line dividing Oakland and Brooklyn townships intersects the northeasterly boundary line of the county of Alameda, thence southwesterly along said dividing line to the northeasterly boundary line of the city of Piedmont, thence southeasterly and southerly following the northern and eastern boundary line of the city of Piedmont to the southeasterly corner thereof; thence southwesterly along Thirteenth avenue to the center line of Fourteenth avenue; thence southerly along the center line of Fourteenth avenue to the center line of Lincoln street, thence easterly along the center line of Lincoln or East Thirty-first street to the center line of Twenty-third avenue; thence southerly along the center line of Twenty-third avenue to the center line of Sherman street, otherwise known as the old County Road; thence easterly along said old County Road to the center line of High street, thence easterly along center line of the Foothill Road, or County Road No. 3358, to the center line of Grand, or Ninetieth avenue, thence southwesterly along said line of Ninetieth avenue, crossing East Fourteenth street to the center line of "B", or Second street, thence easterly along said "B" street to the center line of Jones or Ninety-eighth avenue, thence southerly along the center line of Jones, or Ninety-eighth avenue, to the center line of County Road No. 1995, thence southerly along center line of County Road No. 1995 to the line dividing Brooklyn and Eden townships; thence westerly along said township line to the line dividing Brooklyn and Alameda townships; thence southerly and westerly along the boundary line of Alameda township to the westerly boundary line of Alameda county, thence southerly along said westerly boundary line to its intersection with the northerly boundary line of Santa Clara county; thence easterly along the boundary line dividing Alameda and Santa Clara counties to a point which is the intersection of the boundary lines of the counties of Alameda, Santa Clara, Stanislaus and San Joaquin, thence northwesterly and northerly along the boundary line between the counties of Alameda and San Joaquin to a point where the boundary line dividing the counties of Alameda and Contra Costa intersects the westerly boundary line of the county of San Joaquin, thence in a southwesterly and northwesterly direction along the boundary line between the counties of Alameda and Contra Costa to the point of beginning, shall constitute the tenth senatorial district.

11. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the northern boundary line of the city of Berkeley is intersected by the line dividing Oakland and Alameda townships; thence easterly along said northern boundary line of the city of Berkeley to a point where the by the line dividing Oakland and Brooklyn townships, thence northerly along the westerly boundary line of Brooklyn township, passing through the easterly arm of Lake Merritt and up Indian Gulch to the northwesterly boundary line of East Oakland Heights; thence southeasterly along said last boundary line to the center of Thirteenth avenue, thence northeasterly along center line of Thirteenth avenue, or County Road to Moraga Valley, to the center line of Fourteenth avenue, thence southerly along the center line of Fourteenth avenue to the center line of Lincoln street; thence easterly along the center line of Lincoln, or East Thirty-first street to the center line of Twenty-third avenue, thence southerly along the center line of Twenty-third avenue to the center line of Sherman street, otherwise known as old County Road; thence easterly along said old County Road to the center line of High street; thence along the center line of Foothill Road, or County Road No. 3358, to the center line of Grand, or Ninetieth avenue; thence southerly along said line of Ninetieth avenue, crossing East Fourteenth street to "B", or Second street; thence easterly along said "B" street to the center line of Jones, or Ninety-eighth avenue; thence southerly along the center line of Jones, or Ninety-eighth avenue, to the center line of County Road No. 1995, thence southerly along center line of County Road No. 1995 to the line dividing Brooklyn and Eden townships, thence westerly along said township line to the line dividing Brooklyn and Alameda townships, thence southerly and westerly along the boundary line of Alameda township to the westerly boundary line of Alameda county; thence northwesterly along the westerly county boundary line to the southerly boundary line of Oakland township and the point of beginning, shall constitute the eleventh senatorial district.

12. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the westerly boundary line of the county of Alameda intersects the northeasterly boundary line of the county of Alameda; thence westerly along said dividing line to a point in Oakland harbor where said line is intersected same is coincident with the center line of Eunice street, thence westerly along the center line of Eunice street to the center line of Milvia street, thence southerly along the the center line of Milvia street to the center line of Adeline street, thence southerly along the center line of Adeline street to the northerly boundary line of the town of Emeryville; thence easterly, southerly and westerly following the boundary line of the town of Emeryville to the center line of San Pablo avenue; thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the northern boundary line of Alameda township, thence easterly along the northern boundary line of Alameda township to the westerly line of Brooklyn township the same being a point in Oakland harbor, thence northerly along the westerly boundary line of Brooklyn township, passing through the easterly arm of Lake Merritt and up Indian Gulch to the northeasterly boundary line of East Oakland Heights, thence southeasterly along last said boundary line to the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue, or County road to Moraga Valley, to the southeastern corner of the city of Piedmont; thence northerly and westerly following the easterly and northerly boundary lines of the city of Piedmont to the line dividing Brooklyn and Oakland townships, thence northeasterly along the last said township line to the boundary line of Alameda county, thence northwesterly along the county boundary line to the point of beginning, shall constitute the twelfth senatorial district.

13 All that portion of the county of Alameda described as follows, to wit Beginning at a point where the northerly boundary line of the city of Berkeley intersects the northeasterly boundary line of the county of Alameda; thence westerly along said northern boundary line of the city of Berkeley to a point where the same is coincident with the center line of Eunice street; thence westerly along the center line of Eunice street to the center line of Milvia street, thence southerly along the center line of Milvia street to the center line of Adeline street, thence southerly along the center line of Adeline street to the northerly boundary line of the town of Emeryville; thence easterly, southerly and westerly, following the boundary line of the town of Emeryville to the center line of San Pablo avenue, thence southerly along the center line of San Pablo avenue to the center line of Broadway, thence southerly along the center line of Broadway to the northern boundary line of Alameda township thence westerly along the line dividing Alameda and Oakland townships to the western boundary line of the county of Alameda, thence northerly along the said county boundary line to the northern boundary line of the county of Alameda; thence easterly following the northern boundary line of the county of Alameda to the point of beginning, shall constitute the thirteenth senatorial district"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following

"14. All that portion of the city and county of San Francisco embraced within and comprising the twenty-seventh and twenty-eighth assembly districts as designated and constituted by section ninety of this code, shall constitute the fourteenth senatorial district.

15. All that portion of the city and county of San Francisco embraced within and comprising the thirtieth and thirty-fourth assembly districts, as designated and constituted by section ninety of this code, shall constitute the fifteenth senatorial district

16 All that portion of the city and county of San Francisco embraced within and comprising the twenty-fourth and twenty-ninth assembly districts as designated and constituted by section ninety of this code, shall constitute the sixteenth senatorial district

17 All that portion of the city and county of San Francisco embraced within and comprising the twenty-fifth and twenty-sixth assembly districts, as designated and constituted by section ninety of this code, shall constitute the seventeenth senatorial district.

18 All that portion of the city and county of San Francisco embraced within and comprising the thirty-second and thirty-fifth assembly districts, as designated and constituted by section ninety of this code, shall constitute the eighteenth senatorial district."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out all of line 8 and insert in lieu thereof the following:

"20 All that portion of the city and county of San Francisco embraced within and comprising the thirty-first and thirty-third assembly districts, as designated and constituted by section ninety of this code, shall constitute the twentieth senatorial district."

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill strike out all of line 3 and insert in lieu thereof the following:

"7. All that portion of the county of Sacramento, composed of that part of the city of Sacramento, lying north of the center of "K" street, and east of the center of Thirty-first street, and all that portion of said Sacramento county included within the boundaries of "American Township," "Brighton Township," "Center Township," "Granite Township," "Mississippi Township," "Natoma Township," and "Sutter Township," as said townships existed on the first day of January, 1923, shall constitute the seventh assembly district."

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill strike out all of line 4 and insert in lieu thereof the following:

"8. All that portion of the county of Sacramento not included in the seventh assembly district shall constitute the eighth assembly district."

AMENDMENT NUMBER SIX.

On page 3 of the printed bill strike out all of line 15 and insert in lieu thereof the following:

"14. All that portion of the county of San Joaquin not included in the fifteenth assembly district shall constitute the fourteenth assembly district."

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill strike out all of line 16 and insert in lieu thereof the following:

"15. All that portion of the county of San Joaquin comprising the city of Stockton shall constitute the fifteenth assembly district."

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of lines 17 to 24 inclusive, and insert in lieu thereof the following

"16. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Shattuck avenue is intersected by the center line of Fifty-first street or Vernon street, in the city of Oakland, thence easterly along the center line of Fifty-first or Vernon street to the center line of Broadway, thence northeasterly along the center line of Broadway to its intersection with the northeasterly boundary line of the city of Oakland as the same existed prior to the annex of one thousand nine hundred nine; thence southeasterly along said boundary line of the city of Oakland as the same existed prior to the annex of one thousand nine hundred nine to its intersection with the northerly boundary line of the city of Piedmont, thence easterly following the northerly boundary line of the city of Piedmont to its intersection with the boundary line dividing Brooklyn and Oakland townships; thence northeasterly along the line dividing Brooklyn and Oakland townships to its intersection with the northeasterly boundary line of Alameda county; thence northwesterly and westerly following along the county boundary line to its intersection with the easterly boundary line of the town of Albany; thence southerly along the easterly boundary line of the town of Albany to its intersection with the center of Codornices creek, thence easterly up the center of the Codornices creek to its intersection with the center line of Milvia street, thence southerly along the center line of Milvia street to the center line of Russell street, thence easterly along the center line of Russell street to the center line of Shattuck avenue, thence southerly along the center line of Shattuck avenue to the center line of Fifty-first or Vernon street and the point of beginning, shall constitute the sixteenth assembly district

17. All that portion of the county of Alameda lying easterly of a line described as follows: Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county, thence easterly and northerly along the boundary line of Alameda township to a line dividing Brooklyn and Eden townships; thence easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly along said boundary line to the center line of East Fourteenth street, thence northwesterly following along the center line of East Fourteenth street to the center line of Moss avenue in the city of Oakland; thence northeasterly along the center line of Moss avenue and a direct extension of said center line to the northeasterly boundary line of the city of Oakland, thence following the said northeasterly boundary line of the city of Oakland in a northwesterly direction to its intersection with the northeasterly boundary line of the county of Alameda, shall constitute the seventeenth assembly district.

18. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of the county of Alameda; thence in an easterly and northerly direction along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships, thence in an easterly direction along the boundary line between Eden and Brooklyn townships to the southwesterly boundary

line of the town of San Leandro; thence northerly and easterly following the said town line to the center line of East Fourteenth street, thence northwesterly following the center line of East Fourteenth street and an extension of the same to its intersection with the line dividing Brooklyn and Oakland townships said point being in Lake Merritt thence southwesterly along said township line to its intersection with the northerly boundary line of Alameda township; thence westerly following along the said northerly boundary line of Alameda township to its intersection with the westerly boundary line of Alameda county; thence southeasterly along said county boundary line to the point of beginning, shall constitute the eighteenth assembly district

19 All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Thirteenth avenue is intersected by the center line of East Fourteenth street, in the city of Oakland; thence northwesterly along the center line of East Fourteenth street and an extension of said center line to a point where the same intersects the westerly boundary line of Brooklyn township, in lake Merritt thence northeasterly following along the boundary line between Brooklyn and Oakland townships to the southerly boundary line of the city of Piedmont; thence easterly, northerly and westerly following the said boundary line of the city of Piedmont to the line dividing Oakland and Brooklyn townships, thence northeasterly along said dividing line between Oakland and Brooklyn townships to its intersection with the northeasterly boundary line of the city of Oakland, thence southeasterly following said city boundary line to a point where the same would be intersected by a direct extension northeasterly of the center line of Moss avenue, thence southwesterly along said extension and along the center line of Moss avenue to the center line of East Fourteenth street, thence northwesterly along the center line of East Fourteenth street to the center line of Thirteenth avenue and the point of beginning, shall constitute the nineteenth assembly district

20 All of that portion of the county of Alameda, described as follows, to wit: Beginning at a point where the center line of Broadway is intersected by the center line of Thirteenth street, in the city of Oakland thence southeasterly along the center line of Thirteenth street and a direct extension of said center line to its intersection with the line dividing Brooklyn and Oakland townships; thence northeasterly following along the line dividing Brooklyn and Oakland townships to a point in the southerly boundary line of the city of Piedmont thence easterly, northerly and westerly, following the southern, eastern and northern boundary line of the city of Piedmont to its intersection with the eastern boundary line of the city of Oakland, as the same existed prior to the annex of one thousand nine hundred nine; thence northwesterly along the easterly boundary line of the city of Oakland, as the same existed prior to the annex of one thousand nine hundred nine, to its intersection with the center line of Broadway; thence southerly along the center line of Broadway to the center line of Fifty-first, or Vernon street, thence westerly following along the center line of Fifty-first street to the center line of Shattuck avenue; thence southerly along the center line of Shattuck avenue to the center line of Temescal creek; thence westerly down the center of Temescal creek to the center of Grove street, thence southerly along the center of Grove street to the center of San Pablo avenue; thence southerly along the center of San Pablo avenue to the center of Broadway; thence southerly along the center of Broadway to the center of Thirteenth street, and point of beginning, shall constitute the twentieth assembly district.

21. All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-second street in the city of Oakland, thence easterly along the center line of Twenty second street to the center line of Grove street, thence southerly along the center line of Grove street to the center line of San Pablo avenue, thence southerly along the center line of San Pablo avenue to the center line of Broadway; thence southerly along the center line of Broadway to the center line of Thirteenth street; thence easterly along the center line of Thirteenth street and a direct extension of said center line to its intersection with the line dividing Brooklyn and Oakland townships, thence southerly along the line dividing Oakland and Brooklyn townships to the line dividing Oakland and Alameda townships; thence westerly along the line dividing Oakland and Alameda townships to a point where a direct extension of the center line of Adeline street would intersect the same; thence northerly along said extension and along the center line of Adeline street to the point of beginning, shall constitute the twenty-first assembly district.

22 All of that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-second street in the city of Oakland; thence easterly along the center line of Twenty-second street to the center line of Grove street; thence northerly along the center line of Grove street to the center of Temescal creek, thence westerly down the center of Temescal creek to the town of Emeryville; thence westerly and northerly following the boundary line of the town of Emeryville to the southerly boundary line of the city of Berkeley; thence westerly along the southerly boundary line of the city of Berkeley and a direct extension of same to its intersection with the westerly boundary line of Alameda county; thence south-

erly along the westerly boundary line of Alameda county to its intersection with the line dividing Oakland and Alameda townships, thence easterly along the line dividing Oakland and Alameda townships to a point where a direct extension of the center line of Adeline street would intersect the same, thence northerly along said extension and along the center line of Adeline street to the center line of Twenty-second street and the point of beginning, shall constitute the twenty-second assembly district

23 All of that portion of the county of Alameda described as follows, to wit Beginning at a point where the easterly boundary line of the town of Emeryville is intersected by the southerly boundary line of the city of Berkeley; thence southerly and easterly along the boundary line of the town of Emeryville to a corner thereof, the same being in the Temescal creek, thence up to the center of Temescal creek to the center line of Shattuck avenue; thence northerly along the center line of Shattuck avenue to the center line of Russell street, thence westerly along the center line of Russel street to the center line of Milvia street; thence northerly along the center line of Milvia street to the center line of Cordonices creek; thence westerly down the center line of Cordonices creek to the easterly boundary line of the town of Albany, thence northerly along the easterly boundary line of the town of Albany to the northern boundary of the county of Alameda, thence westerly and southerly along the northern and western boundary line of the county of Alameda to a point where said boundary line would be intersected by a direct extension westerly of the southerly boundary line of the city of Berkeley; thence easterly along said extension and along the southerly boundary line of the city of Berkeley to the point of beginning, shall constitute the twenty-third assembly district."

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out all of lines 41 and 42, and insert in lieu thereof the following:

"38. All that portion of the county of Santa Clara not included in the thirty-ninth assembly district shall constitute the thirty-eighth assembly district.

39. All that portion of the county of Santa Clara embraced within the following precincts, as constituted at the general election in 1910, to wit. Agnew, that part of Alameda precinct lying north of the center line of Park avenue, Alviso, Berryessa, Burbank, that part of Crandalville precinct number one lying outside of the city limits of the city of San Jose, as established in one thousand nine hundred eleven, Cupertino, East San Jose number two, Fremont, Jefferson, Mayfield, Milpitas (numbers one and two), Mountain View (numbers one and two), Mount Hamilton, Orchard, Palo Alto (numbers one to five, inclusive), Purissima, San Jose (numbers one to twelve, inclusive), Santa Clara (numbers one to four, inclusive), Saratoga, Stanford, Stockton, Sunnyvale (numbers one and two), and University (numbers one and two), shall constitute the thirty-ninth assembly district."

AMENDMENT NUMBER TEN.

On page 3 of the printed bill strike out all of line 52 and insert in lieu thereof the following:

"44. All that portion of the county of Fresno embraced in the following description shall constitute the forty-third assembly district: Commencing at the northeast corner of section thirty-four, township twelve south, range nineteen east, Mount Diablo meridian; thence in a southerly direction to the center of the right of way of the Southern Pacific railroad; thence southeasterly along the line of the said right of way to the city limits of the city of Fresno; thence in a westerly, southerly and easterly direction along said city limits to a point where said city limits intersect the line of the right of way of the Southern Pacific railroad; thence southeasterly along the line of said Southern Pacific right of way to the city limits of the city of Fowler; thence in an easterly and southerly direction following the line of said city limits to a point where said city limits intersect the line of said right of way of the Southern Pacific railroad; thence southeasterly along the line of said right of way to the city limits of the city of Selma, thence along the line of said city limits in a southerly and easterly direction to a point where said city limits intersect the right of way of the Southern Pacific Railroad; thence along said right of way in a southerly direction to the southwest corner of section nine, township sixteen south, range twenty-two east, Mount Diablo meridian; thence east to the southeast corner of section twelve, township sixteen south, range twenty-two east, Mount Diablo meridian; thence south to the boundary line between the county of Fresno and the county of Tulare; thence along the boundary line dividing the county of Fresno from the counties of Tulare, Kings, Monterey, San Benito, Merced and Madera to the point of beginning shall constitute the forty-fourth assembly district."

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill strike out all of lines 1 and 2 and insert in lieu thereof the following:

"45 All that portion of the county of Fresno included in and comprising the city of Fresno shall constitute the forty-fifth assembly district.

46. All that portion of the county of Fresno not included in the forty-fourth and forty-fifth assembly districts shall constitute the forty-sixth assembly district."

AMENDMENT NUMBER TWELVE

On page 4 of the printed bill strike out all of lines 34 and 35 and insert in lieu thereof the following

"73. *All that portion of the county of San Bernardino now comprised within the* following townships, to wit: Chino, Ontario, Upland, Cucamonga, Etiwanda, and San Bernardino, shall constitute the seventy-third assembly district

74. All that portion of the county of San Bernardino not included within the seventy-third assembly district, as fixed and defined in this act, shall constitute the seventy-fourth assembly district."

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill strike out all of line 42, and insert in lieu thereof the following

"78. All that portion of the county of San Diego included and being within the city of San Diego, and included within the following described boundary lines, to wit:

Beginning at the most northerly point of the pueblo lands of San Diego county as finally confirmed to the president and trustees of the city of San Diego, according to the patent therefor and the map thereof, recorded in book of patents No. 1 at page 190 et seq., in the office of the recorder of San Diego county; being also the most northerly point of said city, and running thence southeasterly along the northeasterly *boundary line of the pueblo and city of San Diego, to the southeast corner of pueblo* lot one thousand three hundred forty-nine according to map of the pueblo lands of San Diego, San Diego county, California, made by James Pascoe, city engineer, May, 1870, on file in the office of the clerk of the city of San Diego, California, thence westerly along the southerly boundary line of pueblo lots one thousand three hundred forty-nine, one thousand one hundred twenty-seven, one thousand one hundred twenty-six, one thousand one hundred twenty-five and one thousand one hundred twenty-four to the southwest corner of said pueblo lot one thousand one hundred twenty-four, thence southerly along the easterly boundary lines of pueblo lots one thousand one hundred thirty-two, one thousand one hundred thirty-four, and one thousand one hundred forty-five all according to said map of the pueblo lands of San Diego, to an intersection with the east and west center line of Date street, according to map of Horton's addition to San Diego, recorded in the office of the recorder of San Diego county in deed book 13, page 522 et seq. thence easterly along said center line of Date street produced to an intersection with the northerly projection of the center line of Sixth street according to map of Bay View homestead filed in the office of the recorder of San Diego county, California, January 29, 1873, and numbered 150, thence southerly along the center line of said Sixth street, according to said map of Horton's addition and Bay View homestead and said center line produced to an intersection with the shore line of the bay of San Diego, at the line of ordinary high tide water which is the boundary line of said pueblo and city of San Diego, thence in a general northerly direction along the shore of the bay of San Diego at the line of said ordinary high water tide the ordinary high water line of the Pacific ocean and the shore line of False bay (otherwise known as Mission bay), the same being the westerly boundary line of said pueblo and city of San Diego, to the place of beginning shall constitute the *seventy-eighth assembly district.*"

AMENDMENT NUMBER FOURTEEN

On page 4 of the printed bill strike out all of lines 43 and 44 and insert in lieu thereof the following:

"79. All that portion of the county of San Diego included within the corporate limits of the city of San Diego and not included within the seventy-eighth assembly district shall constitute the seventy-ninth assembly district.

80. All that portion of the county of San Diego not included within the seventy-eighth and seventy-ninth assembly district shall constitute the eightieth assembly district."

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, strike out all of lines 25 to 29, inclusive, and insert in lieu thereof the following:

"24. *All that portion of the city and county of San Francisco bounded as follows:* Commencing at the point of intersection of the center lines of Market and Jones streets, thence along the lines described as follows: Jones to the waters of the bay of San Francisco, *thence easterly and southeasterly along the shore line of said* bay to Market street, Market to Jones street, the point of beginning and the islands of the bay of San Francisco within the city and county of San Francisco shall constitute the twenty-fourth assembly district.

25. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center lines of Clay and Jones streets, thence along the lines described as follows: Jones to the waters of the bay of San Francisco, thence westerly along the shore line of said bay to the waters of the Pacific ocean, thence along the shore line of said ocean to Lobos creek, thence along the shore line of said creek easterly to the southerly boundary line of the Presidio reservation, thence along the southerly boundary line of the Presidio reservation to Sixth avenue, Sixth avenue to California street, California street to Van

Ness avenue Van Ness avenue to Clay street, Clay to Jones, the point of beginning, together with the islands known as the Farallone islands shall constitute the twenty-fifth assembly district.

26 All that portion of the city and county of San Francisco bounded as follows. Commencing at the point of intersection of the center lines of Fulton street and Ninth avenue thence along the lines described as follows: Ninth avenue to California street, California street to Sixth avenue, Sixth avenue to the southerly boundary line of the Presidio reservation, thence westerly along the southerly boundary line of the Presidio reservation to Lobos creek, thence along the shore line of Lobos creek westerly to the waters of the bay of San Francisco, thence westerly along the shore line of said bay to the shore line of the Pacific ocean, thence along the shore line of said ocean southerly to Fulton street, Fulton street to Sixth avenue the point of beginning shall constitute the twenty-sixth assembly district

27. All that portion of the city and county of San Francisco bounded as follows Commencing at the point of intersection of the center lines of Fulton and Divisadero streets thence along the center lines of the following named streets: Divisadero to California street, California street to Ninth avenue, Ninth avenue to Fulton street, Fulton to Divisadero the point of beginning shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco bounded as follows Commencing at the point of intersection of the center lines of California and Divisadero streets thence along the center lines of the following named streets Divisadero street to Duboce avenue, Duboce avenue to Castro street, Castro to Eighteenth, Eighteenth to Valencia, Valencia to Market, Market to Laguna, Laguna to California, California to Divisadero the point of beginning shall constitute the twenty-eighth assembly district"

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, strike out all of lines 30 to 34, inclusive, and insert in lieu thereof the following:

"29 All that portion of the city and county of San Francisco bounded as follows Commencing at the point of intersection of the center lines of California and Laguna streets thence along the center lines of the following named streets. Laguna to Market, Market to Jones, Jones to Clay, Clay to Van Ness avenue, Van Ness avenue to California, California to Laguna the point of beginning shall constitute the twenty-ninth assembly district.

30 All that portion of the city and county of San Francisco bounded as follows Commencing at the point of intersection of the center lines of Market and Valencia streets, thence along lines described as follows Valencia to Eighteenth, Eighteenth to Harrison, Harrison to Mariposa, Mariposa to the waters of the bay of San Francisco, thence northerly along the shore line of said bay to Market street, Market to Valencia the point of beginning shall constitute the thirtieth assembly district.

31. All that portion of the city and county of San Francisco bounded as follows Commencing at the point of intersection of the center lines of Fulton and Divisadero streets, thence along the center lines of the following named streets: Divisadero street to Duboce avenue, Duboce avenue to Castro street, Castro to Twenty-sixth, Twenty-sixth to Corbett avenue, Corbett avenue to Burnett avenue, Burnett to Palo Alto avenue, Palo Alto avenue to Stanyan street, Stanyan to Fulton, Fulton to Divisadero the point of beginning shall constitute the thirty-first assembly district.

32. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Fulton and Stanyan streets, thence along lines described as follows Stanyan to Palo Alto avenue, Palo Alto avenue to Burnett avenue, Burnett avenue to Portola drive, Portola drive to Twenty-sixth street, Twenty-sixth street to Hoffman avenue, Hoffman avenue to Thirtieth street, Thirtieth street to Fowler avenue, Fowler avenue to Sussex street, Sussex street to Hamburg, Hamburg to Flood avenue, Flood avenue to Phelan avenue, Phelan avenue to Ocean avenue, Ocean avenue to Ashton avenue, Ashton avenue to Holloway avenue, Holloway avenue to Junipero Serra boulevard, Junipero Serra boulevard to the northerly boundary line of San Mateo county, thence westerly along said boundary line to the waters of the Pacific ocean, thence northerly along the shore line of said ocean to Fulton street, Fulton to Stanyan the point of beginning shall constitute the thirty-second assembly district.

33. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Eighteenth and Castro streets, thence along the center of the following named streets Castro to Twenty-sixth, Twenty-sixth to Hoffman avenue, Hoffman avenue to Thirtieth street, Thirtieth street to Mission, Mission to Cortland avenue, Cortland avenue to Folsom street, Folsom to Twenty-sixth, Twenty-sixth to Florida, Florida to Mariposa, Mariposa to Harrison, Harrison to Eighteenth, Eighteenth to Castro the point of beginning shall constitute the thirty-third assembly district."

AMENDMENT NUMBER SEVENTEEN.

On page 3 of the printed bill, strike out all of lines 35 and 36 and insert in lieu thereof the following

"34. All that portion of the city and county of San Francisco bounded as follows Commencing at the point of intersection of the center of Mariposa and Florida streets, thence along lines described as follows Florida to Twenty-sixth, Twenty-sixth to Folsom, Folsom to Cortland avenue, Cortland avenue to San Bruno avenue, San Bruno avenue to the northerly boundary line of San Mateo county, thence easterly along the said boundary line of San Mateo county to the waters of the bay of San Francisco, thence northerly along said shore line of the bay of San Francisco to Mariposa street, Mariposa to Florida, the point of beginning, shall constitute the thirty-fourth assembly district.

35. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Thirtieth and Mission streets thence along lines described as follows. Mission to Cortland avenue, Cortland avenue to San Bruno avenue, San Bruno avenue to the northerly boundary line of San Mateo county, thence westerly along the said boundary line of San Mateo county to Junipero Serra boulevard, Junipero Serra boulevard to Holloway avenue, Holloway avenue to Ashton avenue, Ashton avenue to Ocean avenue, Ocean avenue to Phelan avenue, Phelan avenue to Flood avenue, Flood avenue to Hamburg street, Hamburg to Sussex, Sussex to Fowler avenue, Fowler avenue to Thirtieth street, Thirtieth street to Mission the point of beginning shall constitute the thirty-fifth assembly district."

AMENDMENT NUMBER EIGHTEEN.

On page 4, of the printed bill, strike out all of lines 13 to 33, inclusive, and insert in lieu thereof the following

"52. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit La Liebre, Del Sur, Lancaster numbers 1 and 2, Neenach, Antelope, Wilsonia, Llano, Little Rock, Palmdale, Acton, Sterling, Saugus numbers 1 and 2, Newhall, Chatsworth, Sunland, San Fernando numbers 1, 2 and 3, Calabasas, Topanga, Lankershim numbers 1 and 2, Burbank, Moreland, Burbank city numbers 1, 2, 3, 4 and 5, Glendale city numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, Eagle Rock 1, 2, 3, 4 and 5, San Rafael, Glorietta Heights, La Crescenta, La Canada, Verdugo, and Los Angeles city precincts numbers 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755 and 759, shall constitute the fifty-second assembly district.

53. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Decker, Malibu, Beverly Glen, Sherman numbers 1 and 2, Crescent, La Brea numbers 1, 2 and 3, Beverly Hill city, Arnaz, West Adams numbers 1 and 2, Smith, Angeles Mesa numbers 1 and 2, Machada, Ballona, Sawtelle city numbers 1, 2 3, 4, 5, 6, 7 and 8, National Military Home numbers 1, 2, 3 4, 5, 6, 7 and 8, Culver City and Los Angeles city precincts numbers 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 533, 534, 535, 536, 537, 538, 539, 656, 657, 658, 756 and 757 shall constitute the fifty-third assembly district.

54. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit Los Angeles city precincts numbers 346, 347, 348, 371, 375, 376, 377, 378, 379, 380, 381, 382, 383, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 466, 467, 758 and 760 shall constitute the fifty-fourth assembly district.

55. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit Los Angeles city precincts numbers 3, 4, 292, 293, 294, 295, 384, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, Nithsdale, Annandale numbers 1, 2 and 3, shall constitute the fifty-fifth assembly district.

56. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit Linda Vista, Devils Gate, Mount Lowe, Altadena numbers 1, 2 and 3, Pasadena city numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 39, 40, 41, 42, 43, 44, 45, 46, 47, 54, 55, 56, 57, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82 shall constitute the fifty-sixth assembly district.

57. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1st, 1923, to wit: Duarte numbers 1 and 2, Monrovia City numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Altadena numbers 4, 5 and 6, La Manda numbers 1, 2 and 3, Sierra Madre City numbers 1, 2, 3 and 4, Arcadia City numbers 1, 2 and 3, San Marino City, Pasadena City numbers 48, 49, 50, 51, 52, 53, 58, 59, 60, 83 and 84, South Pasadena City num-

bers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, Alhambra City numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, shall constitute the fifty-seventh assembly district.

58. All that portion of Los Angeles County included within and comprising the following election precincts, as of January 1st, 1923, to wit: Spadra numbers 1 and 2, Bomono City numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, Claremont, numbers 1, 2, and 3, San Dimas numbers 1, 2 and 3, Covina numbers 1, 2, 3 and 4, Rowland numbers 1, 2, 3 and 4, La Verne numbers 1 and 2, La Verne City numbers 1 and 2, Glendora, Glendora City numbers 1, 2 and 3, Charter Oak, Covina City numbers 1, 2, 3 and 4, Azusa City numbers 1, 2 and 3, Azusa, Whittier City numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, East Whittier numbers 1, 2 and 3, shall constitute the fifty-eighth assembly district.

59. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1st, 1923, to wit: Mira Monte numbers 1, 2, 3, 4 and 5, Huntington Park City numbers 1, 2, 3, 4, 5, 6 and 7, Vernon City numbers 1 and 2, Fruitland, Bell numbers 1, 2, 3 and 4, Middletown, Bandini, Laguna numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9, Babbitt numbers 1 and 2, Belvidere numbers 6, 7 and 8, Midwick, Monterey City numbers 1, 2, 3, 4, 5 and 6, Montebello numbers 1, 2, 3, 4 and 5, Rivera numbers 1 and 2, Los Nietos numbers 1 and 2, El Monte numbers 1, 2 and 3, El Monte City numbers 1 and 2, San Anita numbers 1 and 2, Baldwin Park numbers 1 and 2, San Gabriel numbers 1, 2, 3 and 4, San Gabriel City numbers 1, 2 and 3, Temple, and Los Angeles City precincts numbers 120, 121, 122, 123, 690, 691, 692 and 693, shall constitute the fifty-ninth assembly precinct.

60. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1st, 1923, to wit: Belvidere numbers 1, 2, 3, 4 and 5, and Los Angeles City precincts numbers 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 770, 771, 772, 773, 774, 775, 776, 777, 778 and 779, shall constitute the sixtieth assembly district.

61. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1st, 1923, to wit: Los Angeles City precincts numbers 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 73, 74, 75, 76, 77, 78, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 317, 318, 319, 761, 762, 763, 764, 765, 766, 767, 768 and 769, shall constitute the sixty-first assembly district.

62. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1st, 1923, to wit: Los Angeles City precincts numbers 250, 311, 312, 313, 314, 315, 316, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 372, 373, 374, 398, 496, 497, 498 and 499 shall constitute the sixty-second assembly district.

63. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered 459, 460, 461, 462, 463, 464, 465, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531 and 532 shall constitute the sixty-third assembly district.

64. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 598, 600, 602, 603, 604, 605, 606, 607, 608, 609 and 610 shall constitute the sixty-fourth assembly district.

65. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 272, 273 and 274 shall constitute the sixty-fifth assembly district.

66. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 597, 599, 601, 620, 621, 622, 623, 624 and 625 shall constitute the sixty-sixth assembly district.

67. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city

precincts numbered 67, 68, 69, 70, 71, 72, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 118, and 119 shall constitute the sixty-seventh assembly district.

68. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Los Angeles city precincts numbered 129, 130, 131, 132, 611, 612, 613, 614, 615, 616, 617, 618, 619, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 694 and 695 shall constitute the sixty-eighth assembly district.

69. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Lasher, Canyon, Santa Monica city numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23; Venice city numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; Ocean Park Heights, Centinela, Inglewood numbers 1, 2, 3, 4, 5, 6 and 7; Hyde Park city, Sexton, Arbor Vitae, Wisburn numbers 1, 2, 3 and 4; Lawndale numbers 1 and 2; Redondo Beach city numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9; Hermosa Beach city numbers 1, 2 and 3; Manhattan Beach numbers 1 and 2, El Porto, El Segundo numbers 1, 2 and 3, Ross, and Los Angeles city precincts numbered 659, 660 and 661 shall constitute the sixty-ninth assembly district.

70. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Catalina, Avalon city, La Rambla, Lomita, Torrence numbers 1 and 2; Cotton, Gardena numbers 1, 2, 3 and 4; Green Meadows numbers 1 and 2, Moneta numbers 1 and 2, Howard numbers 1, 2, 3, 4 and 5, and Los Angeles city precincts numbered 662, 663, 664, 665, 666, 667, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737 and 738 shall constitute the seventieth assembly district.

71. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Florence numbers 1, 2, 3, 4, 5, 6 and 7; Watts city numbers 1, 2, 3, 4, 5 and 6, San Antonia numbers 1, 2 and 3; Tweedy, Lugo, Willowbrock numbers 1, 2 and 3, Compton city numbers 1 and 2, *Dominguez, Lynwood city, Wilmington, Cerritos numbers 1 and 2, Long* Beach city precincts numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 59 and 63 shall constitute the seventy-first assembly district.

72. All that portion of the county of Los Angeles included within and comprising the following election precincts, as of January 1, 1923, to wit: Clearwater, Bellflower numbers 1, 2 and 3, Hynes, Artesia numbers 1 and 2, Bixby, Signal Hill, Burnet, Alamitos numbers 1, 2, 3, 4 and 5; Naples, La Mirada, Downey numbers 1, 2, 3 and 4, Norwalk numbers 1 and 2, and Long Beach city precincts numbered 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 57, 58, 60, 61, 62, 64, 65 and 66 shall constitute the seventy-second assembly district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation proposed March 1, 1887," by adding a new section thereto to be numbered section 64.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, strike out the words "proposed March 1, 1887" "and insert in lieu thereof the following "purposes," approved March 31, 1897".

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, strike out the words "proposed March 1, 1877" "and insert in lieu thereof the following "purposes," approved March 31, 1897"

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, after the word "land", insert the following "used for horticultural, agricultural, or grazing purposes".

AMENDMENT NUMBER FOUR

On page 1, line 17, of the printed bill, after the word "any", insert the word "such".

AMENDMENT NUMBER FIVE.

On page 1, line 21, of the printed bill strike out the semicolon and insert in lieu thereof a comma

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, after line 8, insert the following:

"If any sentence, clause or phrase of this section is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The legislature hereby declares that it would have enacted this section and every sentence, clause and phrase thereof, irrespective of the fact that any one or more other sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3*b* thereof, relating to consent of commission for expenditure of funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, amend line 6 of title to the printed bill to read as follows: "county waterworks district bonds, and the payment thereof,'".

AMENDMENT NUMBER TWO

On page 1, amend line 6 of the printed bill to read as follows "works district bonds, and the payment thereof,' approved June 13,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*b*, relating to the creation of an irrigation district bond security fund.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 5 to 25, inclusive, and on page 2 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert in lieu thereof the following:

"Section 32*b* In all cases in which the estimate of the amount of the bond issue shall have included an amount for the payment of interest as provided in section thirty *a*, the bond certification commission shall be authorized to require, as a condition to the certification of such issue, that a sum not exceeding one year's interest on said issue be deposited in the state treasury in a fund to be designated "_____ Irrigation District Bond Security Fund" If said commission shall have required such deposit to be made by any irrigation district, such district shall, out of the proceeds of sale of the first bonds of said issue sold, deposit in the state treasury the amount required by said commission. The amount so deposited, or any part thereof, may be withdrawn and used by said district for the purpose of paying interest upon said bonds, *provided* that said commission shall first determine that such payment is or will be required in order to meet, in whole or in part, such interest payment or to avoid a default in the payment thereof. Should any part of such fund be withdrawn as hereinabove provided, the amount so withdrawn shall be included in the next annual assessment of such district, and when collected the same shall be paid into the state treasury to the credit of said fund. Upon the payment of all outstanding bonds of said issue of such district, said fund and all accrued interest thereon shall be repaid to such district and be deposited in the general fund thereof to be used for any purposes provided for by this act Whenever such irrigation district bond security fund shall amount to at least the sum of fifty thousand dollars, it shall be invested in the same manner as the moneys of the state school fund, and the district depositing such moneys shall be entitled to the income therefrom."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and appropriating the sum of $10,000 therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out line 3 of the title of the printed bill and in lieu thereof insert the following: "making an appropriation therefor."

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, strike out the word "ten" and in lieu thereof insert the word "fifteen".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 6 insert the following:

"Any and all expenses incurred under this section and also the per diem and mileage where allowed by law, of the grand jurors, shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in said county."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced.

Bill read second time, and ordered on file for third reading.

MOTION TO RECONSIDER.

Mr. Pomeroy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 20 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 248 was passed be continued until the next legislative day.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

Also: Senate Bill No 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers;

Also: Senate Bill No 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

Also: Senate Bill No 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for

police courts in cities of the first and one-half class, fixing their compensations, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 41 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 76 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 45 read first time, and referred to Committee on County Government.

Senate Bill No. 333 read first time, and referred to Committee on County Government

Senate Bill No. 40 read first time, and referred to Committee on Municipal Corporations

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 76—An act to amend section 2695 of the Political Code relating to San Diego Bay.

Also: Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2669, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego.

Also: Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, state or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

Also: Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 70 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 69 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 81 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 237 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 693 read first time, and referred to Committee on County Government

Also:

SENATE CHAMBER, SACRAMENTO, March 29, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to pro-

vide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Also Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Also Senate Bill No 456—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

Also Senate Bill No 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith

Also Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e* and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 192 read first time, and referred to Committee on Public Health and Quarantine

Senate Bill No. 408 read first time, and referred to Committee on Conservation

Senate Bill No. 456 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 331 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 534 read first time, and referred to Committee on Corporations.

Also

SENATE CHAMBER, SACRAMENTO, March 29, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 20 read first time, and referred to Committee on Constitutional Amendments

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 1277—An act validating toll bridge franchises heretofore granted by boards of supervisors of the several counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1277 passed by the following vote:

AYES—Badham, Baker, Edwin Ball, Bernard, Broughton, Carter, Christian, Clarke, Connolly, Croter, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Graves, Johnson, Johnston, Jones, Kline Lyons, McDowell, McMillan, McPherson, Miller, Mitchell A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy Prendergast, Saylor, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, and Mr Speaker—45

NOES—None.

Title read and approved

NOTICE OF RECONSIDERATION.

Mr Morris gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1277 was this day passed.

Assembly Bill No 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1158 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Carter, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1032 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Heisinger, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr Speaker—48.

NOES—Prendergast—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1173 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Carter, Christian, Clarke, Connolly, Croter, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496*b*, making second hand dealers liable for receiving stolen books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1042 passed by the following vote:

AYES—Badaracco, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Connolly, Crittenden, Crofer, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office; by providing for additional deputy clerks for said courts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 57 passed by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Clarke, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Williams, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 879—An act to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to provide for the grading of market milk and cream and prevent the manufacture and sale of products from unhealthy cows; to prevent deception or fraud in the production and sale of dairy products and in the manufacture, advertising, and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the licensing of dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and

punishment of violators thereof; and to repeal all acts or parts of acts in conflict herewith.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Miss Broughton moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "insanitary" and insert in lieu thereof the word "unsanitary".

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, after the word "purchase" insert the words, "or receive".

AMENDMENT NUMBER THREE.

On page 2, line 14, of the printed bill, after the word "purchase" insert the words, "or receive".

AMENDMENT NUMBER FOUR.

On page 2, line 15, of the printed bill, after the word "the" insert the words, "definition and".

AMENDMENT NUMBER FIVE.

On page 2, line 25, of the printed bill, after the word "purchase" insert the words "or receive".

AMENDMENT NUMBER SIX.

On page 2, lines 34 and 35, of the printed bill, enclose the words "excluding that obtained within five days after or fifteen days prior to parturition" in parenthesis.

AMENDMENT NUMBER SEVEN.

On page 2, line 41 of the printed bill, after the period strike out the words "Milk for" and strike out lines 42 to 50, inclusive, and insert in lieu thereof the following: "Milk shall have been produced from non-reacting tuberculin tested cows as determined by a test applied by a qualified veterinarian under the supervision of the department of agriculture of the State of California or shall be pasteurized and shall otherwise conform to the rules and regulations adopted by the said department of agriculture as provided for in section twenty-one of this act. Milk for manufacturing purposes may be repasteurized not exceeding once."

AMENDMENT NUMBER EIGHT.

On page 3, line 12, of the printed bill, after the word "other", insert the word "insanitary".

AMENDMENT NUMBER NINE.

On page 3, line 14, of the printed bill, after "Sec. 4.", strike out the remainder of the section and in lieu thereof insert the following: "Cream is that portion of milk rich in milk fat which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and contains not less than eighteen per cent of milk fat and not more than eight per cent of milk solids not fat in cream containing eighteen per cent of milk fat and correspondingly less solids for greater percentages of milk fat. Cream shall have been produced from nonreacting tuberculin tested cows as determined by a test applied by an authorized veterinarian under the supervision of the department of agriculture of the State of California, or shall be pasteurized and shall otherwise conform to the rules and regulations adopted by the said department of agriculture as provided for in section twenty-one of this act. Cream for manufacturing purposes may be repasteurized not exceeding once."

AMENDMENT NUMBER TEN.

On page 3, line 42, of the printed bill, after the word "ripened" insert the words "milk or".

AMENDMENT NUMBER ELEVEN.

On page 4, line 9, of the printed bill, strike out the words "for cooking and baking purposes only" and insert in lieu thereof the words, "in the manufacture of foodstuffs".

AMENDMENT NUMBER TWELVE.

On page 4, line 21, of the printed bill, after the word "or" insert the word, "other".

AMENDMENT NUMBER THIRTEEN.

On page 4, lines 23 and 24, of the printed bill, strike out the words, "shall not appear in any manner on the package or wrapper" and insert in lieu thereof the

following "whose name is printed on any package or wrapper shall not appear thereon.".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 35, of the printed bill, after the word "labeled" insert the words, "at the factory"

AMENDMENT NUMBER FIFTEEN.

On page 4, line 35, of the printed bill, after the word "assigned" insert the word "annually".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 39, of the printed bill, strike out the word "wagons" and insert in lieu thereof the word "vehicles".

AMENDMENT NUMBER SEVENTEEN.

On page 6, lines 41 and 42 of the printed bill, after the comma omit the words "even though the substance added is a product of milk".

AMENDMENT NUMBER EIGHTEEN.

On page 11 of the printed bill, strike out lines 11 to 15, inclusive, and in lieu thereof insert the following

"Renovated butter is the product made from impure or rancid butter reduced, for the purpose of cleansing and renovating, to a liquid state by melting and draining off the liquid milk fat and afterwards churning or otherwise manipulating it in connection with milk or any product thereof. Butter made from assembled cream made from pure milk fat (made from non-rancid butter) combined with other wholesome milk products, under special permit from the department of agriculture of the State of California, which otherwise conforms to the standards for butter required by this act, shall not be construed to be renovated butter".

AMENDMENT NUMBER NINETEEN.

On page 12 of the printed bill, strike out lines 18 to 23, inclusive.

AMENDMENT NUMBER TWENTY.

On page 12, line 24, of the printed bill strike out the designating letter "(p)" and in lieu thereof insert the letter "(o)".

AMENDMENT NUMBER TWENTY-ONE

On page 13, line 39, of the printed bill after the word "of" insert the word "separating".

AMENDMENT NUMBER TWENTY-TWO.

On page 13, line 44, of the printed bill after the word "be" insert the word "separated".

AMENDMENT NUMBER TWENTY-THREE.

On page 14, line 2, of the printed bill after the word "whitewash" insert the words "or paint".

AMENDMENT NUMBER TWENTY-FOUR.

On page 14, line 3, of the printed bill strike out the words "at least once in two years or oftener".

AMENDMENT NUMBER TWENTY-FIVE.

On page 15, lines 18, and 19 of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER TWENTY-SIX.

On page 15, line 34, of the printed bill strike out the word "twenty-five" and in lieu thereof insert the word "thirty".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, line 36, of the printed bill strike out the word "fifty-one" and insert in lieu thereof the word "forty-five".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16, line 48, of the printed bill after the word 'purchased' insert the words, "or received".

AMENDMENT NUMBER TWENTY-NINE.

On page 17, line 34, of the printed bill after the word "recorded" insert the words "with indelible pencil or ink".

AMENDMENT NUMBER THIRTY

On page 17, line 45, of the printed bill after the period insert the following: "The original record shall be immediately delivered to the purchaser or receiver of said milk or cream, who shall retain said original record for a period of at least three months"

AMENDMENT NUMBER THIRTY-ONE.

On page 18, line 9, of the printed bill, after the period insert the following: "The reading of the test shall be made when the temperature of the milk fat is between one hundred thirty-five and one hundred forty degrees Fahrenheit".

AMENDMENT NUMBER THIRTY-TWO.

On page 19, line 6, of the printed bill after the word "tenths" strike out the words "cubic centimeter" and in lieu thereof insert the word "milliliter".

AMENDMENT NUMBER THIRTY-THREE.

On page 19, line 13, of the printed bill, after the word "chased" insert the words "or received."

AMENDMENT NUMBER THIRTY-FOUR.

On page 22, lines 25 and 26 of the printed bill, strike out the word "adulterated".

AMENDMENT NUMBER THIRTY-FIVE

On page 22, line 27, of the printed bill after the word "accused" strike out the period and in lieu thereof insert a comma and the word "*provided*".

AMENDMENT NUMBER THIRTY-SIX

On page 23, line 15, of the printed bill, after the comma strike out the word "persons" and in lieu thereof insert the word "person".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 23, line 39, of the printed bill, after the word "paragraph" strike out the designating letter "(B)" and insert the letter "(c)".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 23, line 42, of the printed bill, after the word "manufacture" strike out the word "and" and in lieu thereof insert the word "or".

AMENDMENT NUMBER THIRTY-NINE.

On page 24 of the printed bill, strike out lines 7 to 10 inclusive

Motion carried.

The Speaker appointed Miss Broughton as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 879, with instructions, reports that the instructions of the Assembly have been carried out

BROUGHTON, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1033—An act to amend section 19.c42 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts incon-

sistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1033 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Carter, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, and Mr. Speaker—50.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER)

The following bill was introduced, and referred as indicated:

By Mr. Connolly: Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock.

Introduced, and referred to Committee on Federal Relations.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 149 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—46.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof and by adding section 18*c* thereto to provide for the dissolution of lighting districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 398 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Broughton, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McDowell,

McPherson, Miller, Mitchell, A. G., Noyes, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—46

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill strike out the words "or more".

Motion carried

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 58, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 317—An act authorizing counties, cities and school districts to provide public entertainments and to charge admission therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 317 passed by the following vote:

AYES—Badham, Ball, Bernard, Carter, Christian, Clarke, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—47.

NOES—None

AMENDMENT TO TITLE.

During reading of the title, Mr. Badham moved to amend the title as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "school districts" and in lieu thereof insert the words "cities and counties".

Amendment adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts having a population of 400,000 or more.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote.

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Carter, Clarke, Connolly, Crittenden, Dawson, Dean, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 185 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Christian, Clarke, Connolly, Crittenden, Dorris, Eksward, Emme, Erb, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell A G, Moore, Morrison, Noyes Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre Williams, and Mr Speaker—50

NOES—Carter and Dozier—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1132 passed by the following vote.

AYES—Badaracco, Badham Baker, Edwin · Ball, Bernard, Broughton Christian, Clarke, Crittenden, Dawson, Dorris, Dozier, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Stow Weller, West, Whitacre, Williams and Mr Speaker—49

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 292 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Broughton, Carter, Christian, Clarke, Connolly, Crittenden, Dorris, Dozier, Eksward, Emme, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27*a*, relating to the appointment of deputies

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 572 passed by the following vote:

AYES—Baker, Edwin; Ball, Bernard, Broughton, Christian, Clarke, Connolly, Crittenden, Dawson, Dean, Dorris, Dozier, Erb, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 29, 1923.

To the Assembly of the State of California.

GENTLEMEN: Pursuant to the provisions of section 6 of chapter 828 of the Statutes of 1921, entitled "An act to authorize suits against the State for services rendered to the State or for moneys expended in connection with such services, and regulating the procedure therein," approved June 3, 1921, J. B. Curtin has recovered a judgment against the State of California for the sum of $11,947.00, which judgment has been affirmed by the District Court of Appeal, in and for the Third Appellate District, and is now final.

Very respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The Speaker referred the above message to the Committee on Ways and Means.

MOTION.

Mr. Bernard moved that the Chief Clerk be instructed to ascertain when the report of the Special Committee appointed by the Governor to investigate the water resources of this State would be submitted to the Assembly.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 440—An act to amend the Code of Civil Procedure by amending sections 927 and 927*p*, relating to small claims court—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks;

Also Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Currin against the State of California:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended, and be re-referred to Committee on Ways and Means

WEST, Chairman

The above reported bills ordered re-referred to Committee on Ways and Means.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MOORE, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the supreme court.

Also: Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges.

Also: Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

Also: Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County;

Also: Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737*cc*, relating to the salaries of superior court judges;

Also: Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*ccc*, relating to the salaries of superior court judges;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass and be re-referred to Committee on Ways and Means.

FULWIDER, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring the general public cleaner and better service; and provide penalties for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading

ADJOURNMENT.

At eleven o'clock and forty-eight minutes a.m., on motion of Mr. Hawes, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Monday, April 2, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 2, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Bedaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Badham, Mr. Baker, Edwin, was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Williams, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING

REPORT OF SELECT COMMITTEE.

The following report of Select Committee was received:

MR. SPEAKER: Your Select Committee appointed under authority of Assembly Concurrent Resolution No. 17 begs leave to submit the following order of arrangements for the funeral services.

The services will commence in the Assembly Chamber at two o'clock p.m. on Monday, April 2, 1923. The members of the Senate and Assembly are requested to be seated in the Assembly Chamber at one o'clock and forty-five minutes p.m.

The Senators are requested to be seated with their respective Assemblymen, in so far as practicable, in the same order as in Joint Convention.

ORDER OF SERVICES

Selection, Chopin's Funeral March.....Orchestra
Selection.....Male Quartette
Scripture Reading and Prayer.....Rev. Wm. E. Harrison, Chaplain of the Senate
Address.....Bishop William H. Moreland, Chaplain of the Assembly
Selection, "Jesus Lover of My Soul".....Male Quartette
Eulogy, Frank L. Platt, Oakland; Thos. J. Flammer, Sacramento Lodge of Elks; Hon. C. C. Young, President of the Senate; Hon. Frank F. Merriam, Speaker of the Assembly

Selection.....Male Quartette
Benediction.....Bishop William H. Moreland
Selection, "The Vacant Chair".....Orchestra

PALL BEARERS—Senators H. C. Nelson, F. J. Powers; Assemblymen T. A. Mitchell, Fred J. Moore, Earnest Dozier, Elmer P. Bromley.

At the west end of the Capitol the funeral march will be taken up and the Senators and Assemblymen will march to the City Cemetery, at the end of Tenth street, where interment will take place.

FUNERAL ESCORT.

Military Escort—Company "G," 159th Infantry, California National Guard.
Clergy
Hearse and pall bearers.
Mourners.
Governor, Lieutenant Governor and Speaker of Assembly.
Members of the Legislature.
State officers.
Delegations (other than legislators), societies and friends.

H. C. NELSON,
F. J. POWERS,
A. E. OSBORNE
JOSEPH A. BEEK,
Senate Committee.

ELMER P. BROMLEY,
JOS. F. BURNS,
CHAS. W. CLEARY,
EMMETT I. DONOHUE,
BERT. SNYDER,
ARTHUR A. OHNIMUS,
Assembly Committee.

Report read, and on motion adopted.

MOTION TO RECONSIDER

Mr. Pomeroy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 20 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 248 was passed be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1277 was passed be continued until the next legislative day.

Motion carried.

ADJOURNMENT

At nine o'clock and forty-eight minutes a.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, April 3, 1923, out of respect to the memory of the late Honorable Gustave H. Douglas, member of the Assembly from the First District, in accordance with the resolution introduced by Mr. Eksward and adopted by the Assembly March 29, 1923.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 3, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C. Ball, Beard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis,

Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Graves, Mr Baker, Edwin, was granted leave of absence for the day.

On motion of Mr. Reindollar, Mr. Carlson was granted leave of absence for the day.

On motion of Mr. Johnson, Mr. Cleary was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. Eksward, Mr. Mathews was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Coombs, Hon. J. A. Pettis, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Rock, Mr. Walter Coughlin of San Francisco was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Mr. Floyd B Pearson of Burlingame was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr West, Mr Joseph Maloney, Commander of the Sacramento Post of the American Legion, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal

Through the courtesy of Mr. Dawson, Seth Millington, Commander of American Legion, Department of California; Major A. E. Graupner, Chairman of Committee on Rehabilitation, American Legion, Department of California; and Buron R. Fitts, Past Commander, American Legion, Department of California, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Weller, the following residents of Long Beach were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal: Mr C. H Windham, city manager; Mr. G L. Hoodenpyle, city attorney; Dr F. C. Renfrew, president of Chamber of Commerce; Mr. Henry P. Barbour, vice president State Real Estate Association; Mr. R G. Swaffield, attorney; Mr. E. C Denio, attorney; Mr. C. C. McWhinney, attorney; Mr. Percy Hight, attorney, and Mr. M. I. Giffen, realtor.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Connolly, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Anderson:

WHEREAS, The Optometry Law of the State of California is now twenty years old and one of the first laws of the world to protect the public from incompetents and those who would presume to impose upon the unsuspecting, and

WHEREAS, From its first inception optometry has steadily gained in its benefit to mankind and is promoting increased efficiency in those who would practice it professionally, and

WHEREAS, Now all the states and the District of Columbia as well as the outside possessions of the United States have optometry laws, also Canada, Australia and several other foreign countries, and

WHEREAS, In our State Legislature at present there has been introduced a measure known as the "Bromley bill," Assembly Bill No. 442, which would merge the Optometry Board with other professional boards, and

WHEREAS, Optometry has never cost the taxpayers of the State of California one cent, each optometrist paying a license fee of two ($2.00) dollars, and

WHEREAS, The Alameda County Optometric Association by unanimous vote of the members present at a meeting held Tuesday evening, March 13th, do protest any change in the effect of the disposal of the funds and the elimination of the Board of Optometry; therefore be it

Resolved, That a copy of these resolutions be forwarded to Governor Richardson, Assemblyman Bromley and other Assemblymen and Senators.

Respectfully submitted

CHAS. H. WOOD,
Third Vice President,
Legislation.

Also:

To the Honorable Members of the
Senate and Assembly of the Legislature
of the State of California

DEAR SIRS: At the regular meeting of the Oakland, California Lodge No. 171, B. P. O. E., held last evening (March 29, 1923) the following resolution was unanimously adopted and ordered forwarded to your honorable body:

"*Resolved*, That Oakland Lodge of Elks No. 171 hereby protests against the repeal of the Criminal Syndicalism Act of California and requests the Legislature now in session at Sacramento to vote against its repeal."

Our lodge has a membership of over 2500.

Very truly yours,

CLINTON G. DODGE,
Chairman Committee on Americanism.

M. A. WHIDDEN, Secretary.

By Mr. Kline:

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Mecca to Blythe highway in Riverside County, and

WHEREAS, The said highway bond issue was a definite contract between the people and the State of California to spend $300,000 of said bond issue on said road, and

WHEREAS, The personnel of the State Highway Commission having changed since the voting of said bond issue and the present Highway Commission having recently indicated their opposition to and declared that the contract of the people with the State to spend $300,000 on the road aforesaid would not be adhered to or considered, and that said $300,000 would not be spent on said Mecca to Blythe road, therefore be it

Resolved, By the Riverside County Chamber of Commerce in regular meeting assembled this 20th of March, 1923, that the action of the Highway Commission of the State of California refusing to carry out their obligation on behalf of the State, be, and the same is, hereby condemned and they be requested to reconsider said action and carry out the contract heretofore entered into in good faith, and be it further

Resolved, That a copy of this resolution be addressed to all the Chambers of Commerce in Southern California, especially in Riverside and Los Angeles counties.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests

Also Assembly Bill No 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations approved March 13, 1883 as amended

Also Assembly Bill No 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The standard apple act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to person from whom it was taken

Also Assembly Bill No 710—An act to add a new section to the Penal Code, to be numbered 211*a* relating to robbery committed on persons in vehicles on public highways.

Also Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089 relating to the cancellation of unsold county bonds;

Also Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks insurance companies and trust companies trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 36 thereof relating to consent of commission for expenditure of funds

Also Assembly Bill No 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments

Also Assembly Bill No 723—An act to add a new section to the Political Code to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 478—An act to promote the better education of practitioners of radiography to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health, and to provide penalties for the violation hereof.

Also Assembly Bill No 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeitures for noncompletion of work within period fixed by contract, and manner of payments, and repealing all acts and parts of acts inconsistent therewith;

Also Assembly Bill No 35—An act creating a Board of Retirement to keep, invest, maintain and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital Norwalk State Hospital, the Sonoma State Home San Quentin State Prison and Folsom State Prison providing for the creation of said fund investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement;

Also Assembly Bill No 866—An act to add a new section to be numbered 146a of the Penal Code relating to the search and seizure of dwellings without due process

Also Assembly Bill No. 867—An act to add a new section to be numbered 1540a of the Penal Code relating to search and seizures and evidence in criminal cases; And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued" Approved June 11, 1915, as amended,

Also Assembly Bill No 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662a, relating to the registration of minors,

Also Assembly Bill No 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds,

Also Assembly Bill No 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act,

Also Assembly Bill No 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery to prevent the sale of goods, wares and merchandise by false weights and measures to provide penalties for the violation of the provisions of this act for the admission in evidence of copies of the State's standard of weights and measures providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers and making an appropriation to carry this act into effect", approved June 16, 1913, as amended

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended:

Also: Assembly Bill No. 983—An act to amend sections 6, 16 and 17, of an act entitled "the Corporate Securities Act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations;

Also: Assembly Bill No. 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody;

Also: Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921:

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Concurrent Resolution No. 16—Relative to the appointment of a Committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable G. H. Douglas.

Also: Assembly Concurrent Resolution No. 17—Relative to the appointment of a committee to take charge of arrangements for the funeral services of the late Honorable Gustave H. Douglas:

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolutions ordered to enrollment.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a

fund for the law library—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Judiciary.

FULWIDER, Chairman

The above reported bill ordered re-referred to Committee on Judiciary.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 561—An act to amend section 1062 of the Political Code, relating to elementary schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children, providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILLS.

The following request for permission to introduce bills was presented:

By Miss Miller:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act making an appropriation for additional support of the California Industrial Farm for Women.

Also: An act making an appropriation for the erection and equipment of an administration building at the California Industrial Farm for Women.

Referred to Committee on Introduction of Bills.

MOTION TO RECONSIDER.

Mr. Pomeroy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 20 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 248 was passed be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Morris moved that the vote whereby Assembly Bill No. 1277 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Badaracco, Baker, C. C., Bernard, Bromley, Burns, Carter, Connolly, Crittenden, Croter, Dean, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Johnston, Lyman, Lyons, McMillan, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Rock, Saylor, Schmidt, Smith, Snyder, Stow, Weller, Wright, and Mr. Speaker—37.

NOES—Badham, Ball, Broughton, Clarke, Coombs, Davis, Dawson, Dorris, Doziet, Foster, Heisinger, Johnson, Jones, McPherson, Miller, Moore, Prendergast, Reindollar, Spalding, Stevenot, Whitacre, Williams, and Woodbridge—23.

Assembly Bill No. 1277 ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS

MOTION TO RE-REFER

Mr. Johnston moved that Assembly Bill No. 1206 be withdrawn from the file, and ordered re-referred to Committee on Medical and Dental Laws.

Motion carried.

Assembly Bill No. 1206 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 440—An act to amend the Code of Civil Procedure by amending sections 927 and 927*p*, relating to small claims court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out lines 1, 2 and 3 of the title, and in lieu thereof insert the following:

"An act to amend sections nine hundred twenty-seven *c*, nine hundred twenty-seven *g*, nine hundred twenty-seven *j*, nine hundred twenty-seven *k*, nine hundred twenty-seven *l*, nine hundred twenty-seven *m* and nine hundred twenty-seven *p* of the Code of Civil Procedure, relating to the small claims court."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 6, both inclusive, and in lieu thereof insert the following:

"SECTION 1. *Section nine hundred twenty-seven c of the Code of Civil Procedure* is hereby amended to read as follows:

927*c*. When the claimant appears he shall prepare such an affidavit as is set forth in section nine hundred twenty-six *b* of this title or, at his request, the judge of the court shall draft the same for him. Upon the affidavit being sworn to by the claimant the justice shall file the same and make a true and correct copy thereof. At the same time the justice shall fill in the blanks in the order printed on said copy and sign the order. Service of said affidavit and order shall be made not later than five days, prior to the date specified in said order as the date of trial, and must be made in like manner as summons, as provided for in sections four hundred ten and four hundred eleven of the Code of Civil Procedure, and reference therein to complaint and summons shall be construed to apply to said affidavit and order and the word "clerk" therein shall be construed to apply to said justice, and in the event service is not so accomplished said action shall not be continued or reset and the plaintiff shall lose his right to prosecute the same, as provided for in this section, but shall in no manner be prejudiced in filing his action anew as provided for in title XI, part II, of the Code of Civil Procedure.

SEC. 2. Section nine hundred twenty-seven *g* of the Code of Civil Procedure is hereby amended to read as follows:

927*g*. Upon the presence of the respective parties to said action at the time and place designated in said order said action shall be tried by said justice or continued

upon the order of said justice, *provided*, that in no event shall either party be entitled to more than one continuance *and provided further*, that in the event either party shall be unprepared for trial, at such continuance, or in the event either party shall require process of the court or other services by said justice than provided for in this section, said party so unprepared for trial or so requiring said process or services shall be required to pay the filing fee and trial fee provided for in section four thousand three hundred *e* of the Political Code and upon payment thereof said action shall be redocketed by said justice, as provided for in section nine hundred eleven of the Code of Civil Procedure and all subsequent proceedings shall conform to the requirements in title XI, part II, of the Code of Civil Procedure, *provided*, nevertheless, that both parties shall be deemed in court if service has been made as provided for in section nine hundred twenty-seven *e* of this title, and no other summons shall be issued.

SEC. 3. Section nine hundred twenty-seven *j* of the Code of Civil Procedure is hereby amended to read as follows:

927*j*. If dissatisfied with said judgment either party may, within five days from the entry of said judgment against him, appeal to the superior court of the county in which said court is held and if final judgment is rendered against him in such superior court, then he shall pay, in addition to said judgment, an attorney's fee to the prevailing party in the sum of fifteen dollars ($15).

SEC. 4. Section nine hundred twenty-seven *k* of the Code of Civil Procedure is hereby amended to read as follows:

927*k*. The_____appeal may be taken by filing in the small claims court a statement substantially in the following terms:

In the small claims court of_____, county of_____, State of California.

_____
Plaintiff
vs.
_____
Defendant.

Comes now the_____and appeals from the judgment of the above entitled court in the above entitled action, to the superior court in and for the above named county and state.

Dated this_____day of_____, 19__.

_____
Appellant.

SEC. 5. Section nine hundred twenty-seven *l* of the Code of Civil Procedure is hereby amended to read as follows:

927*l*. The statement mentioned in the last section shall be accompanied by a bond substantially in the following form:

In the small claims court of_____, county of_____, State of California.

_____
Plaintiff.
vs.
_____
Defendant.

Whereas the above entitled court in the above entitled action did on the_____ day of_____, 19__, enter judgment in favor of the_____and against the _____in the sum of $_____, and

Whereas the_____is about to appeal to the superior court of the State of California in and for the above named county,

Now, therefore, the undersigned does undertake and promise that if said judgment is affirmed that then and in that event the undersigned will pay said judgment and also fifteen dollars as an attorney fee to the said_____on demand.

Dated this_____day of_____, 19__.

_____
Surety.

State of California, }
City and county of_____} ss

_____, the surety named in the above bond, being duly sworn, says that he is a _____holder and resident within said state and is worth the sums hereinabove mentioned, over and above all his debts and liabilities, exclusive of property exempt from execution.

_____.

Subscribed and sworn to before me this _____ day of _____, 19__

_____.

And that said justice shall thereupon, and upon the payment of the fees required in sections nine hundred seventy-seven and nine hundred eighty-one of the Code of Civil Procedure, within five days transmit to the clerk of the superior court, the statement and bond provided for in paragraphs *k* and *l*, of this section, a certified copy of his docket, and other papers filed in the action as evidence and upon such transmission on appeal said justice shall also transmit to the county clerk the sum required in section nine hundred eighty-one of the Code of Civil Procedure.

SEC. 6. Section nine hundred twenty-seven *m* of the Code of Civil Procedure is hereby amended to read as follows:

927*m*. If no appeal be taken and the judgment remains unpaid according to the terms and conditions thereof, the justice before whom such a hearing was had, shall, on application by the judgment creditor, certify such judgment in substantially the following form:

In the small claims court of _____, county of _____, State of California.

_____
Plaintiff,
vs.
_____
Defendant.

ABSTRACT OF JUDGMENT.

In the above entitled court and action on the _____ day of _____, 19__, judgment was entered for plaintiff for $_____; that no appeal from said judgment has been taken.

Dated this _____ day of _____, 19__.

_____
Justice of said court.

SEC. 7. Section nine hundred twenty-seven *p* of the Code of Civil Procedure is hereby amended to read as follows:

927*p*. No fee or charge of any kind or nature shall be charged or collected by any officer for any service rendered under this title, except upon redocketing or appeal as provided for in this section, *provided*, that in those counties where the compensation of justices of the peace consists of fees allowed by law, the justice of the small claims courts may charge and collect the same fees which a justice of the peace may charge and collect and no others."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, in line 2, section 3 of the printed bill, after the word "whatsoever" strike out the period and in lieu thereof insert the following: "semi-colon, *provided, however*, that the fat naturally contained in chocolate and not separated therefrom, is hereby declared not to be a fat or oil within the meaning of this act."

AMENDMENT NUMBER TWO.

On page 2, line 7, section 4, of the printed bill, strike out the word "powdered".

AMENDMENT NUMBER THREE.

On page 2, line 7, section 4, of the printed bill, following the word "in" insert the word "sealed".

AMENDMENT NUMBER FOUR.

On page 2, line 12, section 4, of the printed bill, strike out the words "or "powdered skimmed milk" comma as the case may be".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

SECOND READING OF SENATE BILL.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5, line 35, of the printed bill, following the "comma" after the word "hair" strike out the words "to treat" and insert in lieu thereof the words "to massage".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, following the word "both" at the end of line 50, add the following "nothing in this act shall be held to apply to students attending schools, colleges, universities or educational institutions when practicing the occupation of barber upon the school or college premises".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys.

COMMITTEE AMENDMENT.

During reading of the constitutional amendment, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

At the end of line fourteen of the printed bill after the word by, insert the words "a two-thirds vote of each house of".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

COMMITTEE AMENDMENTS.

During reading of the concurrent resolution, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 5, of the printed bill, after the word "employ" insert the following "a stenographer and,". Also in the same line, after the word "necessary",

insert the following: "the committee shall also be assigned an assistant sergeant-at-arms, and shall have the right to subpoena such witnesses as they may deem necessary.".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out the words "six hundred" and insert in lieu thereof the words "one thousand".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION TO RE-REFER.

Mr. McPherson moved that Assembly Bill No. 1282 be withdrawn from the file, and ordered re-referred to Committee on Commerce and Navigation.

Motion carried.

Assembly Bill No. 1282 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1090 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. O., Ball, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mrs. Dorris moved to amend the title as follows:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill strike out the number "16" and in lieu thereof insert the number "10".

Amendment adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1177 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison,

Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 2 of the title following the word "relating", all of lines 3 and 4 and insert in lieu thereof the following "to escapes and attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out line 3 following the period, lines 4 to 8, both inclusive, and in lieu thereof insert the following: "Every prisoner charged with or convicted of a felony or confined in any jail or prison or an inmate of any public training school or reformatory or county hospital, or who is engaged on any county road or other county work or who is in the lawful custody of any officer or person, who escapes or attempts to escape from such jail, prison, public training school, reformatory or county hospital, or from the custody of the officer or person in charge of him while engaged on or going to or returning from such county work or from the custody of any officer or person in whose lawful custody he is, is guilty of a felony and is punishable as provided in section one hundred eight of the Penal Code."

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 939, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211*a*, regarding the definition of robbery and the degrees thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 944 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Coombs, Crittenden, Cloter, Davis, Dawson, Dean, Dozier, Duval, Emme, Erb, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Broughton, Dorris, Fellom, and Heisinger—4.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

Assembly Bill No. 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, ten o'clock and thirty-eight minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

ANNOUNCEMENT.

The Speaker announced that he had appointed Mr. Pedrotti on the Ways and Means Committee, Mr. Burns on the Motor Vehicles Committee, and Mr. Christian on the Insurance Committee to fill vacancies due to the death of the Hon. G. H. Douglas.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for unanimous consent to take up Assembly Bill No. 325, at this time, without reference to file.

Mr. Carter objected.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

ASSISTANT CLERK HICKS READING.

Assembly Bill No. 133—An act to amend section 1142 of the Political Code relating to appointment of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 133 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Connolly, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G.,

Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Hornblower—1.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Graves.

The roll of absentees was called, and Assembly Bill No. 949 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Carter, Christian, Connolly, Crittenden, Croter, Davis, Dawson, Donohue, Duval, Emme, Fulwider, Graves, Hawes, Hornblower, Johnson, Jones, Kline, Lyons, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, and Mr. Speaker—43.

NOES—Bernard, Broughton, Burns, Clarke, Coombs, Dean, Dorris, Dozier, Erb, Fellom, Fox, Heisinger, Johnston, Lyman, McDowell, McMillan, Miller, Moore, Noyes, Saylor, Schmidt, Stevenot, Williams, Woodbridge, and Wright—25.

Title read and approved.

NOTICE OF RECONSIDERATION

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 949 was this day passed.

Assembly Bill No. 950—An act to amend section 1093 of the Penal Code, relating to the conduct of trial in criminal cases and the order of proceeding on trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 950 refused passage by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bromley, Carter, Christian, Emme, Fulwider, Graves, Hawes, Kline, Moore, Morris, Pedrotti, and Pomeroy—15.

NOES—Badaracco, Bernard, Burns, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Foster, Fox, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Mr. Morrison:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace in cities and counties.

Referred to Committee on Introduction of Bills.

By Mrs. Saylor:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of

an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto and to make an appropriation therefor," approved May 3, 1919.

Also An act appropriating money for the development of the water supply at the California Industrial Farm for Women.

Referred to Committee on Introduction of Bills.

ANNOUNCEMENT.

Mr. Noyes announced the receipt of the following invitation:

Hon. Fred Noyes,
State Assembly Chamber, Sacramento, California.

DEAR SIR: I am requested by the Business Men's Association of the city of Davis to extend to you and the members of the Assembly, an invitation to visit the University Farm, at Davis; the time to suit the convenience of the members of the Assembly. I would suggest that this visit be made some afternoon after an early adjournment.

If you will advise me as to this matter, we will use every endeavor to make the visit of the members an enjoyable one. We will arrange to come over and bring them by machine out to Davis, and then return them to Sacramento.

Very truly yours,

FORREST A. PLANT.

Invitation read.

MOTION.

Mr. Noyes moved that the Assembly accept the invitation with thanks and that Wednesday, April 4, 1923, at 3 o'clock p.m. be set for the time of visiting the University farm.

Motion carried

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five".

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 945, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 352 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 676 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Clarke, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—Carter, and Dawson—2

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

On motion of Mr. Carter, the hour of recess was extended until the third reading file had been completed.

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 489 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Crittenden, Croter, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Scott, Smith, Snyder, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 139—An act to amend section 170 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 139 passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Carter, Graves, Lyons, and Pomeroy—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 761—An act to amend sections 366*c* and 366*d* of the Political Code, relating to the Department of Institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 761 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—56.

NOES—Bromley, Christian, Dozier, Eksward, Fox, Johnston, Jones, Kline, Mitchell, A. G., Morris, Prendergast, Smith, and Mr. Speaker—13.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Carter gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 761 was this day passed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 506—An act to amend sections 7, 8*a*, and 8*c*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading.

SPECIAL ORDER SET.

On motion of Mr. Morrison, the consideration of Assembly Constitutional Amendment No. 6 was made a special order for Wednesday, April 4, 1923, at eleven o'clock a.m.

MOTION TO CORRECT JOURNAL.

Mr. Bernard moved that the Journal of Friday, March 30, 1923, be corrected to include the following motion:

MOTION.

Mr. Bernard moved that the Chief Clerk be instructed to ascertain when the report of the Special Committee appointed by the Governor to investigate the water resources of this State would be submitted to the Assembly.

Motion carried.

MOTION.

On motion of Mr. Carter, the following eulogies delivered upon the occasion of the death of the late Honorable Gustave H. Douglas, were ordered printed in the Journal:

By Bishop Wm. H. Moreland, Chaplain of the Assembly:

We are gathered here today with bowed heads and overflowing hearts to pay the last tribute to our beloved friend, Dr Douglas. The State of California pauses, the machinery of government is for awhile suspended, while we reverence the faithful servant of the State, the high-minded Legislator who has fallen in harness.

It would be superfluous at this service to review his life in detail. That has been done worthily by one of his colleagues in the Assembly, by many heartfelt resolutions, by eulogies in the public prints. His career was glorified by the spirit of service. He belonged to the noble profession of medicine, which goes through life with science in one hand and mercy and compassion in the other. His record in Belgium, where he was decorated by the Queen for humane activities, the honor done him by his constituents in electing him to the Legislature, the fact that he was Past President of the Portland Rotary Club, coupled with what we ourselves saw of his sincerity and devotion to duty since he came to Sacramento, all testify to the earnestness and unselfishness of his character.

To the members of his family, his fellow citizens in far away Del Norte and Siskiyou counties, and to the commonwealth of California our hearts go out in deepest sympathy.

It only remains therefore for me, as Chaplain, and so for the time his pastor and friend, to utter the voice of eternal hope as we stand in the presence of death and try to read its secret

Death we are persuaded is but a change of state. We can not feel that our personality depends upon the frail habitation of flesh we call our body. We see too many great souls defying a feeble body. The signal box may be in ruins but the operator is within with clear head and hand upon the signals Sometimes at the very moment of death the spirit is at its best, flashing its splendor in thoughts that can not be forgotten—in words that will never die.

Perhaps the best service I can render is to tell simply the grounds of my own faith in immortality, why it inspires me with good cheer and happy excitement as I draw near the Golden Gates.

My faith in a future life rests on the foundations of Science, Reason and the Resurrection of Christ, and I know that this was fully shared by our departed brother, so that I express his mind as well as my own.

Science, of course, cannot affirm or deny immortality. It is outside of her sphere. But science does confirm our faith. She assures us that nothing can be annihilated, neither matter nor force. You blow out the candle, yet you know it doesn't really go out. It only changes its form. The plants and leaves decay, yet you know they only pass through chemical changes, springing up again into endless life. We argue then, if dead matter is imperishable, and a force like heat, light or electricity is indestructible, surely personality, the highest form of energy, cannot be destroyed.

Science teaches evolution, and its root idea is sound, that man is a creature of development, coming up through uncounted ages. There must be some purpose. Why this vast expenditure of time, pain and struggle unless man is destined for some high and glorious end?

The universal instinct of immortality in all races, savage or cultured, is a powerful witness. The retina of the eye, the corona, the lashes, presuppose the existence of light. So when nature plants in every man the instinct of a future life we are morally certain there is a reality corresponding to it.

The science of psychology shows us what a mysterious thing our personality is, what powers in us are not yet awakened.

Nature illustrates a resurrection, shows us the worm crawling into the chrysalis, apparently dying yet issuing in the spring a golden butterfly.

Nature puts into our hand a lump of albumen looking like a ball of yellow clay, yet under the influence of heat it is transformed into an eagle which soars into the face of the sun.

Here is where Science helps in the hour of bereavement. It assures us that nothing is lost, nothing really dies. Can we suppose then that the masterpiece of creation, the human spirit, the crown and flower of all past evolution, is the only thing to die?

Would we not reduce the whole process of the world to a nightmare and a farce, if we thought there was continuity for everything except the highest, noblest thing of all?

But I will not argue further. We know the supreme value of man, that indeed the world itself would be worthless matter apart from man. What would be the value of California, yea of this whole American continent, if no human being lived there?

Some speak of this earth as a speck in the universe, but suppose all other worlds are merely matter or composed of burning hydrogen gas, what are they worth? Nothing compared to one single human spirit. So our Bible recognizes that man is imperishable: "Beloved now are we the sons of God and it doth not yet appear what we shall be, but we know that waking up after His likeness we shall be satisfied."

It is this sublime truth that we came from God and back to God we will return that gives dignity to life, solemnity to death. You must render an account to God of the trust He committed to you. How long or short may be your allotted span you know not, therefore there is no time to lose. Each day do good and spread happiness, for you are on an eternal journey and will not pass this way again.

In that Book wherein He speaks as never man spake, He drew aside the veil and showed us Dives and Lazarus continuing their life There are not two lives, one here and one there: there is only one life and it goes right on without a break. "Son, remember," was His word. Memory will go with us. It will be no consolation then to remember the money you made, the luxury you enjoyed, but it will be a joy if you can remember lives you have helped, pillows of suffering you have smoothed

One of my friends, Father Maturin, went down with the Lusitania. He spent his last hours calmly helping women into the small boats. As one was pulling out he spied a child and seizing it dropped it into a woman's arms, saying, "Try to find its mother." When the boat landed at Queenstown the mother was on the wharf Can't you believe that the blessing of that mother receiving her baby back from the grave must have penetrated eternity and found the soul of that good man, whose body was washed up later on the Irish coast?

It is faith in God and immortality that makes life heroic. See the huge leviathan torpedoed, trembling like a living thing from stem to stern. The red faced captain issues his commands, "Women and children first." Or, see the man in overalls in the cab of the locomotive His hands are rough and greasy as he grips the lever. The train is off the track. It is going into the ditch. Why doesn't the captain lower a boat and save himself? Why doesn't the engineer jump and leave the passengers to their fate? Because they know it is better to be a broken thing under an engine, better to be a corpse washed with the tide, than to be false to one's trust

We honor our brother so recently walking here among us because he was true to his trust. We saw him seated at yonder desk now draped in mourning. We heard his voice raised in support of worthy policies. We looked into his face and read sincerity and truth. Then we saw him pass over under the rainbow of hope that spans every grave

Here, beside his casket, we will consecrate ourselves to a clean, useful, unselfish life, that when our brothers shall look upon our faces in the silent dignity of death they may be able to say of us, "This warm heart, this clear head, this open hand was an ornament to humanity and a witness to the presence of God in the world."

Departed Comrade, we bid you fond farewell, and lay upon your casket the forget-me-nots of Love and Memory.

By Hon. C. C. Young, President of the Senate:

After the splendid eulogies which we have just heard, I am well aware that little can be added, and that any attempt in this direction on my part must seem inadequate and futile. These services, however, would not be complete without some expression on the part of this Legislature relative to the sad occasion which has brought us here together.

I well remember when, as presiding officer of the Assembly, I stood upon this platform during similar services eight years ago, almost to the very day And I remember, also, how at that time the Senate came from the opposite wing of this building to join with us of the Assembly in doing honor and paying respect to the memory of the colleague who had been taken from us. In exactly the same spirit we today from the Senate branch of the Legislature come to this Assembly to join with you in paying a last tribute to our fellow legislator who has so recently passed on

It so happens that Dr. Douglas was especially well known to two or three members of the present Senate—possibly better and longer known even than to his fellow Assemblymen These Senators, his long-time friends, have told me something of the story of his life. I shall not attempt here to review this story in detail, but a few of the more outstanding points may not be out of place.

They have told me how Dr. Douglas removed to the city of Portland nearly fifteen years ago; how from the very first he took an active part in the life of that city and its vicinity; how he became associated with its Chamber of Commerce and was made president of its very important Rotary Club; how during the war

he did a valiant service for his adopted state, and how honors and decorations from abroad came to him as a result of that service.

Then they told me how, only three or four years ago, he came to California, and into the far northern county of Del Norte, how, though retired from the practice of his profession, and at an age when most men would have retired from other activities, he, with an energy and zeal which might have been expected only from a much younger man, plunged immediately into the civic affairs of his new home, and how in consequence he soon became a leading figure in his community.

You of the Assembly have known and observed him since he came to this Legislature to give to this State the same untiring effort, the same unselfish service, which he had previously given to the advancement of local affairs in his own home. No work was too hard, no effort too great. He was accustomed to giving of himself. His was a life of service.

You know better than I the personal characteristics of the man Modest and retiring by nature, he was at the same time ever energetic and alert in the cause of that which he deemed right. Always genial, affable, warm-hearted, he soon won the good will and esteem of all his colleagues and established for himself an important place among us.

I had personally observed Dr. Douglas principally in the joint hearings recently held in this chamber, in which, from his seat yonder, he took conspicuous part. I remember him especially during that last afternoon of his life Never had I seen him more alert, more energetic than on that day. And yet it is pleasant to remember that he played his part with such good humor that he evoked only good humor in return, even from his opponents; and that not a single untoward thing occurred, as far as his participation was concerned, to mar the memory of that last day.

It is well for us that such men come among us. The simile is an old one and often repeated, but is none the less true for all that—that just as a pebble cast upon the smooth surface of a lake produces waves that, ever widening, ever receding, finally touch the most distant shores, so the influence of every true, strong man passes out, away beyond his ken, until at last it has its effect on thousands of his fellow men.

Dr. Douglas has passed from earth, but his influence still lives. It is a comforting thing to realize that such lives are never lived in vain, and that today all of his many friends may be a little stronger because of him; that this State of ours which he loved and served may be a little better because he lived and labored in it. And this, I suspect, so far as this life is concerned, is the one great thing that must ever make life most worth living.

By Hon. Frank F. Merriam, Speaker of the Assembly:

We are met here this afternoon to pay a loving tribute to a fellow member of the Assembly who last Wednesday passed on to the greater assemblage above After a day of faithful service to his district and the State he was suddenly called without warning He was not a victim of lingering disease nor a sufferer for days and nights from pain but, like a brave soldier, fell in the front ranks of active service, giving his best without stint to the work in hand

We appreciate how deep is the sorrow of those near and dear to him who have been left behind and we would soften that sorrow if we could. We realize the inability of human power and human ministrations to comfort hearts bereaved by such a loss. There is comfort, however, in the helpful, sympathetic, upright and noble life he lived and in the sweet memory of his efforts in behalf of mankind and all with whom he associated.

Membership in the Legislature is somewhat analogous to life. We come here, to the Senate and the Assembly, work together for a time, striving to serve our own districts and our great commonwealth We form our friendships and mingle with associates for a season and then make way for our successors. For some of us the circle of friends and associates is somewhat proscribed, for others it is of a much larger circumference. To the latter class Dr Douglas belonged, not because he sought it particularly, but because his sunny disposition, his warm-hearted way of meeting people, his desire to be helpful and his sympathetic nature, made it natural for men to meet him, to know him and to enjoy his fellowship Although this was his first session, I doubt not but that every member of the Assembly and many members of the Senate already knew Dr. Douglas, valued his friendship and felt a kindly interest in the man and his work

His record in the Legislature and in life has been completed It has been made by his own handiwork We cannot change it more than he could change ours

> "The moving finger writes, and having writ moves on: nor all our prayers nor wit can lure it back to cancel half a line, nor all our tears wipe out a word of it"

Dr Douglas came to his legislative duties with laudable aspirations he hoped to see realized. He desired to be helpful to his associates and to support those measures that would be beneficial to the State and its people. But aside from these questions of broader interest, there was one matter closer to his heart than all others Its realization had been the hope and desire of his people for years. It was to be the link that should bind together communities and establish commercial and social contact between localities and states And so, he sought persistently an appropriation of funds to construct a bridge across the Klamath River in his own district.

Perhaps, in his passing, he may attain for his people and the State the realization of this ambition to a greater degree than would otherwise have been possible and bridge the turbulent stream which now hinders travel and communication during a part of each year. Let us hope the Legislature may find a way to build this span as a memorial to our friend and fellow-member and in appreciation of his many good qualities and services.

We stand here today, humbly and with sad hearts because of the passing of our friend. He fought a good fight and met manfully the problems of life and death; problems that sooner or later must be met by all of us. His memory will live in our hearts and in the hearts of a grateful people. The good he has accomplished, the influences he has initiated will go on to bless mankind throughout the years. And as he goes, may we profit by his life and prepare to solve the problems confronting us. May we dedicate ourselves anew to the high ideals and principles he exemplified when he was with us and with the poet say:

"THERE IS NO DEATH."

There is no death! The stars go down
  To rise upon some other shore,
And bright in heaven's jeweled crown
  They shine for evermore.

* * * * *

There is no death! An angel form
  Walks o'er the earth with silent tread;
He bears our best loved things away,
  And then we call them "dead."

* * * * *

And ever near us, though unseen,
  The dear immortal spirits tread;
For all the boundless universe
  Is life—there are no dead!

—John Luckey McCreery.

BIOGRAPHICAL SKETCH

Dr. Gustave H. Douglas was born September 8, 1863, in New York. At an early age he went to Kankakee, Ill., where he attended the public school and afterwards received his high school credits at a Brothers School in that city. He then went to Chicago, where he engaged with his brothers in the real estate business.

Later young Douglas came west and after a few years on the coast, took up the study of medicine at the Physicians and Surgeons' College in San Francisco, finishing his medical course in Chicago in 1894.

Coming west again, he commenced the practice of his profession at Grants Pass, Oregon, where he remained until 1909, when he went to Vienna, Austria, for a special course in dermatology and X-ray.

Upon returning to this country, he settled in Portland, Oregon, where he practiced as a specialist in dermatology. In Portland he was exceedingly popular and very active in public and civic affairs. During his residence there he was President of the Rotary Club, President of the Multnomah Commercial Club, President of the Union League Club, President of the Boomerang Club, and affiliated with other societies and organizations of a civic nature.

During the World War, Dr. Douglas had charge of the Belgian Relief Fund for Babies and after the war was presented with a medal by the Queen of Belgium for services rendered. Later, during the influenza epidemic which swept over this country, Dr. Douglas was designated as a special health officer for the State of Oregon by the United States government, it being his duty to take charge of the epidemic in the state and to provide means for its eradication. In this work he was exceedingly active and attained much success. Near the close of the epidemic he contracted the disease himself and as a result found it necessary to leave Portland on account of his health.

He located in Crescent City, California, at the place now known as Douglas Park. Here he gave much of his time and attention to the development of the locality. He realized that good roads were necessary before capital could be interested in Del Norte County. Upon becoming President of the Chamber of Commerce of the county, he at once made a careful study of the entire transportation problem of Northern California.

In 1921 he came before the Legislature in the interest of a bridge across the Klamath River, which would connect Del Norte County with the centers of population throughout the State. The bill was unanimously passed by both Houses, but failed to become a law by reason of a veto by Governor Stephens.

In 1922 he was elected to the Assembly, believing that he could further the project to better advantage as a member of the Assembly. He was appointed Chairman of the Roads and Highways Committee and brought to the committee his splendid judgment and acquaintance with road and highway matters, which has made that committee's work of such great value to the Assembly.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, March 26, 1923, Tuesday, March 27, 1923, Wednesday, March 28, 1923, Thursday, March 29, 1923, and Friday, March 30, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

MOTION TO RE-REFER.

Mr. Donohue moved that Assembly Bill No. 1210 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 1210 re-referred to Committee on Municipal Corporations.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, April 4, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 4, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Mueller, Mr. Baker, Edwin, was granted leave of absence for the day.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Rosenshine, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Kline:

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Mecca to Blythe highway, in Riverside County, California, and,

WHEREAS, The said highway bond issue was a definite contract between the people and the State of California, to spend $300,000 of said highway bond issue on said road; and,

WHEREAS, The personnel of the State Highway Commission of the State of California having changed since the voting of said bond issue and the present Highway Commission having recently indicated their opposition to and declared that the contract between the people and the State to spend $300,000 on the road as aforesaid would not be adhered to or considered, and that the said $300,000 would not be spent on said Mecca-Blythe road; now, therefore, be it

Resolved, By the Banning Chamber of Commerce in special meeting assembled this thirtieth day of March, 1923, that the action of the California State Highway Commission in refusing to carry out their obligation on behalf of the State of California, be, and the same is, hereby condemned; and it is hereby further

Resolved, That the present Highway Commission of the State of California be, and it is, hereby requested to reconsider its action in neglecting and refusing to carry out the expressed contract heretofore entered into in good faith by the voters of this great commonwealth.

Dated this thirtieth day of March, 1923, at Banning, California.

BANNING CHAMBER OF COMMERCE.
By A. L. BRAMKAMP, President.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 11—Relative to entertaining Hon. Samuel M. Shortridge—and reports that the same has been correctly enrolled, and presented the same to the Governor on this third day of April, 1923, at one o'clock and forty-five minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 373—An act to amend section 4300*b* of the Political Code, relating to sheriff's fees—and reports that the same has been correctly enrolled, and presented the same to the Governor on this third day of April, 1923, at one o'clock and forty-five minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace;

Also. Assembly Bill No. 879—An act to refer to its provisions as the general dairy law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics, to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,'

and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911, and to repeal all parts of acts in conflict herewith;
And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts, for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14¼, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32b, relating to the creation of an irrigation district bond security fund.

Also: Assembly Bill No 697—An act to amend section 928 of the Penal Code, relating to the grand jury.

Also Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments;

Also Assembly Bill No 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended;

Also Assembly Bill No 160—An act to add a new section to the Penal Code to be numbered 146a, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.

Also Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 534—An act to amend section 1609 of the Political Code, relating to the duties of boards of school trustees and city boards of education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property rights in this State, providing for escheats in certain cases,

prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER. Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SPALDING, Chairman.
BROUGHTON.
SCHMIDT
ROSENSHINE.
ROCK.
CHRISTIAN
ANDERSON.

The above reported bill ordered on file for second reading.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 256—An act to amend section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended May 26, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MUELLER, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1284—An act appropriating money for the construction of an engineers building at the University of California Farm School at Davis, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

STOW, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 677—An act to amend section 653*b* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction;

Also: Assembly Bill No. 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag:
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MUELLER, Chairman.

The above reported bills ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: Your Committee on Corporations, to which was referred Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

JOHNSTON, Chairman.
NOYES.
HORNBLOWER.
SNYDER.
WELLER.
LYMAN.
MITCHELL, A. G.
CROTER.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CARTER, Chairman.

The above reported concurrent resolution ordered on file for adoption.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mrs. Woodbridge:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Code of Civil Procedure, to be numbered section 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Referred to Committee on Introduction of Bills.

MOTION TO RECONSIDER.

Mr. Pomeroy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 20 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 248 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 761 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 949 was passed be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, just after the title of the bill, strike out the following: "Approved June 3, 1921".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out the word "four" and insert in lieu thereof the following "four and one-half".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out the lines 46 to 52, inclusive, and on page 3 of the printed bill, strike out the lines 1 to 5, inclusive, and insert in lieu thereof the following:

"Children who are so mentally deficient as not to be teachable in public schools may be excluded from such schools under rules adopted by the state board of education."

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill strike out the lines 10 to 51, inclusive, and on page 4 strike out lines 1 to 16 inclusive, and insert in lieu thereof the following:

"*Seventh*—(*a*) The last full week of October of each odd numbered year is hereby designated as official registration week for minors under eighteen years of age; *provided*, that in case of epidemic, fire, flood or other public disaster, which would make it undesirable or impossible to provide for this registration during such week, the governing board of such district shall designate a week not later than fifteen days after said school has reopened as official registration week; and shall post a notice thereof on the school house designating the new date set for such registration.

(*b*) It shall be the duty of the governing board of every school district to appoint a registrar of minors and such assistant registrars as may be necessary. Such appointments shall be made on or before the first day of October of the year in which the registration is to be made. Such registrar of minors and assistant registrars shall be residents of the school district, at least twenty-one years of age, and may be allowed such compensation as the governing body may fix, not exceeding

five dollars per day for the time actually and necessarily employed subject to the approval of the county superintendent of schools At least five days previous to entering upon the discharge of his duties each registrar and assistant registrar must qualify and file his oath of office with the superintendent of schools of the county. If the governing board of any school district shall fail to appoint a registrar of minors or if the registrar of minors fails to qualify and file his oath as herein provided, it shall be the duty of the county superintendent of schools having jurisdiction over such district to appoint a registrar of minors and such assistant registrars as may be necessary for such district, and to fix their compensation, not exceeding five dollars a day for the time actually and necessarily employed He shall also draw a warrant on the funds of such district, in payment of the services of such registrar and assistant registrars The registrar shall compile the information herein required and report the same to the superintendent of schools of the county

(*c*) It shall be the duty of the registrar of minors during the last full week of October of each odd numbered year to visit each habitation, residence, domicile or place of abode in each school district within such territory, and make a complete registration of minors residing in each school district The registration herein provided for shall be made on blanks prescribed by the superintendent of public instruction and provided by the counties.

(*d*) Said registration shall record information regarding sex, age, nationality of parents, nativity, residence, education, occupation and such other information as the superintendent of public instruction may deem necessary in providing free educational opportunities under the laws of this state

(*e*) It shall be the duty of all persons over twenty-one years of age, when requested by the registrar or assistant registrar, to answer correctly, to the best of their knowledge all questions on the census schedules applying to themselves and to the families to which they belong or are related, and any person over twenty-one years of age who, under the conditions hereinbefore stated shall refuse or wilfully neglect to answer any of these questions, or shall wilfully give answers that are false shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding one hundred dollars.

(*f*) The actual and necessary expenses for making such registration shall be paid, subject to the provisions of law, out of the county or special fund of the school district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 506—An act to amend sections 7, 8*a*, and 8*c*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of the title and all of pages 1 and 2 and insert in lieu thereof the following

"An act to regulate the sale and use of narcotic habit-forming drugs in the state of California and providing a penalty for the violation thereof. Approved March 6, 1907, as amended

The people of the State of California do enact as follows:

SECTION 1. An act to regulate the sale and use of narcotic habit-forming drugs in the State of California and providing a penalty for the violation thereof. Approved March 6, 1907, as amended is hereby amended to read as follows.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell, furnish or give away or offer to sell, furnish, or give away or to have in her or his possession any narcotic habit-forming drugs herein described

Opium, morphine, morphine sulphate, its salts or its derivatives, cocaine, heroin, dicnin, alpha eucaine, beta eucaine, flowering tops and leaves, extracts, tinctures, and other narcotic preparations of hemp or loco weed (cannabis sativa), Indian hemp, peyote, (anhalonium), or chloral hydrate or any of the salts, derivatives, or compounds of the foregoing substances or any preparation or compound containing any of the foregoing substances or their salts, derivatives or compounds excepting upon the written order or prescription of a licensed physician, dentist, or veterinary surgeon licensed to practice in this state, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than ten grains of chloral hydrate, or four grains of Indian hemp or loco weed excepting upon the written order of the prescriber for each and every subsequent compounding and dispensing No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber or any officer or official charged with under this act with its enforcement and shall be preserved for at least three years from the date of the filing thereof; *provided*, that the above provisions shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers to pharmacies, and as defined in section one of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, and acts amendatory thereof, or physicians, nor to each other, nor to the sale at retail in pharmacies by pharmacists to physicians, dentists or veterinary surgeons duly licensed to practice in this State, *provided further*, that all such wholesale jobbers, wholesale manufacturers in this section mentioned shall keep in a manner readily accessible, the written orders or blank forms required to be preserved under the provisions of section two or the act of congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing or giving away of opium or cocoa leaves and salts, derivatives or preparations And said records shall always be open for inspection by any peace officer or board of pharmacy and such records shall be preserved for at least two years after the date of the last entry therein The taking of any order or making of any contract or agreement, by any traveling representative, or any employee of any person, firm or corporation, for future delivery in this state, of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative, or employee within the meanings of this act, *provided further*, that a true copy of all orders, contracts or agreements, taken for narcotic habit-forming drugs specified in this section shall be forwarded by registered mail to the county clerk of the county therein within twenty-four hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded as required under the provisions of section two of an act of congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing or giving away of opium, morphine, heroin, alpha eucaine, beta eucaine, flowering tops and leaves, extracts and other narcotic preparations of hemp or loco weed (cannabis sativa), Indian hemp, pyote (anhalonium) or chloral hydrate or any of the salts, derivatives, or compounds of the foregoing substances or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds or preparations of some wholesale jobber, wholesaler, or manufacturer permanently located in this state, as provided for in this section

SEC. 3. It shall be unlawful for any practitioner of medicine, dentistry or veterinary medicine to administer to himself as a habitual user or furnish to or prescribe for the use of any other habitual user of the same, or of anyone representing himself as such, any opium, cocaine, morphine, heroin, or chloral hydrate, or any salt, derivative or compound of the foregoing substances or their salts, derivatives or compounds, and it shall be also unlawful for any practitioner of medicine or dentistry to prescribe or give any of the foregoing substances for himself or any person not under his treatment in the legal practice of his profession, or for any veterinary surgeon to prescribe or furnish any of the foregoing substances for the use of himself or other human beings, *provided, however*, that the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drug who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purposes of evading the purposes of this act, *provided*, that such licensed physician shall report in writing, over his signature, by registered mail, to the office of the county clerk within twenty-four hours after the first treatment, each and every habitual user of such narcotic drugs as are

enumerated in this section, whom he or she has taken in good faith under his or her professional care, for the cure of such habit, (such report to contain the date, name and address of such patient, and the name and quantity of the narcotic or narcotics prescribed in such treatment;) and *provided, further*, that the above provisions shall not apply to preparations of the United States Pharmacopoeia and National Formulary or other recognized or established formula or remedies sold or dispensed without a physician's prescription containing not more than two grains of opium, or one fourth grain of morphine, or one eighth grain of heroin, or ten grains of chloral hydrate, or four grains of Indian hemp or loco weed in one fluid ounce or, if a solid preparation, in one ounce, avoirdupois, except tincture opii camphorata (commonly known as paregoric) which may be sold only upon the prescription of a physician licensed to practice in this state and said prescription shall not be again refilled or dispensed. *Provided* That the prescribing in good faith by a licensed physician to any human being afflicted with disease requiring in his judgment the use of the substances mentioned in this act for treatment or amelioration of such disease shall not be considered the use of a habit-forming drug nor require notification as specified by this section.

SEC. 4. It shall be unlawful to have in possession a pipe or pipes used for smoking opium, commonly known as opium pipes or the usual attachment or attachments thereto, or other contrivances used for smoking opium or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or compounds containing more than four grains to each fluid or avoirdupois ounce (except corn remedies containing not more than fifteen grains of the extract or fluid extract of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion), is hereby a felony and upon conviction thereof shall be punishable by the penalties prescribed in section _____ of this act.

SEC 4*a*. It is hereby made unlawful for any person to sell, vend, give away, or furnish, either directly or indirectly, to any person other than a duly licensed physician, licensed to practice and prescribe medicines in this state, or to a dentist or a veterinarian, or a pharmacist licensed to practice in this state, or person holding an unrevoked license to practice osteopathy, an instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypodermic needle, without a written, signed order from a duly licensed physician, dentist or veterinarian licensed to practice and prescribe medicine in this state, said order to contain the name and address of the party for whom ordered, or for any person other than a physician, dentist, veterinarian or pharmacist licensed to practice in this state, to have in his possession such an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle, or an instrument or contrivance used for the same purpose as a hypodermic syringe or hypodermic needle, unless said instrument or contrivance was purchased by said person through and with a written order signed by a duly licensed physician, dentist or veterinarian licensed to practice and prescribe medicine in this state or person holding an unrevoked license to practice osteopathy, as above provided. No order, certificate or prescription shall be for more than one hypodermic syringe or for more than three hypodermic needles and no copy or duplicate of such order shall be made for or delivered to any person and said order or prescription shall be accepted and filled only once; *provided, however*, that the above restrictions shall not prevent any duly registered nurse of this state or student nurse in any hospital or training school for nurses from obtaining or possessing any hypodermic syringe and hypodermic needles when working under the immediate direction and supervision of a licensed physician or licensed dentist; *provided, further*, that the board of pharmacy may upon application and at its discretion issue a permit, revocable at the discretion of the said board, to any duly registered pharmacist, for a limited period, permitting and authorizing such pharmacist to sell and dispense hypodermic syringes and needles for specified purposes, to persons not addicted to the use of the narcotic drugs enumerated in this act, and sales made under the authority of and in conformity with the terms of such permit shall not be construed to be in violation of the provisions of this section.

Any person violating any of the provisions of this section shall, upon conviction, be guilty of a misdemeanor and shall be punished as follows: For the first offense by a fine of not less than twenty-five dollars and not more than fifty dollars or by imprisonment for not less than twenty-five days and not more than fifty days or by both such fine and imprisonment; and for each subsequent offense by a fine of not less than fifty dollars and not more than one hundred dollars or by imprisonment for not less than fifty days and not more than one hundred days or by both such fine and imprisonment. All fines, moneys, or forfeited bail imposed for violation of this section, upon collection thereof, shall be disposed of as is provided for in the disposition of the fines, moneys or forfeited bail under section

SEC. 4*b*. For the purpose of this act the terms veterinarian, dentist, pharmacist shall be deemed to mean and shall refer only to persons who hold valid, unrevoked certification to practice their respective professions in this state, issued by their respective examining boards in California. The term "physician," or "duly licensed physician," or "physician duly licensed to practice in this state," or "duly licensed physician licensed to practice and prescribe medicine in this state," or "practitioner of medicine" or "licensed physician," shall be deemed to mean and refer only to persons holding a valid and unrevoked physician's and surgeon's certificate, or certificate to practice medicine and surgery, issued by the Board of Medical Examiners of

the State of California or under the terms or provisions of any preceding medical practice act of the State of California.

SEC. 4c. Any automobile or other vehicle used by or with the consent or knowledge of the owner thereof, to unlawfully convey, carry or transport any cocaine, morphine, heroin or opium or any of the substances mentioned in this act as being narcotic habit-forming drugs may be seized by any duly authorized peace officer and when such seizure is made shall be considered as part of the evidence under this act and the magistrate shall, upon conviction of the owner of said automobile or his authorized agent, for a violation of section 2 of this act, turn said automobile or other vehicle over to the California state board of control. In all prosecutions for a violation of section 2 of this act where any of the narcotic drugs or their derivatives mentioned in section ____ of this act, are found in an automobile or other vehicle, said automobile or other vehicle may be seized by any duly authorized peace officer and held as part of the evidence for a violation of this act; *provided*, that nothing contained in this section shall apply to common carriers, or to any employee acting within the scope of his employment under this act.

SEC. 5. Any person convicted under section 4 of this act for having in possession any of the narcotic habit-forming drugs and their derivatives mentioned therein, shall for the first conviction be punished by imprisonment in the county jail or in the state prison for not more than three years; for the second and each subsequent offense of which said person so convicted shall be found guilty, said person shall be deemed guilty of felony and said person shall be punished by imprisonment in the state prison for not more than ten years.

SEC. 5a. Nothing in this act shall be construed to include an infirm addict, the word addict herein described being a person who is a confirmed user of habit-forming drugs under the care of a duly licensed physician and surgeon of the State of California; but the term addict as used in this section, does not include one who has illegally been a user of narcotic habit-forming drugs The violation of section 4 by an addict who is not under the care of a duly licensed physician and surgeon of the State of California shall herein be ordered by the court to a psychopathic ward in any of the state hospitals for a period of not more than two years. This act repeals all other act or acts not in conformance with this present act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, McMillan, McPherson, Miller, Mitchell, A G., Moore, Noves, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Carter, and Dawson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 838—An act to amend section 2319i of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319j of the Political Code, relating to the shipment of nursery stock.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 838 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones,

Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 891 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Dawson, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to deputy sheriffs.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Donohue, Lyons, Reindollar, Hornblower and Schmidt, the Speaker ordered a roll call taken on the motion for a call of the House.

The question being on the motion for a call of the House.

The roll was called, and the motion for a call of the House carried by the following vote:

AYES—Badaracco, Ball, Broughton, Burns, Carlson, Christian, Clarke, Crittenden, Croter, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Anderson Badham, Bromley, Cleary, Cleveland, Dawson, Dozier, Duval, Foster, Graves, Johnston, Jones, Kline, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Stow, and Weller—20.

Time, ten o'clock and fifty-eight minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—70

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Fox moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the words "less than".

Motion carried.

The Speaker appointed Mr. Fox as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 100, with instructions, reports that the instructions of the Assembly have been carried out.

FOX, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 101 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At eleven o'clock and six minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No 143 passed by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Carter, Crittenden, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Noyes, Pedrotti, Remdollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Woodbridge, and Wright—46.

NOES—Anderson, Badham, Baker, C. C., Bromley, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Dawson, Dozier, Duval, Eksward, Fulwider, Graves, Jones, Kline, Lyman, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Stow, Weller, Williams, and Mr. Speaker—29.

Title read.

AMENDMENT TO TITLE.

During reading of the title, Mr. Dean moved to amend the title as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title, strike out the words "Deputy sheriffs" and insert in lieu thereof the following: "Peace officers".

Amendment adopted.

Bill ordered to reprint.

NOTICE OF RECONSIDERATION.

Mr Carter gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 143 was this day passed.

Assembly Bill No. 983—An act to amend sections 6, 16 and 17, of an act entitled "the Corporate Securities Act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Bromley moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, line 14, of the printed bill, strike out the word "or" following the word "minerals" and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWO.

On page 6, line 25, of the printed bill, insert the word "two" in the blank before the word "dollars".

Motion carried.

The Speaker appointed Mr. Bromley as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 983, with instructions, reports that the instructions of the Assembly have been carried out.

BROMLEY, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. Cleary moved that Assembly Bill No. 484 be withdrawn from Committee on Engrossment and Enrollment, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 484 re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Morris moved that Assembly Bill No. 440 be withdrawn from Committee on Engrossment and Enrollment, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 440 re-referred to Committee on Judiciary.

MOTION TO RE-REFER.

Mr. Morris moved that Assembly Bill No. 1100 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 1100 re-referred to Committee on Judiciary.

MOTION TO RE-REFER.

Mr. Smith moved that Assembly Bill No. 493 be withdrawn from the file, and ordered re-referred to Committee on County Government.

Motion carried.

Assembly Bill No. 493 re-referred to Committee on County Government.

MOTION TO RE-REFER.

Mr. Lyman moved that Senate Bill No. 82 be withdrawn from the file, and ordered re-referred to Committee on Public Health and Quarantine.

Motion carried.

Senate Bill No. 82 re-referred to Committee on Public Health and Quarantine.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER SIX.

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

Assembly Constitutional Amendment No. 6 read.

SPECIAL ORDER SET.

During the debate, on motion of Mr. Coombs, the consideration of Assembly Constitutional Amendment No. 6 was made a special order for Thursday, April 5, 1923, at eleven o'clock a.m.

SPECIAL ORDER SET.

On motion of Mr. Hornblower the consideration of Assembly Bill No. 325 was made a special order for Thursday, April 5, 1923, at ten o'clock and thirty minutes a.m.

ANNOUNCEMENT

The Speaker announced that due to the inclement weather the visit to the University Farm at Davis scheduled for this afternoon had been postponed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40*a*, relating to the refunding and correction of assessments.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 573 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—62.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Carlson, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 721 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter Christian, Clarke, Cleary, Connolly Coombs, Croter, Davis, Dawson, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Moore, Morris, Mueller Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—58.

NOES—Graves, and Mr Speaker—2

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of ex-union soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 327 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Foster, Fulwider, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 328—An act to amend an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, by amending section 1 of said act and adding thereto a new section to be numbered 1*a*, relating to places of interment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 215 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the con-

gress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Bill read third time.

RECESS.

At twelve o'clock and three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

SCOTT, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof;

Also Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CHRISTIAN, Chairman.

The above reported bills ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 277—An act to repeal an act entitled "An act to amend an act entitled 'An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance,' approved May 10, 1915, as amended by an act approved May 11, 1917, by adding a new section thereto to be numbered 3a," approved June 3, 1921, and to relieve from and remove any penalties, suspensions or forfeitures incurred or accrued under said act—has had

the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

JOHNSTON, Chairman.
NOYES
CARLSON.
MITCHELL, A. G.
HORNBLOWER.
CROTER.
LYMAN.
WELLER
SNYDER.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No 1294—An act to amend section 1454 of the Code of Civil Procedure, relating to obtaining money and other personal property by heirs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 59—An act to add a new section to the Penal Code to be numbered 653*f*, relating to landlord and tenant;

Also. Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings:

Also: Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*c*, relating to cooperative business corporations or associations; Has has the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No 489—An act to add a new section to the Political Code, to be numbered 738*e*, relating to the salary of superior judges in counties of the forty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR SPEAKER Your Committee on Banking to which was referred Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "bank act" by amending sections 19, 21*a*, 24*a*, 37, 46, 61, 62, 65, 70 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LYONS, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379*a*, 379*b*, 379*c*, and 391, relating to joinder of parties to civil actions;

Also: Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions;

Also: Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims;

Also: Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure relating to consolidation and severance of actions.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole;

Also: Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator;

Also: Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration;

Also: Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents;

Also: Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits;

Also: Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property;

Also: Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease;

Also: Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Heisinger: An act to amend section 4013 of the Political Code, relating to county officers.

By Mr. McDowell: An act to add two new sections to the Political Code, to be numbered 4149*e*, and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

By Mrs. Saylor: An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto and to make an appropriation therefor," approved May 3, 1919.

By Mr. Morrison: An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace in cities and counties.

By Miss Miller: An act making an appropriation for the erection and equipment of an administration building at the California Industrial Farm for Women.

Also: By Miss Miller: An act making an appropriation for additional support of the California Industrial Farm for Women.

By Mrs. Woodbridge: An act to add a new section to the Code of Civil Procedure to be numbered section 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—66.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Heisinger: Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers.

Bill read first time, and referred to Committee on County Government.

By Mr. McDowell: Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

Bill read first time, and referred to Committee on County Government.

By Mrs. Saylor: Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto and to make an appropriation therefor," approved May 3, 1919.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Morrison: Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace in cities and counties.

Bill read first time, and referred to Committee on County Government.

By Miss Miller: Assembly Bill No. 1317—An act making an appropriation for the erection and equipment of an administration building at the California Industrial Farm for Women.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 1318—An act making an appropriation for additional support of the California Industrial Farm for Women.

Bill read first time, and referred to Committee on Ways and Means.

By Mrs. Woodbridge: Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered section 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Bill read first time, and referred to Committee on Judiciary.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof;

Also: Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers;

Also: Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners;

Also: Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 482 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 465 read first time, and referred to Committee on Education.

Senate Bill No. 438 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 178 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 811?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the following: "or in any high school district of any kind or class" and in lieu thereof insert the following: ", including union school districts and joint union school districts or high school districts of any kind or class, including city high school districts, union high school districts and joint union high school districts,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out lines 4 and 5 and the words "of their issuance," in line 6, and in lieu thereof insert the following:

"Sec. 3. This act shall not operate to legalize any bonds which have been sold for less than par, nor to legalize any bonds the issuance of which has not received the assent of two-thirds of the qualified electors of such district, voting at an election held for the purpose of determining whether such indebtedness shall be incurred, nor to legalize any bonds which mature at a date more than forty years from the time of their issuance.".

The roll was called, and Senate amendments to Assembly Bill No. 811 were concurred in by the following vote:

AYES—Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Dawson, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the congress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—Dozier—1.

Title read and approved.

Bill ordered transmitted to the Senate.

ADJOURNMENT.

At three o'clock and eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, April 5, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 5, 1923.

At 9 o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine,

Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Graves, Mr Baker, Edwin, was granted leave of absence for the day.

On motion of Mr. Schmidt, Mr. Badaracco was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mrs. Woodbridge, Rev. Spence Burton of San Francisco was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ball, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Erb.

WHEREAS, Richardson Bay is a small land-locked arm of San Francisco Bay, too limited in size for continuous and enjoyable shooting and hunting, yet so placid are its waters and so profusely are its shallows strewn with shell-fish fry that thousands of wild ducks seek it during protective periods as fat feeding grounds preparatory for the great migration to northern lakes and

WHEREAS, Said Richardson Bay is girted by railroads and highways used by thousands of travelers and tourists to all of whom the great flocks of feeding waterfowl with a stone's throw of the passing vehicles from a most inspiring outlook; and

WHEREAS, Said bay is now visited for three months by the large quota of beautiful canvas-back duck, which, with legal protection may be extended to six months of the year; and

WHEREAS, This fleeting order of water fowl should be especially conserved for the study and the enjoyment of the youth of California; now, therefore, be it

Resolved, That we, of the student body of the Humboldt Evening High School of San Francisco, do hereby commend to the favorable consideration of the Governor and the Senate and the Assembly of the State Legislature, the Reindollar bill, setting aside Richardson Bay in Marin County as a game reserve and refuge for wild water-fowl

Resolved, That copies of these resolutions be mailed to Governor Richardson, to the State Senate to the State Assembly and to each of the Representatives of the San Francisco State Legislature

By order of the student body of the Humboldt Evening High School, San Francisco, California

DOROTHY A. LASUTER, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class;

Also: Assembly Bill No 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced

within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by adding a new section thereto to be numbered section 64.

Also: Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended;

Also: Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children, providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors;

Also: Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery.

Also: Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to escapes and attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work;

Also: Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children, providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances;

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith;

Also: Assembly Bill No. 1107—An act to amend an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, and all acts or parts of acts amendatory

thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Davis:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making appropriation to pay the claim of E R. Simon.

Referred to Committee on Introduction of Bills.

By Mr. Bernard:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4219 of the Political Code, relative to the duties of the county surveyor.

Referred to Committee on Introduction of Bills.

RESOLUTIONS

The following resolutions were offered

By Mr. Dawson:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $1,521 88, in favor of Arthur A Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same

State Purchasing Department	
Supplies for January, February, and March	$1,395 87
Bowman's Hardware and Implement Company, for shears	7 12
Wahl Stationery Company, stamp holders	1 50
Hall, Lubrs and Company	10 18
Sleeper Stamp Company, page badge	2 00
Purnell Stationery Company	4 00
H. S. Crocker Company, postal scale	3 90
H. S Crocker Company, clip boards	3 63
H. S. Crocker Company, letter clips	10 88
The Wholesale Typewriter Company:	
Rent of Typewriters March 8 to April 8	72 00
Pacific Telephone and Telegraph Company	
Exchange service and tolls, April	10 80
Total	$1,521 88

Referred to Committee on Contingent Expenses.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor or Arthur A Ohnimus Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred ($100) dollars, said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office

Referred to Committee on Contingent Expenses.

MOTION TO RECONSIDER

Mr. Pomeroy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 20 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 761 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 143 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 949 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 248 was passed be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 534—An act to amend section 1609 of the Political Code, relating to duties of boards of school trustees and city boards of education.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 6 and 7 and insert in lieu thereof the following "this state or elsewhere, of the crime of robbery burglary, rape with force and violence, arson or any of them, shall be adjudged to be".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 12 and 13 and insert in lieu thereof the following; "state or elsewhere of the crime of robbery, burglary, rape with force and violence, arson or any of them, shall be punished by imprison-".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property rights in this State, providing for escheats in certain cases, prescribing the procedure therein requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1 of the printed bill, after the period insert the following

"Section one of an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this state providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," adopted and approved by the electors of the State of California, November 2, 1920, is hereby amended to read as follows

Section 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, use, cultivate occupy, transfer, transmit and inherit real property or any interest therein, in this state, and have in whole or in part the beneficial use thereof, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state.

SEC. 2. Section two of said act is hereby amended to read as follows:

SEC 2 All aliens other than those mentioned in section one of this act may acquire, possess, enjoy, use, cultivate, occupy and transfer real property, or any interest therein, in this state, and have in whole or in part the beneficial use thereof, in the manner and to the extent, and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SEC 3 Section three of said act is hereby amended to read as follows

SEC 3 Any company, association or corporation organized under the laws of this or any other state or nation, of which a majority of the members are aliens other than those specified in section one of this act or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy, use, cultivate, occupy and transfer real property, or any interest therein, in this state and have in whole or in part the beneficial use thereof, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise Hereafter all aliens other than those specified in section one hereof may become members of or acquire shares of stock in any company, association or corporation that is or may be authorized to acquire, possess enjoy, use, cultivate occupy and transfer agricultural land, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SEC 4. Section four of said act is hereby amended to read as follows

SEC 4. Hereafter no alien mentioned in section two hereof and no company association or corporation mentioned in section three hereof, may be appointed guardian of that portion of the estate of a minor which consists of property which such alien is inhibited from acquiring, possessing, enjoying, using, cultivating occupying, transferring, transmitting or inheriting or which such company association or corporation is inhibited from acquiring possessing, enjoying, using, cultivating, occupying or transferring, by reason of the provisions of this act The public administrator of the proper county, or any other competent person or corporation, may be appointed guardian of the estate of a minor citizen whose parents are ineligible to appointment under the provisions of this section.

On such notice to the guardian as the court may require, the superior court may remove the guardian of such an estate whenever it appears to the satisfaction of the court:

(a) That the guardian has failed to file the report required by the provisions of section five hereof; or

(b) That the property of the ward has not been or is not being administered with due regard to the primary interest of the ward; or

(c) That facts exist which would make the guardian ineligible to appointment in the first instance; or

(d) That facts establishing any other legal ground for removal exist.

SEC. 5. Section five of said act is hereby amended to read as follows:

SEC 5 (a) The term "trustee" as used in this section means any person, company, association or corporation that as guardian, trustee, attorney in fact or agent, or in any other capacity has the title, custody or control of property, or some interest therein belonging to an alien mentioned in section two hereof, or to the minor child of such an alien if the property is of such a character that such alien is inhibited from acquiring, possessing, enjoying, using, cultivating, occupying, transferring, transmitting or inheriting it.

(b) Annually on or before the thirty-first day of January every such trustee must file in the office of the secretary of state of California and in the office of the county

clerk of each county in which any of the property is situated, a verified written report showing

(1) The property, real or personal, held by him for or on behalf of such alien or minor;

(2) A statement showing the date when each item of such property came into his possession or control,

(3) An itemized account of all such expenditures, investments, rents, issues and profits in respect to the administration and control of such property with particular reference to holdings of corporate stock and leases, cropping contracts and other agreements in respect to land and the handling or sale of products thereof

(c) Any person, company, association or corporation that violates any provision of this section is guilty of a misdemeanor and shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment

(d) The provisions of this section are cumulative and are not intended to change the jurisdiction or the rules of practice of courts of justice

SEC. 6 Section seven of said act is hereby amended to read as follows

Sec. 7. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association or corporation mentioned in section three of this act, shall escheat as of the date of such acquiring, to, and become and remain the property of the State of California The attorney general or district attorney of the proper county shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by section four hundred seventy-four of the Political Code and title eight, part three of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings, the title to such real property shall pass to the State of California, as of the date of such acquisition in violation of the provisions of this act. The provisions of this section and of sections two and three of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon or interest in such property so long as such real property so acquired shall remain the property of the alien, company, association or corporation acquiring the same in such manner. No alien, company, association or corporation mentioned in section two or section three hereof shall hold for a longer period than two years the possession of any agricultural land acquired in the enforcement of or in satisfaction of a mortgage or other lien hereafter made or acquired in good faith to secure a debt

SEC. 7. Section eight of said act is hereby amended to read as follows

Sec. 8 Any leasehold or other interest in real property less than the fee, including cropping contracts which are hereby declared to constitute an interest in real property less than the fee, hereafter acquired in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association or corporation mentioned in section three of this act, shall escheat to the State of California, as of the date of such acquiring in violation of the provisions of this act. The attorney general or district attorney of the proper county shall institute proceedings to have such escheat adjudged and enforced in the same manner as is provided in section seven of this act In such proceedings the court shall determine and adjudge the value of such leasehold or other interest in such real property, as of the date of such acquisition in violation of the provisions of this act, and enter judgment for the state for the amount thereof together with costs The said judgment so entered shall be considered a lien against the real property in which such leasehold or other interest less than the fee is so acquired in violation of the provisions of this act, which lien shall exist as of the date of such unlawful acquisition. Thereupon the court shall order a sale of the real property covered by such leasehold, or other interest, in the manner provided by section one thousand two hundred seventy-one of the Code of Civil Procedure. Out of the proceeds arising from such sale, the amount of the judgment rendered for the state shall be paid into the state treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein Any share of stock or the interest of any member in a company, association or corporation hereafter acquired in violation of the provisions of section three of this act shall escheat to the State of California as of the date of such acquiring in violation of the provisions of said section three of this act, and it is hereby declared that any such share of stock or the interest of any member in such company, association or corporation so acquired in violation of the provisions of section three of this act is an interest in real property. Such escheat shall be adjudged and enforced in the same manner as is provided in this section for the escheat of a leasehold or other interest in real property less than the fee

SEC 8. Section nine of said act is hereby amended to read as follows

Sec 9. Every transfer of real property, of or an interest therein, though colorable in form, shall be void as to the state and the interest thereby conveyed or sought to be conveyed shall escheat to the state as of the date of such transfer, if the property interest involved is of such a character that an alien mentioned in section two hereof is inhibited from acquiring possessing enjoying, using, cultivating, occupying transferring, transmitting or inheriting it, and if the conveyance is made with intent to prevent, evade or avoid escheat as provided for herein.

A prima facie presumption that the conveyance is made with such intent shall arise upon proof of any of the following groups of facts

(a) The taking of the property in the name of a person other than the persons mentioned in section two hereof if the consideration is paid or agreed or understood to be paid by an alien mentioned in section two hereof

(b) The taking of the property in the name of a company, association or corporation if the memberships or shares of stock therein held by aliens mentioned in section two hereof, together with the memberships or shares of stock held by others but paid for or agreed or understood to be paid for by such aliens, would amount to a majority of the membership or issued capital stock of such company, association or corporation,

(c) The execution of a mortgage in favor of an alien mentioned in section two hereof if such mortgagee is given possession control or management of the property

The enumeration in this section of certain presumptions shall not be so construed as to preclude other presumptions or inferences that reasonably may be made as to the existence of intent to prevent, evade or avoid escheat as provided for herein

SEC. 9. Section ten of said act is hereby amended to read as follows

SEC. 10 If two or more persons conspire to violate any of the provisions of this act they are punishable by imprisonment in the county jail or state penitentiary not exceeding two years or by a fine not exceeding five thousand dollars, or both.

SEC. 10 Section eleven of said act is hereby amended to read as follows

SEC 11 Nothing in this act shall be construed as a limitation upon the power of the state to enact laws with respect to the acquisition, possession, enjoyment use, cultivation, occupation, transferring, transmitting or inheriting by aliens of real property in this state"

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 256—An act to amend section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10 1887," as amended May 26, 1921.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, after the word "amend" insert the words "the title and".

AMENDMENT NUMBER TWO

In line 11 of the title of the printed bill strike out the following "May 26, 1921"

AMENDMENT NUMBER THREE

On page 1 of the printed bill, after the colon at the end of the enacting clause insert the following

"SECTION 1 The title of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state,' approved March 10 1887," is hereby amended to read as follows

"An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans

or of the American Legion or of the Veterans of Foreign Wars of the United States or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887."

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, strike out all that portion of line 1 preceding the period, and insert in lieu thereof the following:

"SEC. 2".

AMENDMENT NUMBER FIVE

On page 1 of the printed bill, line 11, strike out the following "May 26, 1921".

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out all of lines 13 to 19, both inclusive, and insert in lieu thereof the following

"SEC. 3. Any person who shall unlawfully wear or use when in this state, a badge, lapel button, rosette or other recognized insignia of the Grand Army of the Republic, United Spanish War Veterans, American Legion, Veterans of Foreign Wars of the United States, United Veterans of the Republic, the disabled American War Veterans of the World War, the Sons of the American Revolution, the Military Order of the Loyal Legion of the United States, the Military Order of the World War, the Sons of Veterans or any other established patriotic military organization, unless he shall be entitled to wear or use the same under the rules and regulations of such organization, or any of them, shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for a term not to exceed thirty days in the county jail, or by fine not to exceed twenty dollars, or by both such fine and imprisonment."

AMENDMENT NUMBER SEVEN

On page 2 of the printed bill, strike out all of lines 1 to 10, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 677—An act to amend section 653*sb* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag.

Bill read second time ordered to engrossment, and third reading

Assembly Bill No 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corpora-

tions, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act." approved April 23, 1915, by amending section 52 thereof.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 5, line 11, of the printed bill, after the word "corporations" insert the following: "hereafter organize under the laws of California."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the period and add the following ", *provided, however,* the movement of products or implements of husbandry from farm to farm or from farm to loading point, warehouse or other initial point, *and, provided further* that the haul does not exceed fifty (50) miles, shall not be subject to the regulations of this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 277—An act to repeal an act entitled "An act to amend an act entitled 'An act prescribing terms and conditions upon which corporations may transact business in this state and providing penalties and forfeitures for noncompliance.' approved May 10, 1915, as amended by an act approved May 11, 1917, by adding a new section thereto to be numbered 3*a*," approved June 3, 1921, and to relieve from and remove any penalties, suspensions or forfeitures incurred or accrued under said act.

COMMITTEE AMENDMENTS

During second reading of the bill the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title, following the word "repeal", strike out the words "an act entitled 'An act to amend', and insert in lieu thereof the words "Section 3*a* of".

AMENDMENT NUMBER TWO.

On lines 5, 6, 7, 8, 9, of the title, following the word "amended", strike out the words "by an act approved May 11, 1917, by adding a new section thereto to be numbered three *a*," approved June 3, 1921, and to relieve from and remove any penalties, suspensions or forfeitures incurred or accrued under said act."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, following the numeral one, insert the words "Section 3*a* of"

On page 1, lines 5, 6, 7, following the word "amended", strike out the words "by an act approved May 11, 1917, by adding a new section thereto to be numbered three *a*," approved June 3, 1921".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure, relating to obtaining money and other personal property by heirs.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 59—An act to add a new section to the Penal Code to be numbered 653*j*, relating to landlord and tenant.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*c*, relating to cooperative business corporations or associations.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the word "president," omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, after the word "president", omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, after the word "president", omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, after the word "president", omit the words "or presiding elder" and insert in lieu thereof "district superintendent or other presiding officer."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21*a*, 24*a*, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 10, of the printed bill, strike out the word "of" and insert the word "or".

AMENDMENT NUMBER TWO

On page 2, line 17, of the printed bill, strike out the word "division" and insert the word "subdivision".

AMENDMENT NUMBER THREE

After the word "States" in line 2, on page 3, of the printed bill, insert the words "and moneys of bankrupt estates".

AMENDMENT NUMBER FOUR.

On page 3, line 34, of the printed bill, strike out the word "of" and insert the word "or".

AMENDMENT NUMBER FIVE.

On page 5, line 18, of the printed bill, strike out the comma after the word "contrary"

AMENDMENT NUMBER SIX.

On page 7, line 22, of the printed bill, strike out the word "on" and insert the word "of".

AMENDMENT NUMBER SEVEN.

On page 12, line 12, of the printed bill, strike out the word "of" and insert the word "or".

AMENDMENT NUMBER EIGHT.

On page 16, line 8, of the printed bill, strike out the word "associations" and insert the word "association".

AMENDMENT NUMBER NINE

On page 12, line 15, of the printed bill, strike out the word "names" and insert the word "name".

AMENDMENT NUMBER TEN

On page 14, line 48, of the printed bill, strike out the word "restriction" and insert the word "restrictions".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379*a*, 379*b*, 379*c*, and 391, relating to joinder of parties to civil actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

Bill read second time, and ordered on file for third reading

Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims.

Bill read second time, and ordered on file for third reading

Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said Code to be numbered 301, relating to admission to the practice of law.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of lines 19 and 20 and insert in lieu thereof the words "foreign country for a period of at least seven years immediately preceding the filing of".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole.

Bill read second time, and ordered on file for third reading.

Senate Bill No 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits

Bill read second time, and ordered on file for third reading

Senate Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Clarke, Croter, Davis, Dawson, Dean, Donohue, Dozier, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 9 and 120 thereof and by adding new sections thereto to be numbered 132*a* and 28*a*, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1119 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At ten o'clock and twenty-five minutes a.m., the speaker declared the Assembly at recess until ten o'clock and thirty minutes a.m. of this day, for the purpose of allowing Judge Ben B. Lindsay of Colorado to address the Assembly.

REASSEMBLED.

At ten o'clock and thirty minutes a.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Hicks reading.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED TWENTY-FIVE

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 325 passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Eaton, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER SIX

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

Assembly Constitutional Amendment No. 6 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During reading of the constitutional amendment, Mr. Morrison moved that the Speaker appoint a Select Committee of One to amend the constitutional amendment as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in lines 4, 5 and 6 of the title, strike out the words "establishing a state athletic commission and regulating boxing and sparring in the state", and insert in lieu thereof the words "relative to boxing and sparring matches or exhibitions".

AMENDMENT NUMBER TWO

Strike out all of the printed bill following the period in line 11 on page 1 thereof and insert in lieu thereof the following:

"The legislature is hereby expressly vested with plenary power, unlimited by any provision of this constitution, to authorize and regulate boxing, or sparring matches or exhibitions of not more than ten rounds of not more than three minutes duration for each round; *provided, however*, that nothing herein contained shall be construed to contravene or limit or in any way affect any measure enacted by the people under the initiative provisions of section one of article four of this constitution."

Motion carried.

The Speaker appointed Mr. Morrison as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read.

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Constitutional Amendment No. 6, with instructions, reports that the instructions of the Assembly have been carried out.

MORRISON, Select Committee.

Report of Select Committee of One and amendments adopted.

Constitutional amendment ordered to reprint, re-engrossment, and on file for adoption.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 946 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Cleveland, and Rosenshine—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of line 3 after the period before the word "Every", all of lines 4 to 15, both inclusive, and in lieu thereof insert the following:

"Every burglary of an inhabited dwelling house or building by a person armed with a deadly weapon or who arms himself therein with such weapon or who, while in the commission of such burglary assaults any person therein, and every other burglary whether committed in the night or day time by a person armed with a deadly weapon whether in an inhabited dwelling or other building or structure or not, is burglary of the first degree.

2. Every burglary of an inhabited dwelling house and every burglary committed in the night time by a person not armed with a deadly weapon, is burglary of the second degree.

3. All other kinds of burglary are of the third degree."

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 941, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 947 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bromley, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Cioter, Dawson, Dean, Donohue, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, and Williams—54.

NOES—Broughton, Dorris, Wright, and Mr. Speaker—4

Title read and approved.

Bill ordered transmitted to the Senate.

POINT OF ORDER.

During a statement by Mr. Fellom regarding the file, Mr. Carter arose to the following point of order:

That there was nothing before the house.

RULING OF THE SPEAKER.

The Speaker ruled that the point was well taken.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hornblower asked for unanimous consent to take up Mr. Lyons' motion for reconsideration of Assembly Bill No. 248 at this time, without reference to file.

Mr. Carter objected.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 294 passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Cioter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed

the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

Bill read third time.

MOTION

On motion of Mr. Morris, the hour of recess was extended until the consideration of Assembly Bill No. 124 had been completed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 124 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Carlson, Christian, Clarke, Coombs, Crittenden, Croter, Davis, Dean, Dozier, Duval, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Smith, Snyder, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—49.

NOES—Bernard, Burns, Cleary, Cleveland, Connolly, Dawson, Donohue, Dorris, Emme, Fellom, Jones, Miller, Mitchell, T. A., Morrison, Saylor, Schmidt, Spalding, Stevenot, West, and Wright—20.

Title read and approved.

Bill ordered transmitted to the Senate

RECESS.

At twelve o'clock and seven minutes p m, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p m of this day.

REASSEMBLED.

At one o'clock and thirty minutes p m, the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Hicks reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Concurrent Resolution No 16—Relative to the appointment of a committee of Assemblymen and Senators to draft resolutions in memory of the late Honorable Gustave H Douglas;

Also: Assembly Concurrent Resolution No 17—Relative to the appointment of a committee to take charge of arrangements for the funeral services of the late Honorable Gustave H. Douglas;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of April, 1923, at ten o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 862—An act to amend section 626*c* of the Penal Code, relating to protection of deer;

Also Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent therewith," approved May 26, 1917, as amended;

Also Assembly Bill No. 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs;

Also Assembly Bill No. 324—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by Election Board;

Also Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, and amended and approved May 29, 1917, and amended and approved April 8, 1919;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

POMEROY, Chairman.

The above reported bills ordered on file for second reading.

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 673*c*, concerning the appointment by insurance companies of agents for the soliciting of applications for fire or automobile insurance and the licensing of such agents, and providing license fees therefor;

Also Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SPENCE, Vice Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 302—An act to amend section 626*h* of the Penal Code, relating to the protection of game;

Also Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts incon-

sistent herewith, approved May 28, 1917, as amended, relating to fish and game districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Reindollar:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

Referred to Committee on Introduction of Bills.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653*aa* to 653*xx* inclusive, and relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation;

Also: Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 537 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 85 read first time, and referred to Committee on Agriculture.

Senate Bill No. 320 read first time, and referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship;

Also: Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship;

Also: Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 13 read, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 14 read, and referred to Committee on Federal Relations

Senate Joint Resolution No 16 read, and referred to Committee on Federal Relations

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WILLIAMS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State treasury and providing for exemption from fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 570—An act to amend section 39*f* of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading

ON REVISION OF CRIMINAL PROCEDURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to which was referred Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

JONES, Chairman

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR SPEAKER: Your Committee on Introduction of Bills, to which were referred the following bills, herewith returns the same, with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Davis. An act making an appropriation to pay the claim of E. R. Simon.

By Mr. Bernard: An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Davis: Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon.

Bill read first time, and referred to Committee on Claims.

By Mr. Bernard: Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyors.

Bill read first time, and referred to Committee on County Government.

By Mr. Fulwider: Assembly Joint Resolution No. 24—Relative to needy Indians within the State of California.

Introduced, and referred to Committee on Federal Relations.

COMMUNICATION.

The following telegram was read, and ordered printed in the Journal:

SAN FRANCISCO, April 4, 1923.

The Honorable Members of Assembly, Sacramento, California

May I ask your reconsideration of the Eight Hour Law for women with respect to the telegraph profession in which we are in competition with men and are thus discriminated against, both as to hours and employment, and ask exemption for women telegraphers (the same as nurses) if emergencies should arise such as stress of business, or at our own option. With the near approach of the enormous fruit crop in California which is moved almost solely by telegraphic orders and diversions you will realize that the public would be the chief gainer with a more adequate force by more prompt and efficient service, as well as more remuneration for the women telegraphers.

NELLIE M. LAYTON,
Telegrapher Postal Telegraph Cable Co.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 720 passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Reindollar, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, and Wright—51.

NOES—Cleveland, Hornblower, Mitchell, A. G., Pomeroy, Rosenshine, Weller, and Mr. Speaker—7.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO SUSPEND JOINT RULE.

Mr. Hornblower moved that Joint Rule 27 be suspended temporarily.

The question being on the motion to suspend Joint Rule 27.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion carried.

Time, two o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and twenty-nine minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion carried.

Time, two o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell,

T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE

At two o'clock and thirty-one minutes p.m., Miss Broughton moved that further proceedings under the call of the House be dispensed with.

Motion lost.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and thirty-three minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and the motion to suspend Joint Rule 27 carried by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Carter, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—60.

NOES—Broughton, Christian, Clarke, Cleary, Dorris, Erb, Fox, Jones, Mathews, Prendergast, Saylor, Smith, and Wright—13.

SPECIAL ORDER SET

On motion of Miss Broughton the consideration of Senate Bill No. 228 was made a special order for Friday, April 6, 1923, at eleven o'clock a.m.

MOTION TO SET SPECIAL ORDER

Mrs. Dorris moved that the consideration of Senate Concurrent Resolution No. 13 be made a special order for Friday, April 6, 1923, at ten o'clock and forty-five minutes a.m.

Motion lost.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 252—An act to amend section 415 of the Civil Code, relating to purchase and conveyance of real estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 252 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—Lyons—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 494 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleveland, Connolly, Coombs, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Anderson, Lyman, Prendergast, Smith, and Weller—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 288 passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Crofer, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Lyman, and Mitchell, A. G.—2.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At two o'clock and fifty minutes p. m., on motion of Mr. Scott, the Speaker declared the Assembly at recess, for the purpose of allowing the Pacific Union College Male Octet of Napa County to render two vocal selections for the Assembly.

Pacific Union College Male Octet of Napa County—Harold Mourer, first tenor; Adolphus Webb, first tenor; Ralph Albrecht, second tenor; George Cody, second tenor; Clarence Dortch, Director, first bass; George Paap, first bass; Charles Weniger, second bass; Walter Anderson, second bass.

REASSEMBLED.

At two o'clock and fifty-eight minutes p. m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Hicks reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure, to be numbered 1810*d*, relating to estates of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 291 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1250 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: *I am directed to inform your honorable body that the Senate on* this day passed the following:

Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors;

Also: Senate Bill No. 202—An act to amend section 270 of the Penal Code providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court;

Also: Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays;

Also: Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 159—An act to amend sections 11 and 12½ of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 335 read first time, and referred to Committee on Insurance.

Senate Bill No. 202 read first time, and referred to Committee on Judiciary.

Senate Bill No. 583 read first time, and referred to Committee on Judiciary.

Senate Bill No. 306 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 149 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 159 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Also: Senate Bill No. 91—An act to add a new section to be numbered 19*a* to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921.

Also: Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 9, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a*, to an act, entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof, to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 211 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 91 read first time, and referred to Committee on Irrigation.

Senate Bill No. 432 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

Also: Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Also: Senate Bill No. 403—An act to add a new section to the Penal Code to be numbered 1559, relating to extradition.

Also: Senate Bill No. 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

Also Senate Bill No 14—An act relating to liability for injury to school children.
J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 348 read first time and referred to Committee on Irrigation.

Senate Bill No. 176 read first time, and referred to Committee on County Government.

Senate Bill No 403 read first time, and referred to Committee on Judiciary

Senate Bill No. 49 read first time, and referred to Committee on Public Utilities.

Senate Bill No 44 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 15—Relative to industrial disputes.
J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Joint Resolution No 15 read, and referred to Committee on Federal Relations

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 983—An act to amend sections 6, 16 and 17, of an act entitled "The Corporate Securities Act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading

THIRD READING OF ASSEMBLY BILL—(OUT OF ORDER).

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography, to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, lines 13 and 16, of the printed bill, after the word "persons," strike out the word "now".

Motion carried.

The Speaker appointed Mr Hornblower as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 478, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee.

Report of Select Committee of One and amendment adopted.
Bill ordered to reprint, re-engrossment, and on file for passage.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, April 6, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 6, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Graves, Mr. Baker, Edwin, was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Eksward, Mrs. B. F. Raber of Berkeley was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Schmidt, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Erb:

GLEN PARK SCHOOL, SAN FRANCISCO, April 5, 1923.

Hon. Louis F. Erb, Sacramento, California.

HONORABLE SIR: The undersigned, the faculty of the Glen Park School, will hold as a personal favor anything that you can do to help defeat Assembly Bill No. 534 (the Dozier anti-tenure bill).

MYRA R. GREEN.
And 20 others.

By Mr. Johnson:

HANFORD, April 2, 1923.

WHEREAS, We are credibly informed that the Governor intends to greatly curtail the appropriation of money for the conduct of the business of the Railroad Commission, and

WHEREAS, The Railroad Commission has claimed in the past that they were greatly hampered in their work by the small appropriation therefore be it

Resolved, By the Kings County Farm Bureau, that we most insistently stand with the chairman of the Railroad Commission, Mr C L Seavey, in his contention for $915,000 which he considers the lowest figure that would give enough money to conduct the work of the Commission in a satisfactory manner.

(Signed) KINGS COUNTY FARM BUREAU.
OSCAR L. ODALE, President.

By Mr. Kline:

Mr. Chester M. Kline,
State Assemblyman,
Sacramento California.

DEAR SIR The Indio Chamber of Commerce met today and passed the following resolutions

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Mecca-Blythe highway, and

WHEREAS, The said sum if expended on said road will be entirely inadequate to cover the necessary expenses to repairing even the worst part of said highway, making it suitable for traffic; therefore it is

Resolved, That, if possible, the Legislature now in session take such steps as may be proper to provide a fund of not less than $300,000 in addition to the previous bond issue so as to place the road in condition to adequately care for the traffic now using the same.

Very truly yours, INDIO CHAMBER OF COMMERCE.
MRS. A. L. WOOD, Secretary

By Mr. McDowell:

To the Senators and Assemblymen of the State of California

We, the teachers of Fresno County, are opposed to the Assembly Bill No 534, introduced by Assemblyman Dozier of Redding, which in substance would repeal the Tenure Law for teachers enacted by the Legislature of 1921. Inasmuch as this proposed amendment makes tenure of teachers indefinite and insecure and subjects them to dismissal at the close of any school year without the preference of charges and an open hearing, the teaching body believes that the enactment of such a bill is a step backward educationally and detrimental to the welfare of California's schools

During the time that the Teachers Tenure Law has been in operation the teacher has been freed from the fear of unjust dismissal This sense of freedom has raised the morale of the teaching force and increased the efficiency and value of the teacher to the community. We therefore urge you to use all your influence to prevent the passage of this amendment

R. McCOURT.
And 223 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction of any part thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Commerce and Navigation

DONOHUE, Chairman

The above reported bill ordered re-referred to Committee on Commerce and Navigation.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended,

Also: Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns and over streets and avenues leading to the same",

Also: Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards",

Also: Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose";

Also: Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

Also: Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480¼, providing for hiring of clerk or clerks by reclamation boards or reclamation districts;

Also: Assembly Bill No. 684—An act to amend sections 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12 and to add new sections to be numbered 13 and 14 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of levee district number one of Sutter county," approved March 20, 1874 as amended.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

NOYES, Chairman.

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge drainage district, to promote drainage therein by the making of a cut through Knights Landing Ridge, and the construction of a canal therefrom to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913,

Also Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district, defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

NOYES, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees, the office of said district; and of proceedings to determine legality of district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following,

Assembly Bill No 534—An act to amend section 1609 of the Political Code, relating to duties of boards of school trustees and city boards of education;

Also: Assembly Bill No 429—An act to amend section 646 of the Civil Code, relative to building and loan associations,

Also Assembly Bill No 677—An act to amend section 653*b* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations,

Also Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction,

Also: Assembly Bill No. 59—An act to add a new section to the Penal Code to be numbered 653*f*, relating to landlord and tenant,

Also: Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings,

Also Assembly Bill No 432—An act to add a new section to the Penal Code, to be numbered 654*e*, relating to cooperative business corporations or associations;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5 1923

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same, with the recommendation that the authors be permitted to introduce it. The title of said bill is as follows:

By Messrs. Reindollar and Scott. An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Christian moved a call of the House.

Motion carried.

Time, nine o'clock and forty-eight minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Duval, Emme, Fellom, Foster, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, McMillan, Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—42.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Carter: Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 18 at this time, without reference to committee, or printer, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHTEEN.

Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

Assembly Concurrent Resolution No. 18 read.

Mr. Carter moved the adoption of the resolution.

The question being on the adoption of the resolution.

Assembly Concurrent Resolution No. 18 unanimously adopted by a rising vote.

Title read and approved.

Assembly Concurrent Resolution No. 18 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 18.

Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

MR. SPEAKER: Your Joint Committee appointed in pursuance to Assembly Concurrent Resolution No. 16 relative to drafting a resolution of respect on the death of our late associate, Honorable Gustave H. Douglas, begs leave to submit the following:

On the twenty-seventh day of March, 1923, the Supreme Ruler of the Universe removed from us our highly esteemed associate, Honorable Gustave H. Douglas. In the morning of that day he answered the roll call and in the evening his lips were stilled. Dr. Douglas was conscientious and painstaking in his professional and public life, devoted to duty, and worthy of the confidence he inspired in all with whom he associated

He was a genial companion, a loyal friend, and imbued with those high ideals of life, that made the world better for his living. He has passed from his earthly labors, but his kindly words and acts have brought cheer and happiness to many hearts in two continents, and in their memory he still lives.

In his death, a wife has lost a loving husband, his children a wise counselor, and the State an able Representative. Therefore be it

Resolved by his fellow members composing the Assembly and Senate of the State of California, That we, in the Forty-fifth Session of the Legislature, of the State of California do most sincerely regret the death of Gustave H. Douglas, and be it further

Resolved, That we tender our heartfelt sympathy to his beloved wife and children, and others near and dear to him and that the Chief Clerk of the Assembly be and he is hereby directed to forward to the bereaved family an engrossed copy of this resolution and that the same be spread upon the pages of the Journal of the Assembly and Senate.

CARTER,
ROSENSHINE,
JONES,
MOORE,
SAYLOR,
Assembly Committee.

INGRAM,
CROWLEY,
HURLEY,
LYON,
SAMPLE,
Senate Committee.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Mueller: Assembly Constitutional Amendment No. 49—Proposed amendment to article XIII of the constitution, relative to the exemption of State and municipal bonds from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Coombs: Assembly Constitutional Amendment No. 50—Proposed amendment to article IV of the constitution, relative to State highways; bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority.

Introduced, and referred to Committee on Constitutional Amendments.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "a salary" and strike out all of lines 6, 7 and 8, and insert in lieu thereof the following: "no compensation therefor"

AMENDMENT NUMBER TWO

On page 1, line 9, of the printed bill, after the word "marshal" insert the following: "to safeguard life and property from fire and to see that all laws and ordinances relating to fires and fire protection are enforced.".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, after the word "fires" insert the following "(other than forest, brush or grain fires)".

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, strike out the words "he shall" and insert in lieu thereof the word "to".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed bill, strike out the word "deputies" and in lieu thereof insert the following "as his deputies only the chiefs of fire departments, who shall serve without compensation".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1107—An act to amend an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

After section 1, insert the following "Whenever the term "lowest responsible bidder" is used in any law of this state it shall signify the person submitting the lowest responsible bid, business integrity, financial resources, facilities for performing the work and experience in operations similar to those for which bids are being received to be taken into consideration."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 3 to 17 inclusive, and on page 2 of the printed bill strike out all of lines 1 to 14 inclusive and in lieu thereof insert the following:

"1203. After the conviction by plea or verdict of guilty of a public offense where discretion is conferred upon the court or any board of commission or other authority as to the extent of the punishment, the court or board or commission or other authority before judgment and sentence and except as hereinafter provided, may upon oral suggestion of either party or of its own motion when it appears that there are circumstances which may properly be taken into view either in aggravation or mitigation of the punishment, may in its discretion refer the same to the probation officer directing said probation officer to investigate and to report, recommending either for or against release upon probation at a specified time, and the court shall hear the same summarily at that specified time and upon such notice to the adverse party as it may direct. At such specified time if it shall appear from the report furnished by the probation officer or otherwise and from the circumstances, that any person over the age of eighteen years having either pleaded guilty or having been convicted of a public offense, that there are circumstances in mitigation of punishment or that the end of justice shall be subserved thereby, the court may have power in its discretion to place the defendant upon probation as hereinafter provided: *further provided, however*, that nothing contained in this section shall apply to cases of murder, robbery, burglary, or rape by force, and violence, where in the perpetration of such crime a deadly weapon is used, or the person committing the said crime was armed with a deadly weapon or where the said crime is committed through the infliction of great bodily injury or torture, nor to any person who has been previously convicted of any of said offenses, nor where a public official or employee of the state, county, city, city and county, or other political subdivision thereof in the discharge of the duties of his public office or employment accepts or gives or offers to accept or give a bribe or embezzles public monies or is guilty of extortion in the discharge of his official duty."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 862—An act to amend section 626*e* of the Penal Code, relating to protection of deer.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, after the figure "1" strike out all of line 3, and all of lines 4, 5 and 6, and insert in lieu thereof the following "Every person who hunts, pursues, takes, kills or destroys or has in his possession any antelope or mountain sheep, or any female deer, spotted fawn or spike buck, or in fish and game district one and three-quarters, any forked horn mule deer, is guilty of a misdemeanor."

AMENDMENT NUMBER TWO

On page 1 of the printed bill strike out all of lines 15, 16, 17 and 18, and insert in lieu thereof the following "horns or antlers on either side shall be considered a spiked buck, and any male deer with forked horns on either side shall be considered a forked horn buck."

Amendments adopted.

Bill ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent therewith," approved May 26, 1917, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 9 of the title, after the word "therewith" insert the following ", approved May 19, 1915".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, line 9 of the title, strike out the words and figures "May 26, 1917", and insert in lieu thereof the following, "May 28, 1917".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "therewith" insert the following: ", approved May 19, 1915".

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, strike out the words and figures "approved May 26, 1917," and insert in lieu thereof the following, "approved May 28, 1917,".

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, strike out the words and figures "approved May 26, 1917", and insert in lieu thereof the following: "approved May 28, 1917".

AMENDMENT NUMBER SIX.

On page 3, line 13, of the printed bill, strike out the words and figures "approved May 26, 1917", and insert in lieu thereof the following: "approved May 28, 1917".

AMENDMENT NUMBER SEVEN.

On page 3, line 19, of the printed bill, strike out the words and figures "approved May 26, 1917", and insert in lieu thereof the following "approved May 28, 1917"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 4 to 11, both inclusive, and in lieu thereof insert the following: "his possession any dogs wilfully suffers, permits or allows such dogs to run, track or trail any deer at any time during the open or closed season is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 324—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out the word "April" and insert in lieu thereof the word "March".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the word "first" and insert in lieu thereof the word "sixteenth".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out the word "June" and insert in lieu thereof the word "May".

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, strike out the words "first day of June" and insert in lieu thereof the words "sixteenth day of May".

AMENDMENT NUMBER FIVE

On page 1, line 20, of the printed bill, strike out the words "first day of June" and insert in lieu thereof the words "sixteenth day of May".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out all of line 6 following the period and strike out all of lines 7 to 12 inclusive, and strike out that part of line 13 preceding the word "Every".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, following the figures "1261," insert the following "The board must, before it adjourns, inclose in packages which must be sealed and directed to the county clerk, or to the registrar of voters if there be one in their county, or city and county, the hereinafter designated supplies and records of the election In one package shall be inclosed one tally list, one poll list, the challenge list, the death and removal list, one list of assisted voters, and all affidavits of election officers assisting voters, in one package shall be inclosed the roster of voters, one tally list, one poll list, and one list of assisted voters, in one package shall be inclosed the spoiled, cancelled and unused ballots, and in one package shall be inclosed the voted ballots The register shall be returned separately in an unsealed envelope to the county clerk

The board must also immediately transmit, unsealed to the county clerk, a copy of the result of the votes cast at the polling place, which copy must be signed by the members of the board, and which shall be open to the inspection of the public.

The board must also, before it adjourns, post conspicuously, on the outside of the polling place, a copy of the result of the votes cast at such polling place, which copy shall be signed by the members of the board.

It shall be a misdemeanor for any person to remove or deface such posted copy of the result or to delay or change the copy to be delivered to the county clerk"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1304—An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act" approved June 16, 1913, and amended and approved May 29, 1917; and amended and approved April 8, 1919

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out all of line 21.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633*c*, concerning the appointment by insurance companies of agents for the soliciting of applications for fire or automobile insurance and the licensing of such agents, and providing license fees therefor.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1289—An act to amend section 429 of the Civil Code, relating to fire and marine insurance corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 570—An act to amend section 39*f* of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended, relating to fish and game districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 272—An act providing for the organization operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for

drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State Treasury and providing for exemption from fees.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MOTOR VEHICLES

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1040—An act to amend sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, 24, 25, 26, 27, 28, 29, 32, 36 and 37 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder, to create a motor vehicle department and to provide for the organization and conduct thereof, to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

BROMLEY, Chairman.

The above reported bill ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

REINDOLLAR, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REINDOLLAR, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 615—An act to amend section 1313 of the Civil Code, relating to charitable bequests;

Also Assembly Bill No. 167—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts,

Also Assembly Bill No. 620—An act to amend section 1769 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county;

Also Assembly Bill No. 622—An act to repeal section 927n of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof,

Also Assembly Bill No. 1206—An act to add a new section to the Code of Civil Procedure to be numbered 1207, relating to the posting of notices,

Also Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State,

Also Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville;

Also Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians;

Also Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure relating to notices to relatives of persons under guardianship;

Also Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and eighteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Christian.

The roll of absentees was called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. Reindollar and Scott: Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By the Committee on Rules: Assembly Concurrent Resolution No. 19—Relative to the amendment of the Joint Rules.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without reference to committee or printer, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER NINETEEN.

Assembly Concurrent Resolution No. 19—Relative to the amendment of the Joint Rules.

Assembly Concurrent Resolution No. 19 read.

MOTION.

Mr. Carter moved that, in compliance with the rules, further consideration of Assembly Concurrent Resolution No. 19 go over until the next legislative day.

Motion carried.

MOTION.

Mr. Graves moved that when the Assembly adjourn this day, they adjourn until the hour of nine o'clock and thirty minutes a.m., Monday, April 9, 1923.

MOTION TO AMEND.

Mr. Carter offered the following substitute motion as an amendment to the motion by Mr. Graves:

That when the Assembly adjourn this day, they adjourn until the hour of nine o'clock and thirty minutes a.m., Saturday, April 7, 1923.

The question being on the motion to amend by Mr. Carter.

Motion to amend carried.

The question being on the motion by Mr. Graves, as amended.

Motion, as amended, carried.

SPECIAL ORDER SET.

On motion of Mr. Cleary, the consideration of Assembly Constitutional Amendment No. 23 was made a special order for Tuesday, April 10, 1923, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys

Assembly Constitutional Amendment No. 46 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 46 adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noves, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—Anderson, and Croter—2.

Title read and approved.

Assembly Constitutional Amendment No. 46 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 46.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its forty-fifth session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, proposes to amend section 16½ of article XI of the constitution to read as follows:

Sec. 16½. All moneys belonging to, or in the custody of, the State, or any county, city and county, city, town, municipality, or other political subdivision, within this State may be deposited in any national bank or banks within this State, or in any bank or banks organized under the laws of this State, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by the Legislature and approved by the Governor and subject to the referendum; *provided*, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized; *and provided, further* that the State or any county, city and county, city, town, municipality, or other political subdivision issuing bonds under the laws of this State, may deposit moneys in any bank or banks outside this State for the payment of the principal or interest of such bonds at the place or places at which the same are payable.

RECONSIDERATION WAIVED

Mr. Lyons waived his motion to reconsider the vote whereby Assembly Bill No. 248 was passed.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Pomeroy moved that the vote whereby Assembly Bill No 20 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Badham, Bromley, Carter, Christian, Cleveland, Davis, Donohue, Dozier, Duval, Foster, Fox, Graves, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, Mitchell, A. G., Moore, Pomeroy, Prendergast, Rock, Scott, Snyder, Stow, Weller, Williams, and Mr. Speaker—29

NOES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Crotei, Dean, Dorris, Eksward, Emme, Ero, Fellom, Fulwider, Hawes, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Noyes, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Woodbridge, and Wright—39.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-EIGHT.

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read third time.

ASSEMBLYWOMAN DORRIS IN THE CHAIR.

At eleven o'clock and five minutes a.m. Honorable Grace S. Dorris, Assemblywoman from the Fifty-sixth district, was called to the chair.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-EIGHT—(RESUMED).

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read third time.

MOTION TO SUSPEND RULE.

Mr. Christian moved that Rule 71 be suspended for the remainder of the day.

Motion lost.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and thirty-three minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-EIGHT—(RESUMED).

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read third time.

COMMUNICATION.

The following telegram was read, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, April 5, 1923.

Assemblyman Frank L. Coombs,
Sacramento, California.

Community property bill before you has endorsement of California Bar Association. This bill was prepared by committee of our association after much effort to strike a fair balance on this question. We urge your support of the measure.

J. W. S. BUTLER,
President California Bar Association.

ANNOUNCEMENT.

The Speaker announced that the trip to Coloma had been postponed until Sunday, April 15, 1923.

RECESS.

At twelve o'clock and one minute p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-EIGHT—(RESUMED).

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read third time.

POINT OF ORDER.

During a discussion by Messrs. Fellom and Smith, as to limiting debate on the question under consideration, Mr. Morris arose to the following point of order:

That Senate Bill No. 228 was the question before the House, and therefore they were out of order.

RULING OF THE SPEAKER.

The Speaker ruled that the point was well taken.

RECESS

At one o'clock and forty-four minutes p.m., the Speaker declared the Assembly at recess for the purpose of presenting to the Assembly the following distinguished guests of Mr. Fulwider:

Alfred C. Gillis of Wintoone tribe of Shasta County, Benjamin Wilder of Karock tribe of Humboldt County, Mrs. Benjamin Wilder of Hoopa tribe of Humboldt County, Steve Super (85 years old) of Karock tribe of Humboldt County, William Fuller of Newouk tribe of Tuolumne County, John Somerville of Piute tribe of Inyo County, John Porter of Newouk tribe of Amador County, and John Hart of Ylacca-Wintoone tribe of Trinity County

REASSEMBLED.

At one o'clock and fifty-three minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-EIGHT—(RESUMED).

Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Cleveland moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "wife" strike out the words "one half of."

AMENDMENT NUMBER TWO

On page 1 line 4 of the printed bill, strike out the "semicolon" and insert in lieu thereof a "period".

AMENDMENT NUMBER THREE

On page 1, line 4, of the printed bill, after the "period", strike out the remainder of the bill

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Wright, Crittenden, Cleveland and Christian, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One lost by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Bromley, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Dozier, Duval, Eksward, Hawes, Hornblower, Jones, Lyons, McDowell, Mitchell, A. G., Morris, Pedrotti, Rosenshine, Snyder, Spalding, and Stow—25

NOES—Anderson, Ball, Bernard, Broughton, Carlson, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Carter moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 5, 6, 7 and 8 and insert in lieu thereof the words "the other half goes to the children of deceased spouse, and if there are no children, issue of said spouse, all of the community property goes to the surviving spouse, subject to the provisions of section one thousand four hundred two of this code".

REQUEST FOR ROLL CALL.

On request of Messrs. Carter, Moore, West, Cleveland and Lyons, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One lost by the following vote:

AYES—Badham, Baker, C. C., Bromley, Carter, Christian, Clarke, Cleveland, Connolly, Davis, Dozier, Duval, Eksward, Hawes, Johnston, Lyons, McDowell, Mitchell, A. G., Morris, Noyes, Pedrotti, Rock, Snyder, Spalding, Stow, West, and Whitacre—26

NOES—Anderson, Ball, Bernard, Broughton, Carlson, Cleary, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Moore, Prendergast, Roberts, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—42.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 228 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—Badaracco, Baker, C. C., Cleveland, Connolly, Dawson, Dozier, Eksward, Jones, Morris, Noyes, Spence, and West—12.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 761 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 143 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 949 was passed be continued until the next legislative day.

Motion carried.

MOTION FOR LEAVE OF ABSENCE.

Mr. Cleveland moved that Mr. Wright be granted leave of absence for Saturday, April 7, 1923.

Motion lost.

MOTION FOR LEAVE OF ABSENCE.

Mr. Fellom moved that Mr. Morris be granted leave of absence for Saturday, April 7, 1923.

Motion lost.

MOTION FOR LEAVE OF ABSENCE.

Mr Cleary moved that Mr. Johnson be granted leave of absence for Saturday, April 7, 1923.

Motion lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ATTACHES

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their names be stricken from the roll to date from and including the following dates respectively

Effective April 1, 1923:
Dan Whalen, Assistant Sergeant-at-Arms $5 00
Daven Morey, Page 2 50

Effective April 6, 1923
Ella M. Dobbins, Committee Clerk 4 00

The Committee further reports that the following named persons be, and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said employment to date from and be effective as follows:

Effective March 30, 1923
E. Myerson, Assistant Sergeant-at-Arms $5 00

Effective April 1, 1923:
Daven Morey, Assistant History Clerk 5 00

Effective April 5, 1923:
Charles Spaulding, Page 2 50

Effective April 6, 1923:
Azalia Peterson, Committee Clerk 4 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named persons upon the appropriations for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Prendergast, Rock, Saylor, Scott, Smith, Spalding, Spence, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1059—An act to appropriate money in the State Treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

Also Assembly Bill No 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund",

Also Assembly Bill No 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1293—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids thereto have first been advertised for, opened and rejected—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULWIDER, Chairman

The above reported bill ordered on file for second reading

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BALL, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board

of Optometry, define its duties and powers and prescribing a penalty for the violation of this act,' approved June 16, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BALL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 2 of article IX of the constitution of the State of California, relating to the election of a Superintendent of Public Instruction—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code to be numbered 1617½, relating to the sale or lease of school property upon which no public school is being maintained—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764c, relating to powers and duties of high school boards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 812—An act confirming and validating the organization of school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 934—An act to amend sections 362a, 362b, 362c and 362d of the Political Code, relating to the Department of Education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof, providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STEVENOT, Vice Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1195—An act making an appropriation for the construction and improvement of the State highway extending from Porterville, in Tulare County, to Lone Pine, in Inyo County;

Also Assembly Bill No. 1196—An act making an appropriation for the construction and improvement of the State highway extending from Earlimart, Tulare County, to a point where such highway connects with the highway extending from Lost Hills, Kern County, to Cholame, San Luis Obispo County;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended, and be re-referred to Committee on Ways and Means.

STEVENOT, Vice Chairman

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STEVENOT, Vice Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 10—An act making an appropriation for the reconstruction of the causeway on the Auburn boulevard at the end of the American River bridge—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

STEVENOT, Vice Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 683—An act to amend sections 12, 14 and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STEVENOT, Vice Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 487—An act to declare a certain road between Bakersfield and Mojave, a State highway and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STEVENOT, Vice Chairman.

The above reported bill ordered on file for second reading

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond;

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest, certificate of service;

Also: Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment; commitment, form of;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

MITCHELL, A. G., Chairman.

The above reported Constitutional Amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 2—Relative to inferior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported Constitutional Amendment ordered on file for adoption.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Medical and Dental Laws.

DOZIER, Chairman.

The above reported bill ordered re-referred to Committee on Medical and Dental Laws.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 82—An act to regulate the occupation of barbering, to

create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners, to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring the general public cleaner and better service, and provide penalties for violation thereof —has had the same under consideration, and respectfully reports the same back without recommendation

DOZIER, Chairman

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532a, relating to the apportionment of State school funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STOW, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

Also: Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail.

Also: Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents.

Also: Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California, to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests, to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service, to provide for the enforcement of this act, to prescribe penalties for violation of the provisions hereof, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 538 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 24 read first time, and referred to Committee on Judiciary.

Senate Bill No. 426 read first time, and referred to Committee on Judiciary.

Senate Bill No. 689 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 136 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor;

Also: Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution, and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act, and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water;

Also: Senate Bill No. 200—An act to amend section 13944 of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California;

Also: Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 656 read first time, and referred to Committee on Conservation.

Senate Bill No. 216 read first time, and referred to Committee on Irrigation.

Senate Bill No. 200 read first time, and referred to Committee on Universities.

Senate Bill No. 101 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions;

Also: Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class;

Also: Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions;

Also: Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734e, relating to the change of boundaries of high school districts;

Also: Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 240 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 481 read first time, and referred to Committee on County Government.

Senate Bill No. 242 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 427 read first time, and referred to Committee on Education.

Senate Bill No. 392 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation" approved June 3, 1921, is hereby amended to read as follows;

Also: Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists;

Also: Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service;

Also: Senate Bill No. 244—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any of the officers thereof in the discharge of official duties, be suitably marked with the name of the department, by which the same is used and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 552 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 36 read first time, and referred to Committee on County Government.

Senate Bill No. 510 read first time, and referred to Committee on Military Affairs.

Senate Bill No. 244 read first time, and referred to Committee on Motor Vehicles.

Also.

SENATE CHAMBER, SACRAMENTO, April 6, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game.

Also, Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 581 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 250 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing;

Also, Senate Bill No. 160—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1680 and 3387 of said code, to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35a, 1097, 1098, 1099, 1100 and 1624a, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 158 read first time, and referred to Committee on Judiciary.

Senate Bill No. 160 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 15—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof relating to the compensation of city, county, town or municipal officers

J A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 15 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 20—Approving certain amendments to the charter of the city of Eureka in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923

J A BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 20 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16a;

Also: Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof;

Also: Assembly Bill No. 72—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 863—An act to amend section 1202a of the Penal Code, relating to persons sentenced to State penitentiaries;

Also: Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume;

Also: Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts;

Also: Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

ADJOURNMENT.

At three o'clock and fifty-three minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Saturday, April 7, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 7, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Baker, C. C., Ball, Bernard, Broughton, Clarke, Cleary, Cleveland, Davis, Dawson, Dean, Dorris, Dozier, Duval, Emme, Fellom, Foster, Heisinger, Jones, McMillan, Miller, Moore, Noyes, Pedrotti, Prendergast, Roberts, Rock, Schmidt, Scott, Spalding, Weller, Williams, Woodbridge, and Mr. Speaker—33.

MOTION TO ADJOURN.

There being no quorum present Mr. Scott moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m., Monday, April 9, 1923.

Motion lost.

CALL OF THE HOUSE.

Mr. Fellom moved a call of the House.

Motion carried.

Time, nine o'clock and thirty-four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Heisinger, Jones, McMillan, Miller, Moore, Noyes, Pedrotti, Prendergast, Roberts, Rock, Schmidt, Scott, Spalding, Weller, Williams, Woodbridge, and Mr. Speaker—37.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At nine o'clock and forty-three minutes a.m., Mr. Dozier moved that further proceedings under call of the House be dispensed with.

REQUEST FOR ROLL CALL

On request of Messrs. Dozier, Carter, Scott, Bromley and Fellom, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under the call of the House.

The question being on the motion to dispense with further proceedings under the call of the House.

The roll was called, and the motion to dispense with further proceedings under the call of the House carried by the following vote:

AYES—Badham, Baker, C. C., Ball, Bromley, Burns, Carter, Cleary, Connolly, Dean, Dozier, Emme, Fulwider, Johnston, Jones, Lyons, McMillan, McPherson, Mitchell, A. G., Mueller, Noyes, Prendergast, Roberts, Scott, Stow, Weller, West, and Mr. Speaker—27.

NOES—Baker, Edwin, Bernard, Broughton, Clarke, Cleveland, Davis, Dawson, Donohue, Dorris, Duval, Erb, Fellom, Foster, Fox, Heisinger, Miller, Moore, Morrison, Pedrotti, Pomeroy, Rock, Saylor, Spalding, Williams, and Woodbridge—25.

The roll of absentees was called, and a quorum was declared to be present by the following vote:

Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—61.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Williams, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITION.

The following telegram was presented, and ordered printed in the Journal:

By Mr. Speaker:

WASHINGTON, D. C., April 5, 1923.

Hon. Frank F. Merriam, Speaker of the Assembly,
Sacramento, California.

I am informed Board of Control has omitted from budget State's appropriation for Sacramento and San Joaquin flood control project for next two years. By act of Congress and Legislature of California this project was approved and adopted on cooperative basis. The federal government has each year appropriated its share and thus far the State has met federal appropriation by an equal State appropriation. At the last session Congress appropriated $499,900 for this work for fiscal year commencing July 1st. As project has been adopted by State and nation both parties to contract are in honor bound to appropriate for their share of the work. The project should be completed at the earliest possible moment. If the Legislature fails to make appropriation I fear it will be impossible induce Congress to make appropriation next year and it would probably mean indefinite suspension of project. Flood control project has so improved navigation on the Sacramento and San Joaquin that the amount of freight carried has enormously increased year by year until the annual tonnage is now about two million tons. The value to commerce of this tonnage is great as is evidenced by comparison with the tonnage of the Panama Canal. Last year eleven million tons passed through the canal. The reclamation part of this project is paid for by local interests benefited. Should the State fail to make appropriation work will stop and the work will deterioriate. It would constitute a breach of faith on the part of the State of California. Further, it would mean an ultimate greater cost to complete should the State later make appropriations to continue the project. I sincerely hope the Legislature will not abandon the project but will appropriate the necessary amount of money, as the State is pledged to do.

CHARLES F. CURRY, Member of Congress.

MOTION.

Mr. Carter moved that no contested matters be considered this day. Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag;

Also: Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals;

Also: Assembly Bill No. 276—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended;

Also: Assembly Bill No. 277—An act to repeal section 3a of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended;

Also: Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1294—An act to amend section 1474 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs;

Also: Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 633c, concerning the appointment by insurance companies of agents for the soliciting of applications for fire or automobile insurance and the licensing of such agents, and providing license fees therefor;

Also: Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments;

Also: Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed;

Also: Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing and sparring matches or exhibitions—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary;

Also: Assembly Bill No. 478—An act to promote the better education of practitioners of radiography, to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 17, relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes;

Also, Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

Also, Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock:

Has had the same under consideration and respectfully reports the same back, and recommends that they be adopted.

DAVIS, Chairman.

The above reported joint resolutions ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAVIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

Also, Senate Joint Resolution No. 12—Relative to the employment of war veterans at the soldiers' homes at Sawtelle and at Yountville.

Also: Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship.

Also: Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship.

Also, Senate Joint Resolution No. 15—Relative to industrial disputes.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

DAVIS, Chairman.

The above reported joint resolutions ordered on file for adoption.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BALL, Chairman.

The above reported bill ordered on file for second reading.

ON CONTINGENT EXPENSES.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution—*Resolved*, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay same, for the sum of one hundred ($100) dollars, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's Office—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
ROCK.
MITCHELL, A. G.
PEDROTTI.
LYONS.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Heisinger, Jones, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Schmidt, Scott, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, and Mr. Speaker—44.

NOES—None.

Also:

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in the sum of $1,521 88 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same:

State Purchasing Department, supplies for January, February and March	$1,395 87
Bowman's Hardware and Implement Co., for shears	7 12
Wahl Stationery Co., stamp holders	1 50
Hall, Luhrs & Co.	10 18
Sleeper Stamp Co., Page badge	2 00
Purnell Stationery Company	4 00
H. S. Crocker Co., postal scale	3 90
H. S. Crocker Co., clip boards	3 63
H. S. Crocker Co., letter clips	10 88
The Wholesale Typewriter Co., rent of typewriters, March 8 to April 8	72 00
Pacific Telephone and Telegraph Co., exchange service and tolls, April	10 80
Total	$1,521 88

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
ROCK.
MITCHELL, A. G.
PEDROTTI.
LYONS.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badham, Baker, Edwin, Ball, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Crittenden, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—43.

NOES—None.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 19—An act to amend an act entitled "An act to promote drainage," approved March 18, 1885, as amended, by adding a new section thereto to be numbered 20*a*, providing for the alteration of the boundaries of drainage districts—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventh day of April, 1923, at ten o'clock a.m.

ROBERTS, Chairman.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Cleveland

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1726 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the nineteenth class.

Referred to Committee on Introduction of Bills.

By Mr. Eksward:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Donohue: Assembly Constitutional Amendment No 51—Proposed amendment to article XIII of the constitution, relative to taxation.

Introduced and referred to Committee on Constitutional Amendments.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the local improvement act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title, strike out the "period" and insert in lieu thereof a "comma" and the following: "which became a law, under constitutional provision, without governor's approval, March 1, 1897."

AMENDMENT NUMBER TWO

On page 1, line 4, of the printed bill, preceding the word "shall," insert the following: "wich became a law, under constitutional provision, without governor's approval, March 1, 1897."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In the title strike out the "period" and insert in lieu thereof a "comma" and after the quotation marks add the following: "approved March 19, 1889."

AMENDMENT NUMBER TWO

On page 1, line 4, of the printed bill, preceding the word "shall," insert the following: "approved March 19, 1889."

AMENDMENT NUMBER THREE

On page 1, line 15, of the printed bill, following the words Sec. 4, insert the following: "Any incorporated "city and county" or "city", or "town", may, in addition to the annual tax levy for other municipal purposes, and at the same time and in the same manner cause to be assessed and levied upon the taxable property within the municipality an annual tax in such amount as may be deemed necessary and proper for the acquisition or maintenance or improvement of its public parks, boulevards, playgrounds, or any two or all three, and the revenue so obtained shall be applied to no other use or purpose."

AMENDMENT NUMBER FOUR

On page 1, line 18, of the printed bill, after the words "Sec. 7," add the following: "The bonds shall be numbered consecutively from one upwards, and shall be issued in the order of their respective numbers, commencing with number one, and there shall be attached thereto coupons for the payment of the annual interest. They shall be known and designated either as the "park and boulevard and playground" or "park and playground" or "park and boulevard" or "park" or "boulevard" or "playground" bonds of the municipality issuing them. Each bond shall not exceed in the amount of its principal one thousand dollars, and may be in any smaller amount."

AMENDMENT NUMBER FIVE.

On page 1, line 21, of the printed bill, after the words "Sec. 9," add the following: "The money obtained from the sale of the bonds shall be kept in a separate fund, and shall be used exclusively for the acquisition, or maintenance, or improvement of the public parks, boulevards or playgrounds of the municipality issuing them, and for no other use or purpose."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the first line of the title strike out the letters "eneitled" and insert in lieu thereof the following: "entitled".

AMENDMENT NUMBER TWO.

In the sixth line of the title strike out the "period" and insert in lieu thereof a "comma" and following the quotation marks add the following: "which became a law, under constitutional provision, without governor's approval, March 1, 1897."

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, preceding the word "shall," insert the following: "which became a law, under constitutional provision, without governor's approval, March 1, 1897."

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, after the words "Section 1," add the following: "It shall be lawful for the Council, Board of Trustees, or other governing body of any city or town, to lay out, open, construct, and cause to be constructed, maintain and control all roads, streets, and boulevards, which may be necessary or requisite for the purpose of connecting such city or town with any public park or playground situated wholly or partly outside of the limits of such city or town, of which it shall be the owner, and to acquire by gift, purchase, or condemnation, in the manner required by the law of eminent domain, any land or rights of way lying between the limits of such city or town and the exterior limits of such park or playground, for the purposes aforesaid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, strike out the word "recorder" and insert in lieu thereof the following: "police judge".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6, line 28, change the word "funding" to the word "refunding", and make this same change in subsequent places in the bill as follows: Page 6, line 50; page 6, line 52; page 7, line 14; page 7, line 41, page 7, line 46; page 8, line 8; page 10, line 50, page 11, line 3, page 11, line 12; page 11, line 13, page 11, line 29, page 11, line 40, page 11, line 41, page 12, line 43; page 13, line 11; page 13, line 22; page 13, line 23, page 13, line 28, page 13, line 33, page 13, line 35, page 13, line 40, page 13, line 42; page 14, line 10, page 14, line 15, page 14, line 23, page 14, line 42, page 15, line 13, page 15, line 17, page 15, line 23, page 15, line 34, page 15, line 47, page 15, line 50; page 16, line 3; page 16, line 5, page 16, line 8; page 16, line 10; page 16, line 12; page 16, line 16, page 16, line 19; page 16, line 23; page 16, line 24, page 16, line 25; page 16, line 27, page 16 line 30; page 16, line 32

AMENDMENT NUMBER TWO

On page 8, line 1, after the second word "bonds" near the end of the line add the following "and any refunding bonds issued thereon"

AMENDMENT NUMBER THREE.

On page 10, between lines 45 and 46 and as part of said section 3480, add the following "All bonds hereafter issued under this section or under section three thousand four hundred eighty and one-half shall contain a provision as follows:

This bond is callable, in the manner provided by law, for payment on any interest-payment date, at its face value plus a premium of two per cent; and whenever, on or after such date, funds are provided for payment, interest hereon shall cease

Not less than ninety days before any interest-payment date the trustees, by a two-thirds vote, may adopt an order calling bonds of the district, in any amount, for payment on such date. The order shall specify the maturities of the bonds called, commencing with the earliest maturities. If less than all bonds of any maturity are called then the trustees, by a drawing, shall ascertain the bonds to be called in such maturity and the order shall designate the numbers of the bonds so drawn. A certified copy of the order shall be delivered to the county treasurer and he shall *add the principal of said bonds, with a premium of two per cent, to the amount* which he is required to collect for payment of the next maturing interest coupons. In his notice of call of assessment the county treasurer shall specify the amount which is included for payment of principal of bonds and premium. Bonds shall be paid in order of presentation.

Not less than once a week for four weeks prior to the date on which bonds are called for payment the county treasurer, in a newspaper of general circulation printed and published in the main county, shall publish a notice wherein he shall set forth said order of the trustees and shall notify all holders of said bonds to present the same for payment on the date specified and that whenever, on or after such date, funds are received by him for payment of said bonds with a premium of two per cent all interest thereon shall cease.

Any land owner of the district who shall desire at any time to lessen or remove the lien upon his land of any assessment on which bonds have been or hereafter may be issued may deliver to the county treasurer for cancellation any bonds payable out of said assessment, and the treasurer shall credit against the assessment on his land the principal and accrued interest of said bonds."

AMENDMENT NUMBER FOUR.

On page 10, line 52, strike out the words "at and when said installments may mature" and insert the words "in manner as follows".

AMENDMENT NUMBER FIVE.

On page 11, line 8, strike out the word "and".

AMENDMENT NUMBER SIX.

On page 11, lines 12 to 20, strike out two whole sentences and re-word them as follows "Said order for said special election shall set forth the maturities and rate *of interest of said refunding bonds, the date and the total amount of the principal* thereof, and also the portion of each installment of the bonds which are to be refunded The principal of the refunding bonds shall not exceed the installment, or the part of an installment which is to be refunded."

AMENDMENT NUMBER SEVEN.

On page 11, line 37, strike out the words "per cent" and insert "$_____".

AMENDMENT NUMBER EIGHT.

On page 14, line 23, strike out the words "per cent" and insert "$_____".

AMENDMENT NUMBER NINE.

On page 14, line 42, strike out the words "per cent" and insert "$:_____".

AMENDMENT NUMBER TEN.

On page 16, after the last line add a new paragraph as follows

"The purchaser of any refunding bonds may use in payment any bonds of the maturities and series which will be paid by the proceeds of the sale."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480½, providing for hiring of clerk or clerks by reclamation boards or reclamation districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out lines 3 and 4 of the title of the printed bill, and insert in lieu thereof the following "authorizing the governing boards of reclamation districts to hire a clerk".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period at the end of the line, insert the following "A new section is hereby added to the Political Code, to be numbered three thousand four hundred eighty and one-half, to read as follows:

3480½. No officer shall charge or receive any fee for any service required to be performed by him under the provisions of sections three thousand four hundred fifty-seven, three thousand four hundred sixty-six and three thousand four hundred eighty of the Political Code, but reasonable and necessary expense actually incurred by any county treasurer in carrying out the provisions of these sections relating in any manner to the registration and payment of warrants or to the collection of assessments, shall be paid out of the funds of the several reclamation or swamp land districts of the county as herein provided.

The board of trustees of every district issuing warrants or levying or collecting assessments must employ a clerk to attend to matters pertaining to such registration and payment of warrants and to the levying and collecting of assessments. Such clerk shall work under the direction of the county treasurer of the county within which the district or districts or the greater part of each thereof is situated, and shall receive as compensation for his services a yearly sum equal to one and one-half cents per acre based on the net acreage of each district as indicated by the records of the state reclamation board, *provided* every district having outstanding bonds or which shall hereinafter issue bonds shall pay to such clerk three cents per acre. If the net acreage of any district is not obtainable from the records of the state reclamation board the compensation of such clerk shall be based on the acreage of the district as shown by the records of the county clerk of the county in which the district or the greater part thereof is situate. The trustees of each district upon presentation of a proper claim must semi-annually draw a warrant on the funds of their respective districts for such clerk hire. Every such claim must be approved by the county treasurer of the county in which the district or districts, or the greater part of each thereof, is situated, and in the event that the board of trustees of any district shall neglect or refuse to draw a warrant based upon such claim ten per cent of the amount of such claim shall be added thereto and thereafter two per cent per month shall be added to such claim until a warrant shall have been issued as herein provided."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 684—An act to amend sections 2, 3, 4, 5, 6, 7, 9 10, 11 and 12 and to add new sections to be numbered 13 and 14 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend" strike out the remainder of line 1, also all of line 2 and in line 3 strike out the words "thirteen and fourteen to".

AMENDMENT NUMBER TWO.

On page 1, in line 1, of printed bill, after the words "Section 1", strike out the remainder of the bill and insert the following:

"Section five of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of levee district number one of Sutter county," approved March 29, 1874, is hereby amended to read as follows:

SEC. 5. All elections hereafter held in said levee district for the election of directors shall be held at the same time and places within said levee district as the general state or county elections are held, and be conducted by the same election officers as shall hold and conduct such general elections, but separate ballot boxes and separate poll lists shall be provided and kept for such elections for directors, and separate returns thereof shall be made to the board of supervisors, and shall be by it canvassed and disposed of as provided for canvassing and disposing of the returns for the election of county officers. Only electors of said district who are owners of record of real estate situate in said district at the date of such election shall be entitled to vote at such elections. The directors of the district shall at least five days before the date of any election therein for district purposes, prepare or cause to be prepared from the public records of Sutter county a list of electors arranged in alphabetical order who are owners of real property in said district at the time of the preparation of such list, and shall certify the same or cause the same to be certified, and a copy of the list so certified shall be delivered to each election board in said district, immediately prior to the date of any election to be held therein, and no elector shall be permitted to vote at any election in said district unless his or her name appears on said list unless such elector shall, before offering to vote, furnish the election board with an affidavit, subscribed and sworn to by such elector before a notary public, or other officer authorized to administer oaths, showing that such elector is the owner of real property situate within said district. The treasurer of Sutter county shall be ex-officio tax collector and ex-officio treasurer of such district. The assessor of Sutter county shall be ex-officio assessor of said district.

SEC. 2. Section six of said act is hereby amended to read as follows:

SEC. 6. After the fiscal year ending June 30, 1924, no assessment of the property of said district shall be made except when deemed necessary by the board of directors of said district. After said date whenever, in the discretion of the board of directors of said district, it may become or appear to be necessary that funds be provided for the care and maintenance of the levees of said district, or for any other purpose, it shall be proper resolution to be passed and adopted by said board and entered in the minutes of the proceedings thereof, direct the ex-officio assessor of said district to make an assessment of the real property of said district, and a copy of said resolution, duly certified by the clerk of said board, shall be delivered to said ex-officio assessor between the first and tenth days of January in the year when such assessment is to be made.

SEC. 3. Section seven of said act is hereby amended to read as follows:

SEC. 7. It shall be the duty of the ex-officio assessor of the district, between the first Monday in March and the first Monday in July of each year in which an assessment of the real property of the district is to be made as in this act provided, including the year of 1924, to assess at its actual cash value all the real property in said district to the persons owning or claiming the same at noon on the first Monday in March of the year when such assessment is to be made, and to enroll the same upon the assessment roll to be prepared by him; but no mistake in the name of the owner or supposed owner of such real property shall render the assessment thereof invalid. When such assessment roll has been completed by the ex-officio assessor of the district he shall deliver the same to the board of directors, and such delivery shall be made on or before the first Monday in July of the year in which said assessment is made.

SEC. 4. Section eight of said act is hereby amended to read as follows:

SEC. 8. The board of directors must meet on the first Monday in July of each year in which an assessment is made to examine the assessment roll and equalize the assessment of property of said district. It must continue in session for that purpose, from time to time, until the business of equalization is disposed of but not later than the third Monday in July. The board has power, after giving notice in such manner as it may by rule prescribe, to increase or lower the entire assessment roll or any assessment contained therein, so as to equalize the assessment of the property contained in said roll, and make the assessment conform to the true value of the property in money. During such session the board may correct any errors

omissions, or defects in form or description the assessment roll, and may direct the ex-officio assessor of the district to assess any real property that has escaped assessment. Upon the hearing of any question arising during the course of such equalization, the board may subpoena such witnesses, and hear and take such evidence in relation to the subject pending, as in its discretion it may deem proper. The clerk shall note all alterations made in valuations or assessments, and within five days after the session have the total values, as finally equalized by the board, extended into columns, and added up, and shall forthwith deliver the assessment roll so corrected, to the county auditor. In order to find the per cent of taxes necessary to be levied, the board shall find

First—The amount necessary to pay the interest and any part of the principal that may become due for the then current year on the funded debt of said district.

Second—The probable amount that may be needed for repairs, etc

Third—The amount needed for salaries, fees and delinquencies.

Fourth—The amount of floating debt that it may be desirable to pay during the then current year; and from these several amounts shall find the rate per cent necessary to produce the probable fund needed for the ensuing year.

The board of directors shall meet on the third Monday in September and fix such rate, and when so fixed, the clerk of the board shall certify the same to the county auditor. The auditor must then compute, and enter into a separate money column in the assessment book, the respective sums, in dollars and cents, rejecting the fractions of a cent, to be paid as a tax on the property therein enumerated, and foot up the column, showing the total amount of such taxes, and on or before the second Monday in October said auditor must deliver said assessment book to the ex-officio tax collector of the district. On delivering the assessment book to the ex-officio tax collector, the auditor must charge the ex-officio tax collector with the full amount of the taxes levied and unpaid On receipt of such assessment book the ex-officio tax collector of the district must publish a notice for at least two weeks in one or more newspapers published in the district, specifying that all taxes are due and payable and that the same will be delinquent at noon on the first Monday of January next succeeding, and that unless paid prior thereto a penalty of ten per cent will be added thereto. On the first Monday in each month the ex-officio tax collector must settle with the auditor for all moneys collected for the district, and pay the same to the ex-officio treasurer of the district, and on the third Monday in May of each year the said ex-officio tax collector must attend at the office of the auditor with the assessment book, having all items of taxes and penalties collected marked "paid", and at the same time he shall deliver to the auditor the assessment roll of the district. The auditor shall thereupon credit the ex-officio tax collector with all unpaid taxes, and shall make out and deliver a list of the same to the board of directors, and said board of directors shall commence an action, or actions, as provided in section nine of this act, for the collection thereof

SEC. 5. Section nine of said act is hereby amended to read as follows:

SEC. 9. From and after the delivery of said assessment roll to the ex-officio tax collector of the district (which must not be later than the second Monday in October following the assessment) the taxes levied against any tract of land within the district shall constitute a lien thereon, and such taxes shall be due and payable from the owner of such land immediately, and in any action brought to collect such tax, or to enforce such lien, the district assessment roll, or a copy of any assessment thereon, certified by the ex-officio tax collector, shall be prima facie evidence of the matters therein contained, that the assessment of said property and the equalization thereof, and the levy of such taxes, were legally made, and that the officers making the same were duly authorized by law to make the same. If such taxes be not paid before noon of the first Monday in January next succeeding, the same shall then become delinquent, and the ex-officio tax collector shall add thereto a penalty of ten per cent, which shall also become due and payable from the owner and a lien upon said land, and a cause of action shall then accrue for such taxes and penalty. At any time thereafter the board of directors may commence and maintain in the superior court of Sutter county a civil action in the name of the district and against all proper parties for the recovery of such delinquent taxes and penalty, with legal interest thereon and costs, and for the enforcement of the lien thereof on the land assessed. For the information of the board the ex-officio tax collector shall, whenever required, furnish said board with a complete list of all delinquent taxes and of the persons owing the same, and with a certified copy of any assessment contained in the assessment roll. In such action any person holding or claiming any interest in the land upon which such taxes were levied, or who is a proper or necessary party to a complete determination of any question involved in the action, may be joined as defendant. Notice of the pendency of such action may be filed in the office of the county recorder of Sutter county at any time after such action is commenced, containing matters required by section four hundred and nine of the Code of Civil Procedure of California, and with like effect as in other actions affecting real property and, except as herein otherwise provided, the rules governing civil procedure in other actions as expressed in said code, shall prevail in such action. In such action the court may decree and adjudge a lien against the land for the amount of taxes levied against the same, together with the delinquent penalty and all costs of suit, which costs shall include reasonable attorneys' fees, to be fixed by the court, and may order the land to be sold as in other cases, to satisfy such lien All taxes,

penalties and costs collected by virtue of this act shall be forthwith paid into the treasury of Sutter county to the credit of said district.

SEC 6. Section ten of said act is hereby amended to read as follows:

Sec. 10 All moneys received or collected for or on behalf of said district shall be paid into the county treasury of said Sutter county in the same manner as county moneys are required by law to be paid into the county treasury; and upon receipt of any money from the ex-officio tax collector of said district, or for the benefit thereof from any other source, the ex-officio treasurer of said district shall place the same to the credit of the levee district number one fund, from which he shall set apart a sum sufficient to pay the interest and such part of the principal as may become due during the current fiscal year on any bonded indebtedness of the district, if any, and shall pay the same out in accordance with the law under which such bonds were issued, the remainder of such levee district number one fund shall be paid out only on warrant drawn by the county auditor of Sutter county upon such fund and paid by the ex-officio treasurer of the district in the same manner as county moneys are required by law to be paid out When warrants are presented to the ex-officio treasurer of the district, and not paid for want of funds, such indorsement must be made thereon, and they must be registered and bear interest from their date at the rate of six per cent per annum, and such warrants shall be considered as contracts in writing for the payment of money, and the period prescribed for the commencement of an action based upon said warrants, or connected therewith, is and shall be a term of four years from the date of said warrants

SEC 7. Section eleven of said act is hereby amended to read as follows:

Sec 11 The directors shall each receive an annual salary of five hundred dollars payable in quarterly installments of one hundred twenty-five dollars each on the first Monday in March, June, September and December of each year, which sum shall be in full compensation for all services of every nature or kind rendered by said directors. During the years that an assessment is made in said district the ex-officio assessor of the district shall receive an annual salary of six hundred dollars, payable in two equal installments of three hundred dollars each on the first Monday in May and August of each year The ex-officio tax collector and ex-officio treasurer of the district shall receive a combined annual salary of six hundred dollars, payable quarterly on the first Monday in March, June, September, and December of each year. The auditor of Sutter county shall receive an annual salary of two hundred fifty dollars for his services to said district, payable in equal installments on the first Monday in June and December of each year Election officers at any and all elections held in the district shall receive for their services such sum as the board of directors shall deem just and reasonable

SEC 8 All acts and parts of acts in conflict with this act are hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1040—An act to amend sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, 24, 25, 26, 27, 28, 29, 32, 36 and 37 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

After the "period" after the words "Section 1," in line 1 of the printed bill strike out the remainder of the bill and insert in lieu thereof the following "Section one of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act, approved May 10, 1915, as amended, is hereby amended to read as follows.

Section 1. The words and phrases used in this act shall for the purposes of this act, unless the same be contrary to or inconsistent with the context, be construed as follows:

(1) "Automobile" shall include all motor vehicles excepting motor cycles

(2) "Business district" shall mean the territory of any county or incorporated city and county, city or town, contiguous to a public highway, which is on the line of said highway mainly built up with structures devoted to business, provided, that the local authorities having charge of such highway, shall have placed conspicuously thereon at the boundary lines of such business district, signs which shall be placed on the right side of such highway looking toward such district, and which shall be triangular in shape, apex upward, the sides thereof being of equal length and not less than twenty-four inches in length, which shall bear in white letters of a size to be easily readable by a person using the highway the words and figures "15 miles speed limit". Such letters shall be on a background colored dark green and the back of such sign shall also be colored dark green:

(3) "Closely built up" shall mean the territory of any county or incorporated city and county, city or town, contiguous to a public highway, which is on the line of said highway not mainly devoted to business, where for not less than a quarter of a mile the dwelling houses and business structures on such highway average less than one hundred feet apart, provided, that the local authorities having charge of such highway shall have placed conspicuously thereon at the boundary lines of such district, signs of sufficient size to be easily readable by a person using the highway, bearing the words and figures "20 miles speed limit" which words shall be printed in white letters on a red background, such signs shall also be colored red on the back thereof and shall be of the same size and shape as those specified in subdivision two of this section and shall be similarly placed on the highway:

(4) "Chauffeur" shall mean any person who operates a motor vehicle in the transportation of persons or property and who received any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates a motor vehicle carrying passengers or property for hire, *provided, however*, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics or demonstrators of motor vehicles in the ordinary course of their business:

(5) "Chief" as used in this act shall mean the chief of the division of motor vehicles of the State of California:

(6) "Division" as used in this act shall mean the division of motor vehicles of the State of California, acting directly or through its duly authorized agent.

(7) "Essential parts" shall include not only integral parts but also body parts, such as fenders, hood, cowl, and other parts the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the motor vehicle.

(8) "Headlighting device or headlighting equipment" shall mean either the integral and complete headlamp or a device intended to modify in a suitable manner the beam of the ordinary type of motor vehicle headlights.

(9) "Highway" shall include any public highway, county road, state highway or state road, public street, avenue, alley, park, parkway, driveway, square or place, bridge, viaduct, trestle, or any other territory or structure, whether public or private, designed, intended or used by or for the general public for the passage of vehicles,

in any county or incorporated city and county, city or town within the State of California, including driveways, upon the grounds of universities, colleges, schools, and other institutions, whether public or private.

(10) "Highway commission" shall mean "the California highway commission";

(11) "Imported motor vehicle" shall mean any motor vehicle which shall be brought into this state from another country or state otherwise than in the ordinary course of business by or through a manufacturer or dealer, and which has not been registered in this state, except such motor vehicles, owned by non-residents, as are provided for by section twenty-seven of this act.

(12) "Intersecting highway" shall mean any highway which joins another at an angle, whether or not it crosses the other.

(13) "Legal owner" is hereby defined as the owner of the legal title or chattel mortgage;

(14) "Local authorities" shall include all boards of supervisors, trustees or councils, commissions, committees, and other public officials of counties, incorporated cities and counties, cities or towns, or municipal or quasi-municipal corporation when such officials possess or exercise legislative or police powers;

(15) "Manufacturer" or "dealer" shall signify a person, firm, association, or corporations regularly in the business of having in his, its or their possession vehicles for sale or trade and for use and operation pursuant thereto, and shall be considered owners of vehicles manufactured or dealt in by them for the purpose of this act, prior to sale and delivery thereof, and of all vehicles in their possession and operated or driven by them or by their employees, *provided, however*, that anything to the contrary herein notwithstanding, the determination of the division of motor vehicles shall be final and conclusive upon the question whether or not an applicant for registration shall be a manufacturer or dealer within the meaning and intent of this act.

(16) "Metal tired vehicle" shall include all vehicles equipped with two or more tires of metal or other hard non-resilient material.

(17) "Motorcycle" shall include all motor vehicles used or designed to operate independently upon two wheels resting on the road and upon not more than three wheels if fitted with a side car.

(18) "Motor vehicle" shall include all vehicles propelled otherwise than by muscular power, except trailers, semi-trailers and such vehicles as run upon stationary rails or tracks;

(19) "Net receipts" shall signify the balance remaining of the money paid to the division of motor vehicles with the provisions of this act after the payment of all salaries, expenses and refunds incident to the administration and enforcement of this act;

(20) "Nonresidents" shall mean residents of states or countries other than the State of California whose sojourn in this state, or whose occupation or their regular place of abode or business in this state, if any, covers a total period of less than three months in the calendar year.

(21) "Operate" shall mean to drive or propel;

(22) "Operator" shall mean any person other than a chauffeur who operates a motor vehicle and any person who operates, rides, drives or propels any vehicle other than a motor vehicle.

(23) "Owner" shall include any person, firm, association or corporation having the lawful use or control, or the right to the use or control, of a vehicle, under a lease or otherwise, for a period of ten or more successive days,

(24) "Person" shall include any corporation, association, copartnership, company, firm or other aggregation of individuals; and where the term "person" is used in connection with the registration of a vehicle, it shall include any corporation, association, copartnership, company, firm or other aggregation of individuals which owns or controls such vehicle, as actual owner, or for the purpose of sale or for renting, whether as agent, salesman or otherwise.

(25) "Pneumatic tires" shall include all tires inflated or capable of inflation with compressed air;

(26) "Political subdivision" shall mean any county, city and county, city, town, village, township or other governmental subdivision of the state.

(27) "Public garage" shall mean a place provided for the keeping or storage of four or more motor vehicles and where compensation is charged for such storage or keeping.

(28) "Public highway" shall mean all highways within the State of California except private roads, drives, courts, places or grounds upon which driveways may be constructed and used by the person in possession, or those there upon his invitation, and not used or intended to be used by the general public.

(29) "Reconstructed motor vehicle" shall mean a motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes or motor vehicles of various names, models or types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles, *provided*, that in case of dispute the determination of the division of motor

vehicles as to the character of such assembly, reconstruction or alteration shall be conclusive.

(30) "Repair shop" shall mean a place where motor vehicles are received for the purpose of making mechanical repairs to the motor vehicle or some part of its equipment including shops for bodybuilding, trimming, painting, radiator and fender work, enameling and nickel-plating;

(31) "Right-of-way" shall mean privilege of immediate use of street or highway;

(32) "Safety zone" shall mean that area of space, other than a traffic lane, officially set aside in the street for the use of pedestrians and so plainly marked or indicated by proper signs as to be plainly visible at a distance of fifty feet in any direction.

(33) The city and county of San Francisco shall be considered a county.

(34) "Semitrailer" shall include all vehicles of the trailer type so designed and used in conjunction with another vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(35) "Solid tires" shall include all tires of rubber or other resilient material that do not depend upon compressed air for the support of the load;

(36) "Solid tired vehicle" shall include all vehicles equipped with two or more solid tires other than a metal tired vehicle;

(37) "Specially constructed" motor vehicle shall mean a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of motor vehicles; *provided*, that in case of dispute the determination of the division of motor vehicles as to the character of construction of any such motor vehicle shall be conclusive;

(38) The term "state" as used in this act, except where otherwise expressly provided, shall also include the territories, federal districts and insular possessions of the United States;

(39) "Trailer" shall include all vehicles without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by another vehicle except one running exclusively on tracks, and excepting any implements of husbandry temporarily drawn, propelled or moved upon such highway;

(40) "Vehicle" shall include every wagon, hack, coach, carriage, omnibus, bicycle, tricycle, automobile, cyclecar, motorcycle, truck, trailer, semitrailer, traction engine, tractor, or other conveyance or contrivance for moving persons, animals or things, in whatever manner and by whatever force or power the same may be ridden, driven, propelled, drawn or moved, which is ridden, driven, propelled, drawn or moved on the public highway, including implements of husbandry temporarily drawn, propelled or moved on the public highway, and excepting only conveyances drawn or propelled by pedestrians, and railroad, street, or interurban cars, engines and motors moving upon stationary rails or tracks.

SEC. 2. Section two of the said act is hereby amended to read as follows:

SEC. 2. Vehicles owned by the United States, any foreign government, any state or any political subdivision thereof, and all motor vehicles owned by and used exclusively in the operative work of such corporations as are taxed solely for the state purposes under the provisions of the constitution of this state shall be exempt from the provisions of this act requiring payment of registration fees, but all such vehicles shall be registered as herein required and shall display official registration plates to be furnished by the division of motor vehicles free of charge.

SEC. 3. Section three of said act is hereby amended to read as follows:

SEC. 3. Every owner of a motor vehicle which shall be operated or driven upon the public highways shall, for each motor vehicle owned, except as herein otherwise expressly provided, cause to be filed by mail, or otherwise, with the division of motor vehicles an application for registration on a blank to be furnished by said division for that purpose, containing, in addition to such other particulars as may be required by said division, a statement of the name and post-office address of the applicant and the name and post-office address of the legal owner a description of such motor vehicle, including the name of the maker, the number if any, affixed to the motor or engine by the maker, the character of the motive power, and the diameter of the cylinder bore and the number of cylinders, (the total weight of such motor vehicle, trailer, or semi-trailer, except motorcycles, when equipped for operation on the highway, whether such vehicle be equipped with solid or pneumatic tires, and if such vehicle be designed or used for carrying passengers, the maximum seating capacity thereof, or if such vehicle be designed or used for carrying freight, the maximum load carrying capacity thereof;) and with such application the applicant shall deposit the proper registration fee as provided in section seven of this act; *provided*, that for all the purposes of this act the horsepower of any motor vehicle, except electric or steam-driven vehicles, shall be determined by the formula commonly known as that of the association of licensed automobile manufacturers (A. L. A. M.), being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and five-tenths; *provided, further*, that for the purpose of this act the horsepower of any steam-driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof; *provided, further*, that in case the motor vehicle sought to be registered shall be a specially constructed by the applicant in his application for registration and he shall furnish the said division on demand such additional information relating to said motor vehicle as shall be satisfactory to the said division before it may register such vehicle;

and provided, further, that in case the motor vehicle sought to be registered shall be an imported motor vehicle, within the meaning of this act, that fact must be stated by the applicant in his application for registration, and he shall furnish the said division on demand such additional information relating to said motor vehicles as shall be satisfactory to the said division before it may register such vehicle, and in case such vehicle shall have been theretofore registered in any other state or country, the applicant shall with his original application, for registration supply the said division with full information relating to such former registration and shall surrender to the said division any number plates, seals, certificates of registration or other evidence of such former registration as may be in the applicant's possession or control. Every owner of a trailer or semi-trailer which shall be drawn upon a public highway when any such trailer or semi-trailer shall exceed one ton in weight shall cause to be filed by mail or otherwise, with the said division an application for registration on a blank to be furnished by said division for that purpose, containing in addition to such other particulars as may be required by said division, a statement of the name and post-office address of the applicant, and with such application, the applicant shall deposit the proper registration fee, as provided in section seven of this act.

SEC. 4. Section six of this act is hereby amended to read as follows

SEC. 6. All motor vehicle registrations, chauffeurs' licenses and operators' licenses under this act shall expire January thirty-first of each year and shall be renewed annually in the same manner and upon payment of the same fee as provided for original registrations and original licenses, such renewal to take effect on the first day of February of each year The plates, certificates or registration, chauffeurs' licenses and operators' licenses furnished by the division of motor vehicles as heretofore provided shall be valid during the year only for which they are furnished or issued.

SEC 5. Section seven of said act is hereby amended to read as follows

SEC 7 The following fees shall be paid to the division of motor vehicles upon the registration of a vehicle in accordance with the provisions of this act and shall accompany the application hereinabove provided for For the registration of every motorcycle, five dollars for the registration of every automobile, except electric automobiles, the sum of forty cents for each horsepower, or major fraction thereof, according to the formula specified in section three of this act; (for the registration of every motor vehicle, except motorcycle, trailer and semi-trailer equipped with pneumatic tires, weighing not more than two thousand five hundred pounds including load, one dollar in addition to the fee provided herein for the horsepower rating or for electric motor vehicles; for every such vehicle weighing more than two thousand five hundred pounds, and not more than four thousand pounds, including load, three dollars in addition to the fee provided herein for the horsepower rating or for electric motor vehicles, for every such vehicle weighing more than four thousand pounds and not more than eight thousand pounds, including load, six dollars in addition to the fee provided herein for the horsepower rating or for electric motor vehicles; for every such vehicle weighing more than eight thousand pounds and not more than twelve thousand pounds, including load, twelve dollars in addition to the fee provided herein for the horsepower rating or for electric motor vehicles; for every such vehicle weighing more than twelve thousand pounds, including load, twenty dollars in addition to the fee provided herein for the horsepower rating or for electric motor vehicles;) for the registration of every motor vehicle, (except motorcycle, trailer and semi-trailer equipped with solid tires, weighing not more than four thousand pounds, including load, five dollars in addition to the fee provided herein for the horsepower rating or for electric motor vehicles; for every such vehicle weighing more than four thousand pounds and not more than eight thousand pounds, including load, ten dollars in addition to the fee provided herein for the horsepower rating or for electric motor vehicles; for every such vehicle weighing more than eight thousand pounds and not more than twelve thousand pounds, including load, fifteen dollars in addition to the fee provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing more than twelve thousand pounds and not more than sixteen thousand pounds, including load, twenty-five dollars in addition to the fee provided herein for horsepower rating or for electric motor vehicles, for every such vehicle weighing more than sixteen thousand pounds and not more than twenty thousand pounds, including load, forty dollars in addition to the fee provided herein for horsepower rating or for electric motor vehicles for every such vehicle weighing more than twenty thousand pounds, including load, fifty-five dollars in addition to the fee provided herein for horsepower rating or for electric motor vehicles, passenger car weight to be determined by actual weight of vehicle equipped for operation upon the highway plus one hundred and fifty pounds for each unit of maximum seating capacity; freight vehicle weight to be determined by actual weight of vehicle equipped for operation on the highway plus maximum rated load carrying capacity in pounds, for the registration of every tractor used or intended to be used on the highway, ten dollars in addition to the fee provided herein for horsepower rating or for electric motor vehicles,) for the registration of motor vehicles owned by or under the control of a manufacturer of, or dealer in, motor vehicles, ten dollars for the first set of number plates, and five dollars for each additional set, two number plates of the same kind shall constitute a set, for the registration of the motor-

cycles, trailers or semi-trailers owned by or under the control of a manufacturer of, or dealer in, motorcycles, trailers, or semi-trailers, five dollars for the first number plates and one dollar for each additional plate, for every chauffeur's license, two dollars, for every operator's license, fifty cents, for the registration of every transfer of ownership shall be charged a fee of one dollar. Upon the filing of an affidavit showing the fact of loss or mutilation or illegibility, the fees for additional number plates, duplicate container, certificate of registration, chauffeur's badge, chauffeur's certificate, or duplicate operator's license shall be as follows

For every such number plate, one dollar, for every such duplicate container, twenty-five cents for every such certificate of registration, fifty cents; for every chauffeur's badge, one dollar; for every chauffeur's certificate, fifty cents, for every such operator's license, fifty cents

Anything herein to the contrary notwithstanding, if application for the registration of a motor vehicle license is made during the period beginning on the first day of May and ending on the thirty-first day of July in any year, three-fourths of the annual fee shall be paid; if application is made during the period beginning on the first day of August and ending on the thirty-first day of October, one-half of such annual fee, if application is made during the period beginning on the first day of November and ending on the thirty-first day of January, one-fourth of such annual fee.

SEC. 6. Section eight of said act is hereby amended to read as follows

SEC. 8. The division of motor vehicles shall also furnish with each number plate for motorcycles, trailers or semi-trailers, and with each pair of number plates for automobiles, and on each annual renewal of registration, a certificate of registration which shall contain upon the face thereof the following data The name of the registered owner of the (motor) vehicle, his post office address, the name and address of the legal owner, and the make of the vehicle, the year model denoted by the manufacturer, the model or letter denoted by the manufacturer, if any, the engine or motor number, the registered horsepower, the registration number and the amount of annual registration fee, together with the date of issue of the certificate; *provided, however*, the name and address of the legal owner shall appear on the bottom line of the certificate of registration. In case of motorcycles, (trailers or semi-trailers,) the manufacturer's serial number shall be stated in lieu of the engine number Certificates of registration shall be made in duplicate, the duplicate to be issued to the registered owner and the original to be mailed by said division to the legal owner to the address given in the application Such duplicate certificate shall contain a blank space for the signature of the registered owner and shall be signed by such owner. The reverse side of said duplicate certificate shall contain forms for notice to said division by the registered owner in the event of transfer of ownership of a vehicle as hereinafter provided. The reversed side of the said original certificate shall contain forms (*a*) for notice to said division by the registered owner and the legal owner in the event of transfer of ownership of a vehicle as hereinafter required, and (*b*) for application to said division by the transferee, in case of transfer of said vehicle, for registration thereof in his name, said application to be in the form of a joint statement to be signed by the transferer, the legal owner, the transferee and the person holding legal title after the transfer, and to contain in addition to such other particulars as may be required by said division, a statement of the post office address of the transferee so applying for registration and the post-office address of the new legal owner. Said certificate shall contain the identical registration number denoted on the number plate or plates in connection with which such certificate is issued, and it shall be valid only for the year in which it is issued Said duplicate certificate shall be enclosed in a suitable container, to be furnished by said division, such container to have a frame of aluminum or other metal and to have a cover of isinglass or other transparent material, through which such certificate can be easily inspected, and with such container said division shall furnish screws or other suitable means of attachment to the vehicle. Said number plates, certificates and containers shall be furnished by said division without further charge than the fees specified in section seven of this act, with transportation prepaid, and shall be of substantial character and suitable form and design, to be determined by said division.

Upon the transfer of ownership of any vehicle registered under section three of this act the person in whose name such vehicle is registered shall forthwith return to the division of motor vehicles the duplicate registration certificate endorsed on the back thereof the date of such transfer of ownership and the name and post-office address of the transferee.

Upon the transfer of ownership of any vehicle, the person in whose name such vehicle is registered and the person to whom ownership of such vehicle is to be transferred shall forthwith join in a statement of said transfer endorsed upon the reverse side of the original certificate of registration of said vehicle in the space provided for said purpose, which statement shall be signed by the transferer and the legal owner and which statement shall likewise be signed by the transferee and the person holding the legal title after the transfer, who shall also set forth below their signatures, their respective post-office addresses. Said statement shall include an application by the transferee for registration of said vehicle in his name Said original certificate so endorsed and bearing upon the reverse side thereof the signatures of the transferor, the legal owner the transferee and the person holding legal title after

the transfer shall be forwarded by the transferee within ten days to the division of motor vehicles together with proper fee of one dollar required by section seven of this act. The said division shall file said original and duplicate certificates and upon receipt of the proper fee as above provided, the said division, if satisfied of the genuiness and regularity of said transfer, shall register said vehicle in the name of said transferee. *and provided, further*, if transfer is not applied for within ten days a penalty of five dollars shall accrue.

Upon such registration the said division shall issue and forward to the applicants without further charge than as provided in section seven of this act, new registration certificates in the manner and form as hereinabove provided for original registration. Until said registered owner has received said duplicate certificate of registration and has written his name upon the face thereof in the blank space provided for said purpose by the division of motor vehicles, delivery of said vehicle shall be deemed not to have been made and title thereto shall be deemed not to have passed and said intended transfer shall be deemed to be incomplete and not to be valid or effective for any purpose, *provided*, that where such transfer is made to a manufacturer or dealer to whom has been assigned a general distinguishing number and who intends to resell or otherwise retransfer said vehicle the provisions of this act relative to the joint statement of transferor and transferee endorsed thereon, shall be complied with upon such sale or transfer. In case of transfer of ownership of a vehicle, registered under the provisions of this act, by operation of law, as upon inheritance, demise or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in performance of the terms of a lease or executionary sales contract, or otherwise than by the voluntary act of the registered owner, the notice of transfer as well as the joint statement hereinabove provided for shall be signed by the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the registered owner, in lieu of such owner, and the transferee's application for registration shall be accompanied by a statement of the special facts in the premises, *provided*, that said division may in its discretion require from the transferee, before registering such vehicles, such additional information respecting such involuntary loss of ownership by the former registered owner as may be satisfactory to said division.

Anything to the contrary hereinabove notwithstanding, upon the transfer of ownership of any vehicle to a person not intending either to operate the same or to cause or permit the same to be operated upon the public highways and not intending to transfer such vehicle to another person, a statement of said transferee of such fact or intent shall accompany the application for registration, in which case no fee for registration need be paid by the applicant, whereupon said division, if satisfied of the genuineness and regularity of said transfer and if satisfied of the facts stated in said application for registration, shall register, without any charge whatever, such vehicle in the name of said transferee and shall issue and forward to him a new registration certificate in a distinctive form to be determined by said division; *provided*, that until said transferee has received said registration certificate delivery of said vehicle shall be deemed not to have been made, and title thereto shall be deemed to be incomplete and not to be valid or effective for any purpose; *and provided, further*, that nothing herein contained shall be so construed as to permit such vehicle to be operated upon the public highway under such distinctive certificate of registration last hereinabove provided for.

If the division of motor vehicles shall determine, at any time, that for any reason a motor vehicle or trailer or semitrailer is unsafe or is improperly equipped or is otherwise unfit to be operated, or that the applicant for registration thereof is not entitled as owner thereof to such registration, said division may refuse to register such vehicle and may, for a like reason, revoke any registration already acquired.

SEC. 7. Section nine of said act is hereby amended to read as follows:

SEC. 9. Every manufacturer of, or dealer in, motor vehicles, trailers or semi-trailers, may make application to the division of motor vehicles, by mail or otherwise, upon a blank provided by said division, for a general distinguishing number or symbol, instead of registering each vehicle owned by him, and with such application he shall deposit the proper registration fee as provided in section seven of this act, and said division shall grant the application if satisfied of the facts stated in the application and shall issue to the applicant a certificate of registration containing the name and business address of the applicant and the general distinguishing number or symbol assigned to him, and made in such form and containing such further information as said division may determine; and every vehicle owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number or symbol until ten days after being sold, or until let for hire or until loaned for a period of more than ten successive days. Said division shall furnish, without other charge than the fee specified in section seven of this act, with transportation charges prepaid, to every manufacturer of, or dealer in, automobiles, motorcycles, trailers or semi-trailers, applying therefor whose vehicles are registered in accordance with the provisions of this section, one pair of automobile plates or one single motorcycle or trailers number plate, of suitable design, the plates to have displayed upon them the registration number which is assigned to the vehicle of such manufacturer or dealer, with a different symbol on each pair of automobile number plates and on each single motorcycle or trailer plate. Said division shall furnish

such additional number plates as required by any dealer, upon the payment of the fee therefor set forth in section seven of this act. If said division shall determine at any time for due cause that any such manufacturer or dealer to whom the certificate of registration provided for in this section has been issued and to whom such general distinguishing number or symbol has been assigned has failed to comply with the requirements of this section hereinafter contained with reference to notices or reports of transfer of vehicles, or has caused or suffered, or is causing or suffering, the unlawful use of certificate or number said division may revoke said certificate of registration and recall and cancel said general distinguishing number or symbol, in which event said manufacturer or dealer, after notice of such action on part of said division, shall, without further demand return to said division any and all number plates that may have been furnished him by said division under said certificate so revoked, *provided*, that no manufacturer or dealer or any employee of such manufacturer or dealer, shall cause or permit the display, or other use, of any number plate, or certificate of registration which may have been furnished to such manufacturer or dealer under the general distinguishing number or symbol hereinbefore provided for, excepting upon vehicles owned by such manufacturer or dealer within the meaning and intent of this act; *provided, further*, that no person shall display or otherwise use or have in his possession any number plates, or certificate of registration furnished by said division under a general manufacturer's or dealer's distinguishing number or symbol, except such manufacturer or dealer of his employees; *and provided, further*, that if said division, upon receiving from any manufacturer or dealer an application for the issuance for the ensuing calendar year of the certificate of registration and general distinguishing number or symbol provided for in this section, shall determine upon due cause that such manufacturer or dealer during the previous calendar year has failed to comply with the requirements of this section hereinafter contained respecting the filing of notices or reports of transfer of vehicles, or has caused or suffered, or is causing or suffering, the unlawful use of such certificate or number, said division may refuse such application.

When it shall become necessary for a manufacturer of, or dealer in, or consignee of, vehicles to move any vehicles owned by or consigned to him, not being registered under any of the provisions of this act, from any vessel, railroad depot, or warehouse, to the salesrooms or other place of business of such manufacturer or dealer or to a warehouse or other place of storage, over the public highways, he may operate such vehicle, either under its own power or otherwise, over such public highways as are necessary for said purpose, without first registering said vehicle or affixing thereto any number plates issued to him under the general distinguishing number or symbol hereinabove specified, *provided, however*, that in such event he shall first obtain from the police authorities or marshal of the city or town in which said vessel, railroad depot or warehouse is situated, a written permit authorizing such operation, and there is hereby conferred upon police authorities, including town marshals, within the State of California, authority to issue such permits in proper cases as hereinbefore provided

Upon the transfer of any vehicle by a manufacturer or dealer, whether by sale, lease or otherwise, such vehicle not being registered under the provisions of section three hereof, such manufacturer or dealer, shall forthwith upon such transfer, file with the division of motor vehicles, upon a blank to be furnished by said division, a notice or report containing the date of such transfer, a description of such vehicle, and the name and post-office address of the purchaser, lessee or other transferee. Before any person, firm or corporation shall wreck, dismantle, or dissemble any vehicle, or substantially alter the form thereof, such person, firm or corporation shall give notice in writing upon forms to be furnished by said division of the intention so to do to the chief of police or marshal of the city or town in which such work is to be done or if such work is to be done outside of any incorporated city or town, such notice shall be given to the sheriff of the county in which the work is to be done.

Upon the transfer of any automobile engine or motor, except a new engine or motor transferred with intent that the same be installed in a new automobile, and whether such transfer be made by a manufacturer or dealer or otherwise, and whether by sale, lease or otherwise, the transferror shall within three days after such transfer file with the said division upon a blank to be furnished by said division, a notice or report containing the date of such transfer and a description, together with the maker's number of said engine or motor, the name and post-office address of the purchaser, lessee or other transferee.

(*a*) It is hereby made the duty of each and every person, firm, association, corporation or co-partnership operating a public garage or repair shop in this state to keep for public inspection in a book a record with ink or indelible pencil of the license numbers and engine numbers of all motor vehicles taken in or held in charge by said garage for the purpose of selling, rental, delivery, storage or repair Said record shall contain the name and address of the owner of the motor vehicle, the name and address of the person delivering or taking the motor vehicle to the garage, and the license number and engine number thereof. The alteration or obliteration of said engine number shall be prima facie evidence of larceny of said motor vehicle, and the proprietor, agents, servants or employees of said public garage immediately on the discovery of said obliteration or alteration shall notify the sheriff and police

officers of the proper county, city or town where such garage is situated and the division of motor vehicles, and shall hold said motor vehicle for a period of twenty-four hours, or until investigation shall have been made by the sheriff or police officers, *provided, however,* such record need not be made when a motor vehicle is taken in or held in charge a second time, for regular storage. Such record shall be retained and be available to the proper officers for a period of one year after the entry but not thereafter.

(*b*) When the owner or lessee of any building, other than a public garage, rents any portion of or any space in said building for the purpose of storing a motor vehicle therein, it shall be his duty to obtain the name and address of the owner of said motor vehicle and the name and address of the person delivering or taking said motor vehicle to said place of storage, together with his operator's license number, a description of the said motor vehicle, together with the license number and engine number thereof, and report the same within twenty-four hours after renting such space, to the police department in any city or city and county, if said building be located within a city or city and county, or to the sheriff of the county if the said building be located outside the limits of an incorporated city or city and county.

SEC. 8. Section eleven of said act is hereby amended to read as follows:

Sec. 11. Except as in this act otherwise provided, no person shall operate or drive, or cause to be operated or driven, a motor vehicle, or cause a trailer or semi-trailer to be drawn by a motor vehicle on the public highways unless such vehicle shall at all times have displayed the number plate or plates furnished for it as hereinabove provided; in case of automobiles, each such vehicle shall display one number plate on the front and the other on the back thereof; in case of motorcycles, trailers and semi-trailers, but one number plate shall be required to be displayed and such number plate upon motorcycles, trailers and semi-trailers shall be at the rear thereof; in all cases such number plates shall be securely fastened to the motor vehicle, trailer or semi-trailer so as to prevent said plates from swinging, nor shall plate extend beyond the outside edge of any fender, and at a minimum distance of sixteen inches from the ground. Nothing in this act shall be construed to require the display of any number plate on other than the rear trailer or semi-trailer, when more than one trailer or semi-trailer is drawn by a motor vehicle. No person shall attach to, or display on, such motor or other vehicle, any number plate, or registration seal or certificate other than as assigned to it of the current year, or a fictitious or altered number plate, registration certificate, or a number plate, or registration certificate that shall have been cancelled by the division of motor vehicles. All letters, numbers, printing, writing and other identification marks upon said plates, and certificates, shall be kept clear and distinct and free from grease, dust or other blurring matter, so that they shall be plainly visible at all times during daylight and under artificial light in the night time; *provided,* that in case any such plate, or certificate of registration, operator's license or chauffeur's license or badge shall be lost, mutilated or shall have become illegible, the person to whom such plate, seal, certificate, license or badge shall have been furnished shall immediately apply to the said division for a duplicate thereof, accompanying his application with the fee specified in section seven of this act.

No person shall drive or operate a vehicle on the public highway unless such vehicle shall at all times carry in or upon it, subject to inspection by any peace officer or employee of the division of motor vehicles, the duplicate registration certificate furnished for it as hereinabove provided, which in the case of an automobile shall be affixed, in the container furnished by the said division, in plain sight in the driver's compartment of the automobile and which, in case of a motorcycle, shall be carried either in plain sight affixed to said motorcycle, or in the tool bag or in some other convenient receptacle attached to said motorcycle.

The registration fee required under this act to be paid upon a motor vehicle, trailer or semi-trailer, shall become delinquent in the case of any such vehicle forthwith upon the operation of the vehicle on the public highways without the registration fee required by this act first having been paid to the division of motor vehicles, accompanied by the application for registration provided herein, in which case such vehicle shall be subject to seizure by the said division or its authorized agents and shall be held at the risk and the expense of the owner until the registration fee is paid together with a penalty of twenty-five per cent of said fee, *provided,* that the said division shall mail a notice of such seizure containing a description of the automobile and the amount of the registration fee and the penalty thereon which is delinquent to the last known address of the registered owner and the legal owner as shown by the records of said division. This notice shall be sent by registered mail and shall be mailed within five days after the seizure of the motor vehicle. If the registration fee and penalty and the expense of keeping said motor vehicle are not paid within ninety days from the date of the mailing of said notice, then the said division shall sell at public auction to the highest bidder said motor vehicle at a time and place fixed by the said division after a publication of notice of such sale is made for four weeks in some newspaper of general circulation published in the county where the automobile was seized. Out of the proceeds of such sale the said division shall retain the registration fee and penalty and the expense incurred for storage and publication of notice. The balance shall be deposited in a special fund in the

state treasury for one year and if no person appears and proves that he was the owner or legal owner of said motor vehicle at the time it was seized to the satisfaction of the chief of the division of motor vehicles, said money shall be paid into the motor vehicle transfer fund; otherwise it shall be paid to the legal owner of said vehicle by the state treasurer on the order of the chief of the said division.

In the event that any peace officer of this state shall seize or come into possession of any motor vehicle which is not properly registered under the provisions of this act, or shall seize, or come into possession of any motor vehicle which remains in the possession of said officer and not claimed by the registered or legal owner for a period of thirty days, it shall be the duty of said peace officer to report the said seizure or possession of said motorcycle to the division of motor vehicles together with a statement of the facts concerning its seizure or possession by him. The division shall within five days after receiving such report and statement of facts mail a notice by registered mail to the address of the registered and legal owner of said motor vehicle, respectively, as appearing on the records of said division. Said notice shall contain a description of the motor vehicle, and a statement of the facts concerning its seizure or possession by the peace officer. The division of motor vehicles shall order said motorcycle held for a further period of thirty days and if it remains unclaimed by the registered or legal owner, the said division shall publish a notice for four weeks in a newspaper of general circulation published at least once a week in the county in which the motor vehicle was seized or came into the possession of the peace officer reporting it to the division, showing the facts of seizure or possession. If at the end of said period the registered or legal owner of said motor vehicle does not appear to claim same the division of motor vehicles shall instruct the department with which the peace officer who seized or came into possession of said motor vehicle is connected, to use the same in the discharge of the official business of said department, and the division of motor vehicles shall properly register said motor vehicle to the said department. The said motor vehicle, however, shall not be disposed of or transferred by the department using same for a period of at least one year after the date of its seizure by or coming into possession of the peace officer. In case of annual renewal of registration, where the applicants have in all things complied with the requirements of this act and have duly applied for such annual renewal of registration before the commencement of the ensuing calendar year, accompanying their applications with the proper fees for such registration, the provisions of this section shall not prevent said applicants from being entitled to operate said vehicle during the month of February without displaying the registration certificates of the current year, on condition that they have at all times displayed upon said vehicles the number plates assigned to said vehicles respectively.

SEC. 9. Section twelve of said act shall be amended to read as follows:

SEC. 12. Every motor vehicle shall be equipped with a bell, gong, horn, whistle, or other device in good working order, capable of emitting an abrupt sound adequate in quality and volume to give warning of the approach of such vehicle to pedestrians and to the riders or drivers of animals or of other vehicles and to persons entering or leaving street, interurban and railroad cars. Every person operating a motor vehicle shall sound said bell, gong, horn, whistle or other device whenever necessary as a warning of danger, but not at other times, or for any other purpose.

(*a*) Every police and fire department vehicle shall also be equipped with a signal device known as a siren which shall be of a type approved by the chief of the division of motor vehicles. Said siren shall only be used on said vehicles to give warning while said vehicles are being operated on emergency calls or in pursuit of violators of the law or in clearing traffic in congested centers. It shall be unlawful for any other vehicle to be equipped with such device, *provided, however*, that the chief of the division of motor vehicles shall issue permits to duly authorized salaried peace officers to use such sirens on motor vehicles while in the actual discharge of their duties, *provided, further*, that the said chief of the division of motor vehicles may revoke any such permit whenever sufficient evidence has been presented to him showing that any holder of such permit has used such siren for any purpose other than as specified in this section.

SEC. 10. Section thirteen of said act shall be amended to read as follows:

Sec. 13. (*a*) Where there is not sufficient light within the lateral boundaries of the public highway to reveal all persons, vehicles or other substantial objects within said boundaries for a distance of at least two hundred feet, and all times during the period from a half hour after sunset to a half hour before sunrise every automobile while on the public highway shall carry at the front at least two lighted lamps, and every such automobile and every trailer, at the times and under the conditions in this section hereinbefore specified, shall carry at the rear a lighted lamp exhibiting a red light plainly visible, under normal atmospheric conditions, for a distance of five hundred feet toward the rear and so constructed and placed that the number plate carried on the rear of such automobile or trailer shall be illuminated by a white light in such manner that the number thereon can be plainly distinguished under normal atmospheric conditions at a distance of not less than fifty feet toward the rear; *provided, however*, that where more than one trailer is

attached to a motor vehicle, only the rear trailer shall be required to exhibit said light.

At the times and under the conditions in this section hereinbefore specified, all other vehicles, except bicycles, motorcycles and motor trucks of two tons carrying capacity or over which are so governed or mechanically constructed or controlled that they can not exceed a speed of fifteen miles per hour, shall carry one or more lighted lamps or lanterns so arranged that said lamp or lamps shall be visible from every direction for a distance of not less than two hundred feet.

(*b*) At the times and under the conditions in this section hereinbefore specified, every bicycle while on the public highway shall carry a lighted lamp visible under normal atmospheric conditions at least three hundred feet in the direction toward which said bicycle is faced, and shall also carry at the rear of such bicycle a reflex mirror or a lighted lamp exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred feet toward the rear.

(*c*) At the time and under the conditions in this section hereinabove specified, every motorcycle while on the public highway shall carry at the front at least one lighted lamp which shall give a light of sufficient power and so distributed as provided in subdivision (*f*) and shall also carry at the rear of such motorcycles a lighted lamp, exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred feet towards the rear.

(*d*) At the time and under the conditions in this section hereinabove specified, every motor truck of two tons carrying capacity or over, which is so governed or mechanically constructed or controlled that it can not exceed a speed of fifteen miles per hour, shall carry at the front at least two lighted lamps which shall be visible at least two hundred feet in the direction in which the motor truck is proceeding, and when the vehicle is proceeding on a street or highway not so lighted as to reveal any person, vehicle or substantial object on the street or highway straight ahead of such motor truck for a distance of at least two hundred feet, such front light shall be sufficient to reveal any person, vehicle or substantial object on the road straight ahead for a distance of seventy-five feet or over, and shall be equipped with a tail light such as is required on other motor vehicles

(*e*) In any case where a motor or other vehicle shall be loaded with any material in such a manner that any portion of such load extends toward the road four feet or more beyond the rear of the bed of body of such vehicle, there shall be displayed at the extreme end of the load, at the times and under the conditions in this section hereinabove specified, in addition to the ordinary rear or tail light hereinabove required to be displayed on such vehicle a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear, *provided, further*, that at other times while such vehicle is upon the highway a red flag or cloth not less than sixteen inches in length nor less than sixteen inches in width shall be displayed at the extreme rear end of said load as a warning signal to persons operating vehicles approaching from the rear.

(*f*) At the time and under the conditions hereinabove in this section specified the headlights of all automobiles upon the highways shall give a light of sufficient power and so distributed as provided herein in addition to and irrespective of any other requirements concerning headlights in this section contained. The term "headlight" as used herein, shall denote any light located upon any portion of the said motor vehicle other than on the windshield supports or top thereof, the rays of which are projected forward, except sidelights of not to exceed four candle power *provided, further*, anything to the contrary notwithstanding, that where there is sufficient light within the lateral boundaries of the public highway within any incorporated city, town or city and county, to reveal all persons, vehicles or substantial objects within said boundaries for a distance of two hundred feet, no lights shall be required to be displayed on any vehicle while the same is not in operation, providing that a wheel of such vehicle nearest the sidewalk is located within twelve inches of such sidewalk.

(*g*) The headlights of motor vehicles shall be so arranged, adjusted and constructed when the car is fully loaded, that any pair of headlights under the conditions of use must produce a light which

1. When measured on a level surface on which the vehicle stands at a distance of two hundred feet directly in front of the car and at some point between the said level surface and a horizontal passing through the top of the headlight reflector or lens, is not less than one thousand two hundred apparent candle power.

2. When measured at a point one hundred feet directly in front of the car, and at a height of sixty inches above the level surface on which the vehicle stands, does not exceed two thousand four hundred apparent candle power nor shall this value be exceeded at a greater height than sixty inches

3. When measured at a distance of one hundred feet ahead of the car and seven feet or more to the left of the axis of same, and at a height of sixty inches above the level surface on which the vehicle stands does not exceed eight hundred apparent candle power

(*h*) Any device or adjustment used in connection with a light upon a motor vehicle to enable same to comply with the requirements of subdivision (*f*) hereof shall not be used upon a motor vehicle operated upon the highways of this state until the same shall have been tested as provided herein; such test shall be made by a

skilled testing agency, appointed for that purpose by the superintendent of motor vehicle department and such tests shall be laboratory tests according to the following specifications.

Two pairs of samples of the device submitted shall be subject to test. In the case of front glasses the sample shall be of nine and one-fourth inches diameter when practicable.

The reflectors used in connection with the laboratory tests shall be of standard high-grade manufacture of one and one-fourth inch focal length, with clean and highly polished surfaces and as nearly paraboloidal in form as practicable, and as approved for this purpose by testing agency selected by the superintendent of the motor vehicle department.

The incandescent lamps used in connection with the laboratory test shall be standard high quality manufacture and as approved for this purpose by the testing agency selected by the superintendent of motor vehicle department.

The manufacturer of the device shall be given due notice of the date and place of test. Manufacturers' representative present at the test shall be privileged to adjust their devices in any way which represents an ordinary and legitimate adjustment including tilting the lamps or reflectors, which can be carried out by purchasers of the device, or such adjustment may be made by the laboratory expert acting on the instructions of the manufacturer. The character of the adjustments so made shall be carefully noted and stated in the report as manufacturer's adjustment.

The tests shall be as follows

Test 1 Four-point test of pairs of samples A pair of testing reflectors, mounted similarly to the headlamps on a car shall be set up in a dark room, or at the request of the applicant, out of doors in darkness under such conditions that no light thrown or reflected from any source other than from the device being tested shall materially affect the test readings, at a distance of not less than sixty feet, nor more than one hundred feet from a vertical white screen. If a testing distance of one hundred feet is taken the reflectors shall be set twenty-eight inches apart from center to center, and if a shorter testing distance is taken, the distance between reflectors shall be proportionately reduced. The axes of the lamps shall be paralleled and horizontal, or as tilted in accordance with the manufacturer's adjustment. The intensity of the combined light shall then be measured with each pair of samples in turn, with the reflectors fitted with a pair of each of the following types of incandescent lamps in turn

(1) Vacuum type, 6-8 volts, 17 mscp.

(2) Gas-filled type, 6-8 volts, 20 mscp.

The lamps shall be adjusted to give their rated candle power. Measurements shall be made at the following points at the surface of the screen:

A In the median vertical plane parallel to the lamp axes, on a level with the lamps.

B. In the same plane one degree of arc below the level of the lamps

C. In the same plane one degree of arc above the level of the lamps

D Four degrees of arc to the left of this plane and one degree of arc above the level.

In an acceptable device both pairs of samples shall conform to the following specifications for observed apparent candle power. Points A and B. At at least one of these points the apparent candle power shall not be less than one thousand two hundred Point C. The apparent candle power shall not exceed two thousand four hundred. Point D The apparent candle power shall not exceed eight hundred. *Provided, however*, that if the test indicates that a device which is unacceptable with either of the test lamps will come within the specifications with lamps of another candle power or of the other type, the device may be passed with corresponding limitations as to the incandescent lamps to be used in connection with it.

Test 2. Complete test of single sample.

A single sample taken as an average representative of the device as manufactured shall be submitted to a complete test with a vacuum incandescent lamp of seventeen candle power 6-8 volt rating This test shall show its light distribution characteristics by actual measurements made according to recognized and exact methods

One pair of samples shall be retained by the testing agency for the purpose of future reference and as samples of construction and the other pair shall be returned to the office of the superintendent of the motor vehicle department

The report of the tests shall be rendered in duplicate to the superintendent of the motor vehicle department, and shall be signed or initialed not only by the expert making the test, but also by an executive officer of the institution making the test

It shall include a statement by the testing agency or the testing official as to whether or not the device when properly applied substantially complies with the requirements of section thirteen of the California motor vehicle act

(2) The superintendent of the motor vehicle department shall immediately upon the completion of the tests made as herein provided, prepare a written report of the results of such tests and transmit a copy thereof to the clerk of each county within the State of California, who shall thereupon immediately file such report. A copy shall also be sent to the city, town or county traffic departments, whose duty it is to enforce the law The superintendent of the motor vehicle department shall endorse

upon such report the statement of the testing agency or the testing officials as to whether or not the said device when properly applied, substantially complies with the requirements of section thirteen of the California motor vehicle act.

(*j*) It shall be unlawful for any manufactured device that is sold commercially to be used in connection with the headlight upon a motor vehicle to enable the same to comply with the provisions of subdivision (*f*) hereof unless such device shall have been first tested as provided in subdivision (*h*) hereof, and the testing agency shall have reported that such device, when properly applied, substantially complies with the requirements of section thirteen of the California motor vehicle act; and such reports shall have been incorporated in the said report of the said superintendent of the motor vehicle department and a copy thereof filed in the office of the clerk of the county in which said device is used and a copy sent to city, town or county traffic departments whose duty it is to enforce the law.

(*k*) Any person, firm or corporation may submit to the superintendent of motor vehicle department a device for controlling the front lights of motor vehicles, so that they shall comply with the provisions of this section, together with an application that such device be tested as prescribed by this section. Such applicant shall pay to the motor vehicle department a fee of fifty dollars. Thereupon the superintendent of motor vehicle department shall upon notice of the applicant submit such device to the testing agency appointed for this purpose as hereinbefore provided with the request that it be tested as to its compliance with the provisions of this section. Upon notice from such testing agency that such test has been made and that such device, when properly applied, substantially complies with the provisions of this section and specifying the maximum candle power to be used therewith, the superintendent of motor vehicle department shall issue a certificate to the applicant describing the device, certifying that such test has been made, that the device, when applied, complies with the provisions of this section and prescribing the said maximum candle power to be used therewith. All fees paid into the department with said applications shall be paid into the state treasury and deposited in a fund to be known as the "testing fee fund", and the moneys in said fund are hereby appropriated or so much thereof as may be necessary to meet the expenses of the test provided for in this section. Diffusing type of lens may be used with a candle power not sufficiently great to produce a dangerous glare. The maximum of such candle power shall be established by the testing agency selected by the superintendent of the motor vehicle department, based upon tests as herein above provided. Any device so certified shall be equipped with light bulbs labeled with the true power thereof, not exceeding that prescribed.

(*l*) The term "spotlights" as used herein shall denote any light fastened to the windshield, the windshield support or top of a motor vehicle, the rays of which are projected forward, except sidelights of not to exceed four candlepower.

All spotlights used upon motor vehicles shall be so constructed or arranged that no portion of the main, substantially paralleled beam of light when measured one hundred feet or more ahead of said lights shall rise or shall be capable of being raised from the driver's seat, to more than forty-two inches above the level surface upon which the vehicle stands directly ahead of such vehicle.

(*m*) No vehicle shall display any red or green lights visible from any point in front of such vehicle unless such light is used as a signaling device.

SEC. 11. Section fifteen of said act is hereby amended to read as follows:

SEC. 15. Other than on vehicles actually engaged at the time in construction or repair work on public highways, no tire on any motor or other vehicle operated on or over any public highway shall have on its periphery any block, stud, flange, ridge, bead or any other protuberance of metal or wood which projects beyond the tread or traction surface of the tire; but this section shall not be so construed as to prohibit the use of tire chains of reasonable proportions on motor vehicles when required for safety because of snow, ice or other conditions tending to cause such motor vehicle to slide or skid; *provided, however*, that traction engines or tractors the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain, known as a movable track, may be operated upon the public highways with transverse corrugation upon the periphery of said movable tracks, on condition that a permit shall first have been obtained as hereinafter in this section provided.

(*b*) No vehicle or other object shall be operated, moved, pushed, drawn or placed on, over or across any unit of the public highway, except when moved in or upon a vehicle operated exclusively upon stationary rails or tracks, exceeding in gross weight the capacity of such unit of highway without first obtaining a permit as hereinafter in this section provided. A unit of highway, for the purposes of this act, shall be deemed a section or portion of the public highway of similar character considering construction, condition, character of subgrade and adjoining area, effect of climate and seasonal storms and shall consist of a continuous line of travel wholly within one county and not exceeding five miles in length. The capacity to sustain stationary or moving weights or loads of one or more contiguous units of the highway may be established as a fact by the highway commission with the advice of the chief engineer of the division of highways upon a hearing by the highway commission, upon its own motion, or upon an application therefor, which the commission may deem sufficient and upon ten days notice to all persons who shall have

filed with the commission notice in writing of their desire to be present and heard. The commission shall have authority, upon such hearing, to establish the capacity of different portions of any unit at different amounts and of any unit at different amounts at different season or months of the year, and may, from time to time, upon the procedure herein provided, re-establish, increase or decrease the amount of the capacity of any unit, *provided, however*, that the capacity of any unit or portion of any unit, having been established, shall not be increased or decreased during the next ensuing six months unless so provided in the order of establishment, or in the event of an emergency as hereinafter and in this section provided. Upon the establishment of the capacity of any one or more, or portion of a unit or units, as herein provided, the commission shall make an order to such effect, which order, and the record on the hearing, shall be filed in the principal office of the commission and available to all persons interested therein, and the secretary of the commission shall furnish to any person upon request and upon payment of a fee in the same amount as fixed by law to be charged by county clerks for making and certifying a copy of records of a civil court, a copy or copies of such order or record properly attested. Upon the making and filing of an order establishing or re-establishing the capacity of any one or more or portion of a unit, or units, by the highway commission, such capacity so stated in such order shall be deemed for all purposes of this act to be the capacity of such unit or portion thereof, *provided, however*, that, unless otherwise established as herein above provided, the capacity of each unit and every part of the public highway shall be deemed to be sufficient to sustain the maximum weights and loads hereinafter and in the next subsection provided.

(c) Anything herein to the contrary notwithstanding, no vehicle or other object, except as hereinafter otherwise provided, shall be operated, moved, pushed, drawn or placed, upon, over or across any public highway, except when moved upon a vehicle operated exclusively upon stationary rails or tracks, the weight, including the load, of which resting upon the surface of said highway, exceeds seven hundred pounds upon any inch of the channel base width of tire, when said vehicle is equipped with tires made of other material than metal, or exceeds five hundred pounds upon every inch of width of tire, roller, wheel or other object supported upon the surface thereof when such tire or the rolling surface of such rollers, wheels or other objects are made in whole or in part of metal, without first obtaining a permit as hereinafter in this section provided, or the total weight including load, of such vehicle or other object shall exceed twenty-six thousand pounds when equipped with four wheels running on the highway or forty thousand pounds if consisting of a vehicle unit equipped with three axles not less than ninety-six inches apart and with six wheels, *provided, further, that any solid tire upon any such vehicle shall have on its entire surface* rubber at least one inch thick above the edge of the flange, *provided, however*, that traction engines or tractors, the propulsive power of which is exerted not through wheels resting upon the highway, but by means of a flexible band or chain, known as a movable track, shall not be subject to the foregoing limitations upon permissible weights per inch of width of tire if the portions of the movable tracks in contact with the surface of the highway present plane surfaces; *and provided, further*, that cities heretofore or hereafter organized under the freeholders' charters may permit or prohibit the increase beyond the maximum weight per inch of width of tire hereinabove prescribed, of the weight of loads carried within the limits of such cities, but where any such city has not by proper and suitable ordinance or other regulation permitted or prohibited such increase of maximum weight of loads, the regulations and limitations prescribed by this act shall not apply.

Any person violating the provisions of this section shall be guilty of misdemeanor and is liable to a penalty of one dollar for each one hundred pounds in excess of the limitation herein imposed, but not more than five hundred pounds in excess of the limitation herein imposed, two dollars for each one hundred pounds over five hundred pounds in excess of the limitation herein imposed but not more than one thousand pounds in excess of the limitations herein imposed, and five dollars for each one hundred pounds over one thousand pounds in excess of the limitation herein imposed, and any peace officer upon the arrest of the owner or operator of any vehicle violating the provisions of this section may keep said vehicle with its load in his custody until such time as said penalty shall have been paid *provided*, that the owner or operator of any such vehicle may give to said peace officer a bond in favor of the State of California, in case of state highways and in the name of the county in which the offense has occurred in the case of county roads conditioned to secure the payment of said penalty within the time prescribed in said bond and may require the owner or operator to drive any such vehicle to the nearest scales, adequate to weigh the entire vehicle at one operation to be designated by such peace officer, for the purpose of establishing the weight and the load of any such vehicle and in the event that the weight of such vehicle is in excess of the limitation herein imposed may require that so much of the load of such vehicle be removed as will bring that total weight of such vehicle and load within the limitation herein imposed before permitting such vehicle to proceed.

(d) No motor vehicle shall be operated or driven over any highway drawing or having attached thereto more than one trailer, *provided, however*, that for the purpose of this subsection a tractor and semi-trailer shall be deemed a motor vehicle; *provided* that all four wheeled trailers, except light camping trailers, shall be equipped

with brakes suitable to provide the operator with adequate facilities to control such train at all times and with safety or stay chains and with an adequate tracking device.

(*e*) Anything to the contrary herein notwithstanding, upon application in writing to the state department of engineering, said department of engineering in its discretion may issue a special permit to the owner or operator of any vehicle allowing heavier or wider loads than in this act permitted to be operated, moved, pushed, drawn or placed on, over or across any unit of the highway, or allowing more than one trailer to be drawn by a motor vehicle; and may also issue such special permit to increase the permissible weights per inch of width of tire and may also permit the use of corrugations of the periphery of the movable tracks of traction engines or tractors propelled not by wheels resting upon the ground, but by flexible bands or chains resting upon the highway. Such permits shall be in writing and they may limit the time of use and operation over the particular highway which may be traversed and may contain such special conditions and provisions and require such undertaking or other security as the said department of engineering shall deem to be necessary to protect the highways from injury, or provide indemnity for any injury resulting from such operation. All such special permits shall be carried in the vehicles to which they refer and shall upon demand be opened to the inspection of any peace officer, any authorized agent of the department of engineering or the motor vehicle department, or any officer or employee charged with the care or protection of the highways. It shall be unlawful for any person to violate, or to cause or permit to be violated the limitations or conditions of such special permits and any such violation shall be deemed for all purposes to be a violation of the provisions of this act.

(*f*) Anything to the contrary herein notwithstanding, the state department of engineering may whenever in its discretion an emergency exists limit the maximum load to be carried over or on any public bridge, causeway, viaduct, trestle or dam below the maximum established by law, *provided, however* that such emergency shall not be deemed to exist for the purpose of this subsection for more than thirty days, *provided, however*, that in such event said department of engineering shall cause suitable signs to be erected and maintained, specifying such limitation of load, such signs to be placed at a distance of not less than one hundred feet nor more than one hundred fifty feet from the approaches to such bridge, causeway, viaduct, trestle or dam.

(*g*) Anything to the contrary in this act notwithstanding, the owner and the operator, driver or mover or any vehicle, object or contrivance over a highway shall be jointly and severally responsible for all damage which said highway may sustain as the result of so operating or driving or moving such vehicle, and the amount of such damages may be recovered in an action at law by the authorities in control of such highway.

SEC. 12. Section sixteen of said act is hereby amended to read as follows:

SEC. 16. Every motor vehicle must have devices in good working order which shall be at all times in constant operation to prevent excessive or unusual noise, annoying smoke and the escape of gas, steam or oil, as well as the falling out of residue from fuel, and all exhaust pipes carrying exhaust gases from the engine shall be directly parallel to the ground or slightly upward. The use on highways of devices known as "muffler cut-outs" or similar devices is hereby prohibited.

SEC. 13. Section twenty of said act is hereby amended to read as follows:

SEC. 20. (*a*) The driver or operator of any vehicle in or upon any public highway shall drive or operate such vehicle in a careful manner with due regard for the safety and convenience of pedestrians and of all other vehicles or traffic upon such highway, and wherever practicable shall travel on the right-hand side of such highway. Two vehicles which are passing each other in opposite directions shall have right-of-way, and no other vehicle to the rear of either of such two vehicles shall pass or attempt to pass such two vehicles. On all occasions the driver or operator of any vehicle in or upon any public highway shall travel upon the right half of such highway unless the road ahead on the left-hand side is clear and unobstructed for at least one hundred yards ahead and in all cases while crossing an intersecting highway. For the purposes of this section and its subdivisions an animal or animals attached to any conveyance shall, with such conveyance, be deemed to constitute one vehicle.

(*b*) Vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other one-half the road as nearly as possible.

(*c*) Vehicles overtaking such vehicles proceeding in the same direction shall pass to the left and shall not again drive to the right until reasonably clear of such overtaken vehicle.

(*d*) On suitable and audible signal being given by or on behalf of the operator, driver or other person in charge or control of a vehicle about to overtake and pass another vehicle, it shall be the duty of the driver, rider or operator of the vehicle about to be overtaken and passed to give way to the right in favor of the overtaking vehicle and not to increase the speed of the overtaken vehicle and not to unreasonably obstruct the passage of such overtaking vehicle.

(*e*) Vehicles must be operated so as to allow a safe distance between such vehicles and any persons, vehicles or animals preceding them upon the highway, and outside of the business district of any county, incorporated city and county, city

or town, contiguous to a public highway as such business district is defined in this act, no vehicle shall, while in motion be closer than fifteen feet to any vehicle, person or animal in front thereof

(*f*) Excepting where controlled by such traffic ordinance or regulations enacted by local authorities as are permitted under this act, the operator of a vehicle approaching an intersection of the public highway shall yield the right of way to a vehicle approaching such intersection from the right of such first named vehicle.

(*ff*) The operator of a vehicle which is entering a highway from a private road or drive, or is entering a road or street from an alley, lane court, place or trail, shall stop vehicle before entering the highway or the road or street and shall yield the right of way to the operator of any vehicle approaching on such highway.

(*g*) Any vehicle traveling on a public highway which is divided longitudinally by a parkway or an isle of safety, shall keep to the right of such parkway or safety zone unless otherwise directed by the provisions of any ordinance, rule or regulation of competent local authorities.

(*h*) It shall be the duty of the person operating or in charge of an overtaking vehicle to sound audible and suitable signal before passing a vehicle proceeding in the same direction.

(*i*) All vehicles approaching an intersection of a public highway, with the intention of turning thereat shall in turning to the right keep to the right of the center of such intersection, and in turning to the left shall run beyond the center of such intersection, passing to the right thereof, before turning such vehicle toward the left. For the purposes of this subdivision the "center of such intersection" shall be held to mean the meeting point of the medial lines of the two highways traversed by the vehicle making the turn

(*j*) In all passing and overtaking such assistance shall be given by the occupants of each vehicle respectively to the other as the circumstances shall reasonably demand in order to obtain clearance and avoid accidents, every person having control or charge of any motor vehicle or other vehicle upon any public highway and approaching any vehicle drawn by a horse or horses, or any horse upon which any person is riding, shall operate, manage and control such motor vehicle or other vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of any such horse or horses and to insure the safety and protection of any person riding or driving the same; and if such horse or horses appear to be frightened the person in control of such motor vehicle or other vehicle shall reduce its speed, and if requested by signal or otherwise by the driver or rider of such horse or horses shall not proceed further toward such animal or animals unless such movement be necessary to avoid accident or injury, until such animal or animals be under the control of the driver or rider thereof

(*k*) The operator of any vehicle shall not operate or drive the same so as to pass or overtake any other vehicle going in the same direction at any street intersection unless directed so to do by a traffic or police officer

(*l*) The person in control of any vehicle moving slowly along and upon the public highway shall keep such vehicle as closely as practicable to the right-hand boundary of the highway, allowing more swiftly moving vehicles reasonably free passage to the left

(*m*) No person shall operate or drive any motor vehicle that is covered, loaded or constructed as to obscure the driver's view of the highway to the rear, nor any vehicle which is so covered, loaded or constructed that any portion thereof to the rear of the driver projects more than twelve inches beyond the extreme left side of the driver's seat, unless there is placed on said vehicle a mirror so located as to reflect to the driver a view of the highway for at least two hundred feet behind such vehicle.

(*n*) The person in charge of any vehicle in or upon any public highway, before turning, stopping or changing the courses of such vehicle, and before turning such vehicle when starting the same, shall see first that there is sufficient space for such movement to be made in safety, and if the movement or operation of other vehicles, may reasonably be affected by such turning, stopping or changing of course, shall give plainly visible signal to the persons operating, driving or in charge of such vehicles of his intention so to turn, stop or change his course, either by the use of his hand or arm, which shall be visible from the rear, or by the use of an approved mechanical or electrical device Any such device shall upon application to the division of motor vehicles be tested and certified as adequate to give the signal herein required, in the same manner and upon the payment of the same fee as in the case of headlights.

When the signal required by this section is given by the use of the hand and arm the intention to turn such vehicle toward the right or the left shall be indicated by extending the hand and arm horizontally from and beyond the side of the vehicle toward which the turn is to be made or by extending the hand and arm vertically with the hand pointing upward from the side opposite the direction toward which the turn is to be made: when the signal to be given is to indicate the intention to stop a vehicle or to abruptly or suddenly check its speed, such signal if given with the hand or arm shall be given by extending the hand and arm out from and beyond either side of the vehicle and pointed in a downward direction.

(*o*) The operator of any vehicle, upon overtaking any railroad, interurban or street car which is stopped or is stopping for the purpose of discharging or taking on passengers, if the width of the highway shall permit, may operate or drive such vehicle past such car on the right hand side thereof and at a rate of speed not exceeding ten miles per hour, *provided* that no portion of said vehicle, or of any load thereon shall come within six feet of the running board or steps of such car, *provided, further*, that on any highway where a safety zone has been established for the use of persons boarding or alighting from street cars such vehicles may pass such car at a rate of speed not to exceed ten miles per hour, but such vehicles shall not traverse any portion of such safety zones; *provided, further*, that said safety zones shall only be marked at street corners or at other regularly established stations or stopping places of such railroad, or interurban, or street cars, and shall not extend beyond seven feet toward the boundary of the highway from the outer rail of such railroad, interurban or street car line.

(*p*) Every motor vehicle when moving in defiles, canyons, or mountain passes where the curvature of the road or highway prevents a clear view for a distance of one hundred yards shall be held under control and not permitted to coast and the operator thereof in approaching curves shall give a warning of his gong or other adequate signaling device.

(*q*) No vehicle except vehicles operated by the fire department or police department of any incorporated city or county, city or town, shall be turned so as to proceed in the opposite direction except at an intersection of the public highway. In so turning vehicles shall pass beyond and around the center of such intersection. This provision shall not apply except in a business district or closely built up territory, as such district and such territory are defined in this act.

(*r*) It shall be unlawful for any person having control of any vehicle to permit such vehicle to stand unattended on the highway so as to obstruct the free entrance to or exit from any public or private garage or any private driveway.

(*s*) Vehicles of the police or fire department of any incorporated city or county, city or town, shall in all cases while being operated as such have right of way over all other vehicles with due regard to the safety of the public, but this provision shall not protect the driver or operator of any such vehicle or his employer or principal from the consequence of the arbitrary exercise of this right, nor shall it be construed as permitting the violation by the operators of any such vehicles of any of the provisions of section twenty-two of this act, except the operators of police vehicles when such vehicles are being operated in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation.

(*t*) Upon the approach of any police or fire department vehicle it shall be the duty of the operator of any street car, upon the sounding of a signal by such police or fire department vehicle, to stop such street car forthwith, unless at the time such street car is crossing an intersection of the public highways, in which event it shall be operated so as to clear the intersection of the highways and then stopped, and every other vehicle shall immediately be moved to a position as near as possible and parallel to the right-hand curb, and shall remain there until the police or fire department apparatus has passed such vehicle.

(*u*) No person shall hitch or leave standing, or cause or permit to be hitched or left standing, any animal, or leave standing or cause or permit to be left standing, any vehicle, or stop or cause or permit to be stopped any animal or vehicle at any time upon the public highway within fifteen feet of any public fire hydrant located upon the public highway or sidewalk, unless such animal is under the charge of some person capable of driving the same or unless such vehicle is in the charge of some person capable of operating or driving the same.

(*v*) No motor or other vehicle as defined in this act shall be operated or driven on or over any public highway or bridge if the outside width of tread exceeds one hundred twelve inches or if the total outside width of the bed of said vehicle and any load thereon shall exceed one hundred two inches, nor shall any automobile be operated on or over any public highway or bridge if any luggage, package, trunk, crate, box or other load, carried thereon extends to the left side more than six inches beyond the extreme limit of essential parts of such automobile, *provided, however*, that any city now or hereafter organized under freeholders' charter may permit or prohibit an increase beyond the maximum hereinbefore prescribed of the total outside width of the beds of vehicles and any loads thereon, where such vehicles are operated or driven and said loads are carried wholly within the limits of said city, but where any such city shall not by proper and suitable ordinance or other regulation permit or prohibit such increased width, the regulations and limitation prescribed by this act shall not apply, *and provided*, that the regulations and limitations prescribed by this act relative to the maximum widths of vehicles and their loads shall not apply to implements of husbandry temporarily drawn, propelled or moved upon the highway *provided, however*, that the exemption herein as to width shall not apply to implements of husbandry being transported or moved upon motor vehicles, *and provided, further*, that loads not exceeding ten feet in width of loosely-piled material not crated, baled, boxed, sacked or carried otherwise than loosely in bulk, may be carried upon vehicles on the highway; *provided*, that the extreme width of such vehicles, including any loading racks thereon, shall not exceed one hundred twenty inches, as hereinbefore prescribed.

(*w*) No person shall leave any vehicle standing, or cause or permit any vehicle to be left standing upon the main traveled portion of any public highway, *provided, however*, that this provision shall not apply to any public highway within a business or closely built up district as defined herein, or to a vehicle which shall be disabled, while on such main traveled portion of the highway, in such manner and to such extent that it shall be impossible to avoid stopping such vehicle on said main traveled portion of the highway, and impracticable to remove the same therefrom until repairs shall have been made.

(*x*) The provisions of subdivisions (*a*), (*b*), (*c*), (*d*), (*e*), (*g*), (*j*), (*k*), (*l*), of this section shall be applicable to the rider of every horse, mule or other riding animal ridden upon the public highway, to the end and effect that the same duties rules and regulations imposed thereon upon the drivers or operators of vehicles upon the public highway, including the care to be exercised in driving or operating vehicles, the portion of the highway upon which they shall travel, the right of way as between vehicles passing or overtaking each other, or upon approaching intersections, the duty of giving way in favor of overtaking vehicles, the manner of turning at intersection and at other places upon the highway and of stopping or changing the course of the vehicles and the duties imposed upon operators or drivers of vehicles in passing railroad, interurban or street cars shall be imposed, and they are hereby imposed, upon the riders of animals upon the public highways.

(*y*) No person owning or having possession of any live stock shall voluntarily or negligently permit such stock to stray upon or remain unaccompanied by a herder or other person in charge or control thereof upon a highway, either side of which is adjoined by property which is separated therefrom by a fence, wall, hedge, sidewalk, curb, lawn or building, or permit the tether or any portion thereof to which such animal may be attached, to be across or upon any highway, and no person shall feed, pasture or camp any such animal upon any main traveled portion of the highway between the hours of sunset and sunrise without keeping a sufficient number of persons on continual duty to keep open the highway so as to permit at all times the passage of vehicles, and without also keeping red lanterns and lights burning conspicuously on said highway to warn the public of the presence of such stock.

(*z*) No person shall discharge any firearms on any public highway.

(*ab*) No vehicle shall be operated on any public highway unless it is so constructed as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from such vehicle.

(*ac*) No person shall play on a highway or use in play thereon roller skates, coasters or any similar vehicle or toy on wheels or runners, except in such areas as may be specially designated for that purpose by the properly constituted authorities.

(*ad*) Pedestrians shall not use the highway for travel, except when obliged to do so by the absence of a sidewalk reasonably suitable for their use, in which case they shall at all times walk on the left-hand side of the highway, so as to face traffic approaching from the opposite direction, and shall keep as close to the left-hand edge of such highway as practicable.

Pedestrians shall not stop or congregate on any highway in such a manner as to obstruct the same for vehicular traffic.

No pedestrian shall cross a highway at any point except at a regular crossing thereof, provided there is such a crossing within three hundred feet. For the purpose of this act a regular crossing shall be regarded as the space which would be covered by the projection of the sidewalk of one highway upon an intersecting highway, or such other place across highways or between intersecting highways as is plainly designated by the proper authorities, and no pedestrian shall cross a highway at a regular crossing where a traffic officer is stationed except upon proper signal by such officer.

(*ae*) When any motor vehicle is being towed upon any street or highway, the tow line used for such purpose shall not exceed fifteen feet in length between the vehicles and there shall be attached and displayed in the middle of such tow line a flag or cloth not less than one foot in width by one foot in length.

(*af*) Every trailer and semi-trailer, except small two wheel trailers of one thousand pounds capacity or less towed closely behind a vehicle, and semi-trailer when towed alone, the overall length of which, in either case, including towing vehicle and load, exceeds thirty feet, shall, when on the public highways during the time from one-half hour after sunset to one-half hour before sunrise carry at the front of the left side thereof one or two lamps, exhibiting a white light visible from any vehicle approaching from the front or from the rear.

SEC. 14. Section twenty-two of said act is hereby amended to read as follows:

SEC. 22. (*a*) Any person operating or driving a motor or other vehicle on the public highways shall operate or drive the same in a careful and prudent manner and at a rate of speed not greater than is reasonable and proper, having regard to the traffic and use of the highway and no person shall operate or drive a motor vehicle or other vehicle on a public highway at such rate of speed as to endanger the life or limb of any person or the safety of any property; *provided*, that it shall be unlawful to operate or drive at a rate of speed in excess of thirty-five miles an hour; *and, provided, further*, that in any event no person shall operate or drive a motor vehicle or other vehicle on any public highway where the territory contiguous thereto is closely built up, at a greater rate of speed than twenty miles an hour, or in the

business district of any incorporated city and county, city or town, at a greater rate of speed than fifteen miles an hour; *provided, further*, that no person shall operate or drive a motor vehicle or other vehicle on any public highway at a greater rate of speed than fifteen miles an hour in approaching any steam, electric or other railway crossing at grade, or in approaching or traversing an intersecting highway, or crossing an intersection of highways, or in approaching or going around corners or curves in the highway, when in any of the foregoing cases the operator's or driver's view of the road or railway traffic is obstructed, but anything to the contrary herein notwithstanding, no person shall operate or drive a motor vehicle or other vehicle on any public highway at a greater rate of speed than ten miles an hour in traversing any steam, electric or other railway crossing at grade when the operator's or driver's view of the crossing or of any traffic on such highway within four hundred feet of such crossing is obstructed; *provided, further*, that the operator of any motor vehicle carrying passengers for hire or of any school bus shall before crossing at grade a track or tracks of a steam railroad or interurban or suburban railway, and the operator of any motor truck carrying explosive or inflammable substances including explosive or inflammable liquids of any specific gravity, shall before crossing at grade any such track or tracks bring his vehicle, bus or truck to a full and complete stop within not less than twenty feet nor more than fifty feet from the rail nearest to him of the track nearest to him, and shall after such stop and while so stopped both look and listen for approaching steam or electric engines, trains or cars; *provided, further*, that the board of supervisors of any county and city, and county within this state, and the board of trustees, city council or other governing body of every municipality within this state, within six months after the passage of this act, shall place and thereafter maintain warning signs on every public highway approaching a crossing at grade of such highway and the tracks of any railway, at a reasonable distance, not less than three hundred feet, from such crossing, and on either side thereof. Such sign shall consist of a metal disc twenty-four inches in diameter, the field enameled white, with an enameled black border line one inch wide, and with an enameled black vertical and horizontal cross-line two and one-half inches wide, the reverse side of such disc to be colored black. In each of the upper quarters, shall appear in black enamel the letter "R" five inches high, three and three-quarter inches wide, lines one inch stroke. Crossing gates required or maintained on highways at grade intersections of steam, interurban or suburban railroads, during the passage of railroad trains shall be painted with diagonal lines alternating in bands of white and black paint, each band to be at least four inches in width. Crossing flagmen placed at intersections of railroad rights of way with highways shall use a warning disc sixteen inches in diameter, painted with with a black border and the word "stop" on both sides thereof in black letters five inches high. Any person who shall wilfully or knowingly destroy, deface, mutilate, or otherwise damage or remove any sign required by this act to be erected or required, authorized or permitted by or under any other law of this state to be erected shall be guilty of a misdemeanor; *provided, further*, that the maximum rate of speed over any bridge, dam, trestle, culvert, causeway or viaduct as well as the maximum rate of speed over any state highway or portion of state highway may be established by the state highway commission at less than the rate established by law, when in the judgment of said commission the safety of persons using the highway or the protection of the highway shall be promoted thereby, but whenever such different rate of speed is so established by said commission, the commission shall cause to be erected suitable signs to mark the location and limits of the highway to which said different rate of speed shall apply, and such signs shall be placed at a distance of not less than one hundred feet or at a greater distance than one hundred fifty feet from the highway or portion of highway or from the approaches of any bridge, dam, trestle, culvert, causeway or viaduct with respect to which such different rate of speed may be so established. In the case of a bridge, dam, trestle culvert, causeway or viaduct, such maximum rate of speed so established by said commission shall not be less than ten miles an hour, and in the case of any other highway, nor portion of highway, such maximum rate of speed so established shall not be less than fifteen miles an hour.

(*b*) No motor or other vehicle carrying a weight in excess of nine thousand pounds, including the vehicle, shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than twenty-five miles an hour; no motor or other vehicle carrying a weight in excess of twelve thousand pounds including the vehicle, shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than fifteen miles an hour; no motor or other vehicle carrying a weight in excess of twenty-four thousand pounds, including the vehicle, shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than ten miles an hour; *provided, however*, that no motor vehicle, trailer, or semi-trailer equipped with tires made wholly or partly of metal shall be operated, driven, drawn or otherwise moved on any public highway or bridge at a rate of speed greater than six miles an hour; *provided, further*, that any such motor vehicle, trailer, or semi-trailer, with tires made wholly or partly of metal, may be operated, driven, drawn or otherwise moved, subject to the other provisions of this act, up to ten miles an hour, if it be equipped with springs and if the rear surface of not less than eighteen inches; *and provided, further, however*, anything to the contrary herein notwith-

standing, that no motor or other vehicle constructed or otherwise adopted for carrying loads weighing four tons or more, exclusive of such vehicle, shall be operated, driven, drawn or otherwise moved upon the public highway, whether laden or unladen, at a rate of speed exceeding fifteen miles an hour; *and provided, further*, that nothing contained in this subdivision shall apply to motor vehicles equipped with pneumatic tires

(*c*) In case of any person arrested for violation of the provisions of this section, unless such person shall demand that he be taken forthwith before the most accessible magistrate the arresting officer shall take the name and address of such person and the number of his motor vehicle and notify him in writing to appear before a magistrate of the township in which the offense for which such person is arrested is alleged to have been committed at a time and place to be specified in such writing at least five days subsequent to the date of such notice upon the promise in writing of such person to appear at such time and place, such officer shall forthwith release him from custody. In the event of any person arrested for any violation of the provisions of this section, demands to be or is taken forthwith after his arrest before a magistrate he shall be entitled to at least five days continuance of his case within which time to prepare to plead or prepare for trial and he shall not be required to plead or to be tried within such five days unless he waives such time in writing or in open court; *provided*, that he promises in writing, after notice in writing of the time and place for his further appearance in court to appear at such time and place. Upon the giving of such written promise or, if he refuse to give such promise, on bail fixed by a magistrate he shall thereupon be forthwith released from custody. Any person wilfully violating such promise shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested.

(*d*) Limitation as to the rate of speed herein fixed shall be exclusive of all other limitations fixed by any law of this state or any political subdivision thereof. Local authorities shall have no power to enact, enforce or maintain any ordinance, rule or regulation in any way in conflict with, contrary to or inconsistent with the provisions of this act, or of any section or other subdivision thereof, and no such ordinance, rule or regulation of said local authorities heretofore or hereafter enacted shall have any force or effect, excepting, however, that (1) such powers as are now or may hereafter be vested in local authorities to enact ordinances and regulations, applicable equally and generally to all vehicles and other users of the highways, and providing for traffic or crossing officers of semaphores, to bring about the orderly passage of vehicles and other users of the public highways on certain portions thereof, where the traffic is heavy and continuous, as well as (2) the powers now or hereafter vested in local authorities to license and to regulate the use of the highways for processions or assemblages, shall remain in full force and effect, and all ordinances, rules and regulations which may have been or which may be hereafter enacted in pursuance of such powers shall remain in full force and effect; *and provided, further*, that local authorities may by general rule, ordinance or regulate, exclude vehicles from any cemetery or ground used for burial of the dead, or exclude vehicles used solely or principally for commercial purposes, from any park or part of a park system where such general rule, ordinance or regulation is applicable equally and generally to all other vehicles used for the same purpose, *provided*, that at the entrance, or at each entrance if there be more than one, to such cemetery or park from which vehicles are so excluded, there shall have been posted a sign plainly legible from the middle of the public highway on which such cemetery or park opens, plainly indicating such exclusion and prohibition; *and provided, further*, that the local authorities of any city, town, or city and county may impose additional restrictions to those herein contained applicable to vehicles exclusively used in the carrying of merchandise or articles of freight and of a capacity in excess of one ton in weight and may designate certain streets whereon heavy laden vehicles may be excluded or declared to be "one way" streets.

(*e*) No person shall operate a vehicle or be an occupant of a vehicle on any highway in a race or in a speed contest, either in a contest with an operator of any other vehicle or in an effort to make any record as to time between any points or over any highway as to distance Any printed or written advertisement that such speed record has been broken shall be deemed to be prima facie evidence of the violation of this act in any proceeding brought in any county of this state through which said vehicle is claimed to have been operated.

SEC. 15 Section twenty-four of said act is hereby amended to read as follows:

SEC. 24. It shall be unlawful for any person to operate or drive a motor vehicle upon the public highway unless licensed by the division of motor vehicles as hereinafter provided; *provided, however*, that the requirements of this section shall not apply to the operators or drivers of any implements of husbandry temporarily drawn, propelled or moved on the public highway Before any operator or chauffeur may operate a motor vehicle upon the public highway, application for a license to operate such vehicle shall be made by mail or otherwise to the said division upon a blank to be prepared and furnished on request by said division To each person shall be assigned one distinguishing number or mark and said division shall issue to the licensee a certificate in such form as said division shall determine; it shall contain the distinguishing number or mark assigned to the licensee, his name, age, place of

residence, business address, if any, a brief description of the licensee for the purpose of identification and such other information as the said division shall deem necessary. Every person licensed to operate motor vehicles as aforesaid, either as a chauffeur or operator, shall endorse his usual signature in the space on the license certificate provided for the purpose, immediately upon the receipt of said certificate and his license shall not be valid until the certificate is so endorsed.

Licenses to operators and chauffeurs shall be valid during the calendar year only in which issued. The division of motor vehicles shall furnish to every chauffeur licensed a suitable metal badge with a distinguishing number assigned to him stamped thereon, without extra charge therefor, such badge to have stamped thereon the words "Registered Chauffeur No.———, Cal", with the said license number and the year of issue inserted therein. This badge shall thereafter be worn by such chauffeur, affixed to his clothing in a conspicuous place on the outer garment, at all times when he is operating or driving a motor vehicle upon the public highway, and the license certificate issued to each chauffeur or operator, under the provisions of this section, shall be carried by the licensee at all times when he is operating or driving a motor vehicle upon the public highway and shall be produced by him for inspection upon request by any peace officer. In case of the loss of such badge or certificate a duplicate will be issued by said division on the filing of an affidavit showing the fact of loss, and on payment of a fee of one dollar to said division in the case of a badge and fifty cents in case of a certificate. Applications for the annual renewal of licenses by operators or chauffeurs shall be accompanied by the fee required by section seven of this act. No operator's or chauffeur's license or badge shall be issued to any person within two years of the date of conviction of such person of a felony, nor shall an operator's or chauffeur's license or badge be issued to any person so convicted and sentenced to a state prison within two years of the date of expiration of such sentences. No chauffeur's license or badge shall be issued to any applicant under the age of eighteen years. No chauffeur's license or badge permitting such chauffeur to drive or operate motor vehicles carrying passengers for hire shall be issued to any applicant under the age of twenty-one years, and no operator's license shall be issued to any applicant under the age of eighteen years; *provided*, that it shall be unlawful for any person to cause or knowingly to permit his or her child, ward or employee to operate or drive a motor vehicle upon the public highway, whether as a chauffeur or operator, without having first obtained such license as is hereinbefore specified; *provided*, that the application to said division of a minor to operate or drive a motor vehicle, whether as chauffeur or operator, shall not be granted by said division unless the parent or parents having the custody of such applicant or the guardian of such applicant shall have joined in said application by signing the same, *and, provided, further*, that any negligence of a minor, so licensed, in operating or driving a motor vehicle upon the public highway, whether as chauffeur or operator, shall be imputed to the person or persons who shall have signed the application of such minor for said license, which person or persons shall be jointly and severally liable with such minor for any damages caused by such negligence.

SEC. 16. Section twenty-five of this act shall be amended to read as follows:

SEC. 25. Upon receipt of an application as provided in section twenty-four of this act, the division of motor vehicles shall thereupon file the same, and register the applicant in a book or on index cards which shall be kept in the same manner, subject to public inspection, as the books or index cards for the registration of motor vehicles.

SEC. 17. Section twenty-six of said act is hereby amended to read as follows:

SEC. 26. (*a*) No person shall use a fictitious name in applying for such chauffeur's or operator's license, nor shall any chauffeur or operator licensed as herein provided voluntarily permit any other person to possess or use his license certificate or badge; nor shall any person while operating or driving a motor vehicle use or possess any license certificate or badge belonging to another person.

(*b*) No person shall display or cause or permit to be displayed, or have in his possession, any cancelled, revoked, suspended, altered or fictitious registration number plate, registration seal, registration certificate, operator's license certificate, chauffeur's license certificate or chauffeur's badge, as the same are respectively provided for in this act.

(*c*) Any person who shall knowingly use, display or have in his possession, a registration certificate or registration plates which have been secured by misrepresentation, or in any manner other than provided by this act, or who shall knowingly use such registration certificate or plates on any vehicle or in connection with the use of any motor vehicle other than the vehicle for which such certificate or plates shall have been issued, shall be guilty of a misdemeanor.

(*d*) No person shall knowingly buy, sell, receive, dispose of, conceal or have in his possession any motor vehicle from which the manufacturer's serial number or motor number any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealment or misrepresenting the identity of said motor vehicle.

(*e*) Any person having in his possession any vehicle, or part of parts thereof, from which the trade marks, distinguishing or identification number, manufacturer's number or serial number or mark has been removed, defaced, destroyed, or obliterated, covered, altered, or changed, shall be prima facie presumed to have knowledge

thereof and the burden of proof shall rest upon such person to show that he had no such knowledge. Any person who knowingly has in his possession any vehicle or part thereof from which the manufacturer's serial or identification number or mark has been removed, defaced or obliterated or changed, shall forthwith file with the chief of the division of motor vehicles a sworn statement describing such vehicle or part thereof and showing the source of his title, and if known, the reason for such removal, defacement, obliteration or change. If satisfied as to the facts the said chief may grant permission to cut or carve into the engine or motor of such vehicle or into the parts or into the frame or other parts of a trailer or semi-trailer and may issue a special identification number or mark which shall thereafter be deemed sufficient for the purpose of registration of such vehicle

SEC 18. Section twenty-seven of said act is hereby amended to read as follows:

SEC. 27. No person shall operate or drive a motor vehicle or cause a trailer or semi-trailer to be drawn upon a public highway after the thirty-first day of January, 1924, nor shall any owner of any motor vehicle or of any trailer permit such motor vehicle, trailer or semitrailer to be so operated, driven or drawn, unless the requirements of this act relative to the registration of motor vehicles, trailers and semi-trailers and to licensing of chauffeurs and operators shall have been in all respects complied with: *provided, however*, that a nonresident operator or chauffeur who has complied with the provisions of the country or state of his residence relative to the operation of motor vehicles and who, while operating a motor vehicle upon the highways of this state shall wear such badge and carry such license certificate as may have been assigned to him in the country or state of his residence, shall be exempt from license hereunder for a period not to exceed three months in any calendar year; *and provided, further*, that the provisions of this act relative to registration and the payment of the fees therefor and the display of registration number plates and seals shall not apply to a motor vehicle, trailer or semitrailer owned by a nonresident, other than a foreign corporation doing business in this state, who is only sojourning within this state, *provided*, that the registration number plate assigned and furnished for said motor vehicle, trailer or semitrailer for the current calendar year by the country or state of which such owner is a resident shall be displayed on such motor vehicle, trailer, or semitrailer substantially as provided in this act for vehicles registered pursuant to the provisions hereof; *provided, however*, that a nonresident owner of a motor vehicle, trailer, or semitrailer so registered in such other country or state shall, not later than twenty-four hours after commencing to operate said vehicle, or to cause or permit the same to be operated, on any public highway with this state, apply to the division of motor vehicles for registration of such vehicle, said application to be made upon a form to be prepared and to be furnished on request by the said division and, shall state in addition to such other matters as may be required by the said division, the name and post office and residence address of the applicant, together with the registration number of said vehicle in the country or state in which the same shall be registered, which country or state shall be designated by the applicant in said application. Upon receipt of said application, the said division, if satisfied of the facts stated therein, shall, without charge to the applicant, register said motor vehicle, trailer or semitrailer and shall furnish to the applicant a registration certificate or device, of a distinctive form to be determined by the said division, indicat-such other matter as may be deemed suitable by the said division, which certificate ing that the holder thereof has complied with the requirements of this act and containing such other matter as may be deemed suitable by the said division, which certificate or device shall be valid not to exceed three months from the date of its issuance, at the end of which period it shall be returned by said owner, transportation prepaid, to the said division. In case of a motor vehicle, said certificate or device shall be carried at all times while said motor vehicle is being operated or driven upon the public highways, in plain sight in or upon said motor vehicle, in the manner required of resident owners with respect to registration certificates and in case of a trailer or semitrailer such certificate or device shall be displayed in such manner as the said division shall determine. The said division shall file said application for registration by nonresident owners, and shall suitably index said applications and registrations, which files and index shall be open to inspection by the public during reasonable business hours.

SEC. 19. Section twenty-eight of said act is hereby amended to read as follows:

SEC. 28 (*a*) Any person who shall steal, or take or operate a vehicle not his own, without the consent of the owner thereof, with the intent to either permanently or temporarily deprive the owner thereof of his title to, or possession of, such vehicle, whether with or without intent to steal the same, shall be deemed guilty of a felony. The consent of an owner of a vehicle to its taking or operation shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or operation of such vehicle by the same or a different person. Any person who assists in, or is a party or accessory to or an accomplice in, any such stealing, or unauthorized taking or operating, shall also be deemed guilty of a felony.

(*b*) Any person who, knowing a vehicle to have been stolen, receives, buys, sells or conceals, or knowingly assists in any manner in such receiving, buying, selling or concealment, shall be deemed guilty of a felony.

(*c*) No persons shall maliciously or with intent to steal, or without authority from the owner, remove from any vehicle any part or portion thereof, or anything

attached thereto or contained therein, or knowingly buy, receive or have in his possession any of such articles, or any part thereof, so unlawfully removed

(*d*) No person shall, intentionally or knowingly, remove, deface, alter, change, destroy or obliterate or in any manner whatsoever cause to be removed, defaced, altered, changed destroyed or obliterated, any trade mark, manufacturer's number or *identification number, serial number or distinguishing mark of any kind or character* on or from any such vehicle.

(*e*) No person shall have in his possession any vehicle, or any part or parts thereof, with the knowledge that any trade-mark, distinguishing or identification number, manufacturer's number, serial number or mark has been or is removed

SEC. 20 Section twenty-nine of said act is hereby amended to read as follows

SEC. 29. Any person who throws or deposits any glass bottle, glass, nails, tacks, *hoops, wire, cans or any other substance likely to injure any person, animal or vehicle* upon any public highway, shall be guilty of a misdemeanor. It shall be the duty of any person who accidentally or otherwise drops or permits any destructive or injurious material to be dropped or thrown on any highway to immediately remove or cause the same to be removed

SEC. 21. Section thirty-two of said act is hereby amended to read as follows:

SEC. 32. (*a*) Excepting as in this act otherwise provided, or where a different *penalty is expressly fixed by this act, any person violating any of its provisions, or* knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in an application for the registration of a vehicle, or in an application for an operator's or chauffeur's license, shall be guilty of a misdemeanor, and upon conviction thereof, unless in this act otherwise provided, shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months, or by both such fines and imprisonment.

(*b*) *Immediately upon receipt by the division of motor vehicles of information* concerning the conviction of any person for the violation of section seventeen of this act, or concerning the third conviction within one year of any person for the violation of any of the provisions of section twenty-two of this act, the said division shall forthwith revoke the operator's or chauffeur's license issued to such person by the said division and shall issue no operator's or chauffeur's license to any such person within one year thereafter. Immediately upon receipt by the said *division of information concerning the conviction of any person of a felony, the* said division shall forthwith revoke any operator's or chauffeur's license issued to such person by said division and shall issue no operator's or chauffeur's license to any such person within two years of the date of the conviction of such person of a felony: nor shall an operator's or chauffeur's license be issued to any person so convicted, and sentenced to a state prison, within two years of the date of expiration of such sentence

Upon the suspension or revocation of any chauffeur's or operator's license, the said division shall demand the surrender of the license certificate, and any duplications thereof that may have been issued, and also the license badge, if any, and it shall be unlawful for any person whose license has been suspended or revoked as herein provided to fail or neglect forthwith to surrender to the said division any such certificates or badge in his possession or under his control. Upon receiving within one year verified written complaints made by one or more persons of two *or more separate instances of reckless, negligent or unlawful operation of a vehicle* on any public highway in this state by any person to whom the said division has issued a valid unrevoked operator's or chauffeur's license the said division may, in the discretion of the chief of the said division, fix a time and place for a hearing to determine whether or not the operator's or chauffeur's license held by such person should be revoked on the ground that such person is an unfit person to be so licensed The person so complained of shall be served with a written notice, at *least ten days prior to the date of said hearing, to appear and show cause, at such* hearing, why his license to operate a motor vehicle upon the public highways should not be suspended or revoked. Such hearing shall be held by the chief of the said division or by any person or persons, not exceeding three, officers or employees of the said division whom he may designate If upon such hearing it is determined that there is good and sufficient reason therefor findings and an order shall be made by the chief of the said division or by the person or persons holding *such hearing on his behalf to the effect that such license should be revoked.* The said division shall thereupon cause such person's license as an operator or chauffeur to be forthwith revoked if the findings herein before provided for show or declare that such operator or chauffeur is a reckless or negligent driver or that he is incompetent or unfit to operate a motor vehicle because of mental or physical infirmities or disabilities

If in any case the respondent shall fail to appear at the time and place fixed *for any such hearing as is provided in this section, he shall be in default, and if* in the opinion of the chief of the said division or of the person or persons holding such hearing on his behalf, there is sufficient reason therefor, the license of the respondent may be ordered revoked or suspended, whereupon the said division shall upon notice of such order, revoke or suspend, as the case may be, such license.

The chief of the said division or the person or persons holding such hearing may summon witnesses in behalf of the state and may administer oaths and take testi-

mony, may cause depositions to be taken, and may order the production of books, papers, agreements and documents.

The fees for the attendance and travel of witnesses shall be the same as for witnesses before the superior court, and shall be paid by the state upon demand by the said division filed with the controller.

The supreme court, any district court of appeal or any superior court, shall have jurisdiction upon the application, to enforce all lawful orders of the said division under this section.

(c) In addition to any or all other punishments provided in this act and imposed by the court upon any person for violation of any of the provisions of this act, the court may in its discretion, suspend an operator's or chauffeur's license for a period of not to exceed six months, in which case the court shall take up the license certificate of such person together with, in case of a chauffeur, the license badge, and shall forward them to the said division.

(d) Upon the expiration of the period of suspension of any license as hereinbefore in this section provided for the said division shall return to the licensee his license certificate, or in its discretion may issue to him a new certificate, and such license shall be valid for the remainder of this current calendar year, subject to the other provisions of this act; and in like manner the said division shall return to any chauffeur whose license badge may have been forwarded to the said division upon suspension of his license, such license badge or issue to such licensee a new badge.

(e) No person to whom an operator's or chauffeur's license has been refused or whose operator's or chauffeur's license has been suspended or revoked shall personally operate any motor vehicle during the period of such refusal, suspension or revocation. Any person who shall violate this provition shall be deemed guilty of a misdemeanor and punished by fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment for not less than thirty days nor more than one year, or by both such fine and imprisonment.

SEC. 22. Section thirty-four of said act is hereby amended to read as follows

Sec 34. There are hereby created in the state treasury separate funds which shall be known as the "motor vehicle fund," the "motor vehicle transfer fund," the "motor vehicle testing fee fund," and the "chauffeurs' and operators' license fund." All moneys received by the division of motor vehicles under any of the provisions of this act must be paid into the state treasury to the credit of the various funds as hereinafter set forth. During each business day the said division shall file with the state treasurer and the state controller a report of all transactions completed during the preceding business day, involving the collection of moneys under any of the provisions of this act, and shall at the time of filing of such report deposit in the state treasury to the credit of the above named funds as hereinafter provided all moneys so reported as collected All moneys received for transfers of registration and all moneys received as examination fees as provided in section twenty-four hereof shall be deposited to the credit of the motor vehicle transfer fund, all moneys received for chauffeurs' or operators' licenses shall be deposited to the credit of the chauffeurs' and operators' license fund, all moneys received for the testing of headlight equipment or headlight devices shall be deposited to the credit of the motor vehicle testing fee fund, and all other moneys received by the said division shall be credited to the motor vehicle fund One-half of the net receipts under this act except those credited to the motor vehicle transfer fund, the motor vehicle testing fee fund and to the chauffeurs' and operators' license fund shall be paid from the motor vehicle fund to the counties from which the moneys were received, as determined by the places of residence of the persons to whom the registration certificates are issued, and all such amounts so returned shall be paid into the road funds of the several counties receiving the same, and shall be expended by such counties, exclusively in the construction and maintenance of roads, bridges and culverts in said counties respectively In the event that any county has not established a road fund, its proportion of said net receipts shall be retained by the state until provision for such road fund has been made, and it shall then be paid over. In the months of February and August of each year the said division shall make to the controller a report setting forth the gross and net receipts for the preceding six months, and thereafter the controller shall draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which such county is entitled *provided nevertheless*, that the controller shall not draw such warrant in favor of any county which theretofore shall not have established a road fund or which shall be delinquent in its annual report to the highway commission as hereinafter required Of the moneys in said motor vehicle fund, when such action has been authorized by the board of control, the said division may draw, without at the time furnishing vouchers and itemized statements sums not to exceed in the aggregate ten thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year, or at any other time upon demand of the board of control, the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the board of control and by the controller All moneys remaining in the motor vehicle fund after the expenditure herein authorized in addition to all sums that have been heretofore or that may be appropriated hereafter by the legislature for the same purpose, shall be expended under the direction of the highway commission for the constant making of needed repairs to provide a smooth surface highway and

the strengthening or thickening of any already constructed road or bridge where the old construction remains as a distinct part of such road or bridge of the state roads and highways under the jurisdiction of said highway commission and for the maintenance and improvement of roads and highways in state parks subject to the approval of the official or officials charged by law with the management and control of such parks, such moneys to be drawn from said motor vehicle fund for the purpose of such maintenance and improvement upon warrants executed by the state controller upon demand made by the highway commission and allowed and audited by the board of control. The chauffeurs' and operators' license fund is hereby appropriated to be expended by the said division solely for the employment of field deputies and to provide suitable and adequate equipment for the proper performance of their duties. The motor vehicle transfer fund, the motor vehicle testing fee fund, and so much of the motor vehicle fund as may be necessary is hereby appropriated to be expended by the said division in carrying out the provisions of this act, *provided, however*, that the total so expended from the motor vehicle fund during any license year shall not exceed ten per cent of the receipts of said fund, less the amounts refunded therefrom during the same year, *and, provided, further*, that the board of supervisors of each county in the state shall make an annual report to the highway commission not later than three months after the close of the county's fiscal year, *upon forms to be provided by the highway commission, showing the amount of* moneys received from the motor vehicle fund during the preceding fiscal year and the disposition of said moneys, specifying in such detail as may be required by said highway commission the roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance; *and provided, further*, that whenever said report shall not have been duly filed in the manner and form hereby provided at or before the time hereinabove specified, no further warrants shall be drawn upon the motor vehicle fund in favor of the county treasurer of such delinquent county until said report has been furnished.

SEC. 23. Section thirty-six of said act is hereby amended to read as follows:

Sec. 36. A full record shall be kept by every justice of the peace or police judge or court in this state of every case in which a person is charged with violation of any provision of this act, and, an abstract of such record shall, within ten days after any final judgment of conviction of any violation of the provisions of this act, be sent by said justice of the peace, police judge or court to the division of motor vehicles, together with a certified copy of such judgment and any other information concerning said conviction required by said division. Said abstract shall be made upon forms prepared by said division, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture as the case may be, and every such abstract shall be certified by the justice of peace, police judge or clerk of such police court or the clerk of the court as a true abstract of the record of the court. The said division shall keep such records in its office and they shall be open to the inspection of any person during reasonable business hours.

Failure, refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom.

SEC. 24. Section thirty-seven of said act is hereby amended to read as follows:

Sec. 37. There is hereby created a department to be known as the division of motor vehicles of the State of California. The chief officer shall be known as the chief of the division of motor vehicles, who shall be a civil executive officer and shall be appointed by the governor and shall hold office at the pleasure of the governor. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars. He shall receive an annual salary of three thousand six hundred dollars to be paid monthly upon warrant of the controller. He shall have the power to appoint one chief clerk, who shall be a civil executive officer, one cashier, and, with the approval of the board of control, such additional employees as the proper and economical conduct of the business of the said division may demand, and shall fix and prescribe their duties, compensation and term of employment, *provided*, that such employees shall include so many field deputies as there may be funds available therefor in each year in the chauffeurs' and operators' licenses fund, upon whom are hereby conferred, for the purposes of the enforcement of this act, the powers now or hereafter vested by law in peace officers and who may exercise said powers in any portion of the state or of any political subdivision thereof, but solely in the enforcement of the provisions of this act. The cashier *shall execute to the people of the state a bond in the penal sum of five thousand* dollars. The salaries herein provided for shall be payable monthly, and the expenditures authorized by this act, shall be made upon the certificate of the chief of the said division allowed and audited by the board of control, and the warrant of the state controller.

There shall be printed a sufficient number of copies of the motor vehicle act as amended by this act to provide each person to whom an operator's or chauffeur's license is issued with a copy of said act, which shall be distributed by the division

of motor vehicles free of charge. Such copies shall be transmitted together with the operator's or chauffeur's licenses."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 107—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1118—An act to add a new section to be numbered 6*a*, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1059—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund."
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids therefor have first been advertised for, opened and rejected.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "account" insert the following: "basis".

Amendment adopted.
Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the

State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the words "Section 1," insert the following "Section fifteen of an act entitled, "An act to regulate the examination of applicants for license, and the practice of those licenses, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled "An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended, is hereby amended so as to read as follows:

Sec. 15. Every person holding a certificate under the laws of this state authorizing him to practice any system or mode of treating the sick or afflicted in this state must have it registered in the office of the county clerk of every county or city and county in which the holder of said certificate is practicing his profession and the fact and date of such registration shall be endorsed on the certificate by the county clerk registering the same. Registration shall be made in a register kept by the clerk for such purposes which register shall be alphabetically arranged and shall show the name of the person to whom the certificate is issued, the institution of which he is a graduate and the date of his graduation therefrom, the form of certificate issued to him, the number and date of said certificate and the date of registration of said certificate. Any person holding a certificate as aforesaid, who shall practice or attempt to practice any other system or mode of treating the sick or afflicted in this state, without having first filed his certificate with the county clerk, as herein provided, shall be deemed guilty of a misdemeanor and shall be punished as hereinafter designated in this act".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved ————.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the words "Section 1," insert the following: "Section eight of "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved ----------, is hereby amended so as to read as follows:

Sec. 8. Every person holding a certificate of registration issued under the provisions of this act must have it registered in the office of the county clerk of every county or city and county in which he is engaged in the practice of optometry and the fact and date of such registration shall be endorsed on the said certificate by the county clerk registering the same. Registration shall be made in a register kept by the clerk for such purposes which register shall be alphabetically arranged and shall show the name of the person to whom the certificate is issued, the number and date of said certificate and the date of registration of said certificate. Any failure, neglect or refusal on the part of any person holding such certificate of registration, or a certified copy of such certificate of registration, to register the same as hereinabove provided, for six months after the issuance of said certificate of registration or from the date of removal of his or her practice to a county other than the one

in which his or her certificate is registered shall ipso facto work the forfeiture of his certificate of registration and it shall not be restored except upon the payment of twenty-five dollars ($25) to the California State Board of Examiners in Optometry."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, after the words "SECTION 1." insert the following: "Section eight of "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, is hereby amended so as to read as follows

Sec 8 Every person who is now or who shall hereafter be licensed to practice dentistry in this state, shall within six months after the date of the license herein provided for register the said license in the office of the county clerk of the county or city and county where his place of business is located or, if he has no place of business in this state, then in the office of the county clerk of that county in this state wherein at the time shall be situated the office of the secretary of the board of dental examiners of California A practicing dentist who removes his place of business from one county or city and county to another county or city and county in this state shall register his license in the county or city and county to which he removes and a practicing dentist who establishes a place of business in more than one county or city and county in this State shall register his license in each county or city and county in which he establishes a place of business. Registration shall be made in a register kept by the clerk for such purposes, which register shall be alphabetically arranged and shall show the name of the person registered as shown by his license his age, his office address, the date and number of his license to practice dentistry and the date of such registration. The person licensed need not appear in person before the county clerk for the purpose of registering a license but registration shall be made only upon showing the county clerk the said license, or a copy thereof certified by the secretary of the board over its seal. The county clerk shall issue to every licentiate registering as hereinbefore provided a certificate of registration in his county or city and county and said license and certificate may be offered as primary evidence in all courts of the facts therein stated. The county clerk shall, within five days after a registration is made, notify the secretary of the board of the said registration, giving in detail the information herein required for the purposes of registration. Any lawfully registered person who shall change his or her name according to law, shall re-register with the clerk of the county or city and county where he or she is practicing and the clerk shall make a marginal note of the former name of the licentiate Any county clerk who knowingly shall make or suffer to be made upon the registration records of dentists kept in his office any entry other than that provided for in this act, shall be liable to a penalty of fifty dollars, to be recovered by and paid to the said board of dental examiners in a suit in any court having jurisdiction. Any failure, neglect or refusal on the part of any person holding such license to register the same as above directed for a period of six months after the issuance thereof shall ipso facto work a forfeiture of his or her license, and it shall not be restored except upon the written application and payment to said board of twenty-five dollars Any suspension, revocation or reinstatement of a license shall with the date thereof be forthwith noted by the county clerk on the registration record thereof upon receipt of notice from the secretary of the board."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, after the words "Section 1," insert the following "Section nine of "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California state board of pharmacy," as amended, is hereby amended so as to read as follows

Sec. 9. Every person holding a certificate from said board shall renew annually their registration with said board; and every registered pharmacist, and every assistant registered pharmacist who desires to retain his registration on the books of the board of pharmacy in this state shall annually, after the expiration of the first year's registration and on or before the first day of July of each succeeding year, pay to the secretary of the board of pharmacy a renewal fee, to be fixed by the board, which shall not exceed two dollars for registered pharmacist and one dollar for assistant registered pharmacist, in return for which fee a renewal certificate of registration shall be issued In case any person defaults in payment of said fee his or her registration may be revoked by the board of pharmacy on sixty days' notice, in writing from the secretary, unless within said time the fee is paid, together with such penalty not exceeding ten dollars, as the board may impose. Upon payment of said fee and penalty the board must reinstate the delinquent's registration.

No person holding a certificate issued under the provisions of this act shall engage in business as pharmacist or assistant pharmacist until the said certificate shall have been registered in the office of the county clerk of every county or city and county in this state in which he is engaged in the business of a pharmacist or assistant pharmacist and the fact and date of such registration shall be endorsed on the certificate by the county clerk registering the same. Registration shall be made in a register kept by the clerk for such purposes which register shall be alphabetically arranged and shall show the name of the person to whom the certificate is issued, the number and the date of said certificate and the date of registration thereof. The record of the certificate required by this section, or a certified copy thereof, shall be evidence in all courts that the person holding it was registered as evidenced by said certificate on the date of the same. Any registered pharmacist or assistant registered pharmacist failing to comply with any of the foregoing provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars, nor more than twenty-five dollars. Upon the certificate being registered as herein provided, it shall be the duty of the county clerk to notify the secretary of the board of pharmacy of the name of the party and the date of such registration"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee

AMENDMENT NUMBER ONE

On page 2, beginning with line 5, strike out all of line 5 and the remainder of the bill.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code, to be numbered 1617½, relating to the sale or lease of school property upon which no public school is being maintained.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 2 to 6, inclusive, of the title of the printed bill and insert in lieu thereof the following: "and one-half of the Political Code relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered one thousand six hundred seventeen and one-half relating to the selling or leasing of any real property upon which no public school is being maintained."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 6 to 25, inclusive, and all of page 2 and insert in lieu thereof the following

"1617½. The governing body of any school district of any kind or class whatsoever, or any high school district, of any kind or class, are hereby authorized to sell or to lease for a term not exceeding ninety-nine years, without a vote of the electors of such district first being taken, any real property belonging to their respective school districts, or high school districts upon which no public school is being maintained. Any such sale may be made for cash or for part cash and upon such terms of deferred payments secured by purchase money mortgage or deed of trust, and any such lease may be made upon such consideration or for such rental, as may be authorized by the action of the members of the board of education or board of trustees of the school district or high school district, and every such sale or lease shall be made in the following manner.

Before ordering the sale or lease of any such property such board of education, or board of trustees, shall, in a regular open meeting, by a two-thirds vote of all of its members, adopt a resolution declaring its intention to sell the same, or a resolution declaring its intention to lease the same, as the case may be, which said resolution shall describe the property proposed to be sold, or leased, in such manner as to identify it and shall specify the minimum price, or rental, and the terms upon which it will be sold, or leased, and shall fix a time, not less than three weeks thereafter, and declare that said meeting will be held at the regular place of meeting of said board of education, or board of trustees, at which meeting sealed proposals to purchase or lease, as the case may be, will be received and considered. Notice of adoption of said resolution and of the time and place of holding said meeting shall be given by posting copies of said resolution signed by such board or by a majority thereof, in three public places in the district, not less than fifteen days before the date of said meeting, and by publishing such notice not less than once a week for two successive weeks before the meeting in a newspaper of general circulation published in the county in which such district or any part thereof is situated, if any such newspaper is published therein. At the time and place fixed in said resolution for the meeting of said board of education or board of trustees, all sealed proposals which have been received shall, in public session, be opened, examined and declared by said board, and of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the one which is highest shall be finally accepted; *provided*, that if, upon a call for oral bidding, at such session, any responsible person shall offer to purchase such property or to lease such property, as the case may be, upon the terms and conditions specified in the said resolution, for a price or rental exceeding, by at least five per cent, the highest of said written proposals, then the highest of any of the oral bids which shall be made by a responsible person shall be finally accepted, *provided, however*, that such final acceptance by said board may be made

either at said session or at any adjourned session of the same meeting held within the ten days next following; *and provided, further*, that said board may at any such session, if it deem such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw such property from sale or lease. Any resolution of acceptance of any such bid made by said board shall authorize and direct the president of the board of education, or other presiding officer, or the members of the board of trustees, to execute a deed or lease and to deliver the same upon performance and compliance by the purchaser or lessee, as the case may be, of all the terms or conditions of his contract to be performed concurrently therewith.

The provisions of this section shall be deemed to supersede any other provision of law relating to powers and duties of boards of trustees and boards of education, in so far as its terms are in conflict therewith, but shall not be deemed to repeal any such other provision of law not conflicting with the terms of this section.

SEC. 3. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint engrossment, and third reading.

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 3 of the printed bill, strike out lines 6, 7, 8 and 9, and insert in lieu thereof the following: "register of requisition showing the receipts and disbursements of each school district within the county, and the classification of such disbursements under the headings prescribed by the superintendent of public instruction".

AMENDMENT NUMBER TWO

On page 6 of the printed bill strike out lines 1 to 6, inclusive, and insert in lieu thereof the following reading matter:

"*Eighteenth*—The superintendent of schools of the county or city and county, shall use the money allowed and apportioned under section one thousand eight hundred, fifty-eight, third, of this code, as an emergency and supervision fund, for the employment of duly qualified teachers to supervise the work of teaching in the school districts of the county, or city and county, which had less than three hundred pupils in average daily attendance during the next preceding school year, for the payment of the salaries of teachers employed by him to visit, at least twice a month, and to instruct pupils and to direct the education of pupils who live more than five miles from the nearest public school in the district of which they are residents, and such other pupils residing in the school district as may not be able to attend the public school for reasons which are deemed good and sufficient by the superintendent of schools of the county, or city and county in which such pupils reside; and for employing and paying the salary of teachers when unexpected emergencies arise, requiring the services of teachers and no other means of supplying teachers are available: *provided, however*, that no such teacher shall engage in the supervision of instruction under the provisions of this subdivision unless he has on file in the office of the county superintendent of schools a supervising certificate authorizing him to perform such service."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764c, relating to powers and duties of high school boards.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, after the number, "1764c", strike out all of the balance of the paragraph and insert the following:

"1. Upon application of twenty or more persons above the age of twenty-one, residing in a high school district, who can not speak, read or write the English language to a degree of proficiency equal to that required for the completion of the sixth grade of the elementary schools of the state, the high school board or city board of education, or board of education in control of such high school district must establish special classes in English; *provided*, that application for classes be made in time to permit the board of education to arrange to meet the expenses of such classes. Said boards may establish such classes without such demand and with a less number of such students.

"2. The classes provided for in subdivision one of this section shall be held at least twice a week for a two-hour period. If the enrollment in any class falls to ten or less for a one-month period, the governing board may discontinue said class for that year.

"3. All money accruing to the district from state and county on account of average daily attendance in evening high schools, or in special day and evening classes of a day high school, established in accordance with subdivision one of this section and in accordance with "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who were not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language, to enforce attendance upon such part-time classes where established, and providing penalties for violation of the provisions of this act. Approved May 27, 1919."; and in accordance with "An act to provide for the establishment of classes for training in citizenship for applicants who have filed their declarations of intentions to become citizens of the United States and for other persons desiring such instruction. Approved May 27, 1921.", must be spent on the maintenance of such classes in the ensuing year, and additional special district funds may be provided by said district to fulfill needed requirements, *provided*, that the high school board or city board of education or board of education in control of such high school district may discontinue such classes with the permission of the county superintendent of schools, when the need for such classes has ceased to exist. In such cases, all money accruing to the district from the state and county on account of average daily attendance in such discontinued classes may be returned to the regular high school funds of the district."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "county" insert the words "or board of education, or other governing body,".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "class" insert the words "including union school districts, joint school districts, and joint union school districts or high school district of any kind or class, including city high school districts, union high school districts and joint union high school districts,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 812—An act confirming and validating the organization of school districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "county" insert the words "or board of education, or other governing body."

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after the word "class", insert the words "including union school districts and joint school districts, joint union school districts or high school districts of any kind or class, including city high school districts, union high school districts and joint union high school districts,"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1114—An act to amend an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 13, before the word "except", insert "and thereafter appointments shall be made for a period of four years".

AMENDMENT NUMBER TWO.

On page 4, line 52, after comma insert the following words: "or veterinarians employed full time by the California department of agriculture".

AMENDMENT NUMBER THREE

On page 4, line 46, strike out the word "who" and insert the word "to".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Page 1, strike out all of lines 17, 18, 19 and 20, down to and including the word "act" in line 20 of the printed bill and insert in lieu thereof, the following, "Such petition shall set forth the extent of the district, either by describing its exterior boundaries, or by naming the counties proposed to be included therein, and in case only part of any county is proposed to be included therein, the extent of the part of the county included may be indicated by naming the county and excepting therefrom, some administrative or governmental subdivision or subdivisions thereof, such as townships, school districts or other similar subdivisions, or such excluded portion may be described by its boundaries, and in any of said descriptions of included or excluded territory, reference to recorded instruments may be made for the purpose of defining such boundaries, and shall contain a prayer that such proposed bridge and highway district be incorporated under the provisions of this act Attached to at least one of said petitions from each county, shall be an ordinance passed by its board of supervisors, or by its electors under the provisions of the initiative applicable to the passage of ordinances in such county or city and county, reciting the circulation of the petition in the county or city and county and setting forth the consent of such county or city and county to the formation of the bridge and highway district and the inclusion therein of such county or city and county. The said ordinance may be enacted by the board of supervisors at any time after application shall be made to them for such purpose, but in case such board shall neglect to act upon such application for a period of sixty days thereafter, the said ordinance may be submitted to the electors of such county or city and county under the provisions of the initiative applicable thereto. In case said ordinance shall be passed by the board of supervisors, it shall be subject to the referendum provisions applicable to ordinances generally in such county or city and county"

AMENDMENT NUMBER TWO

Page 5, line 36, strike out the blank space "_____" and insert in lieu thereof the word "twenty."

AMENDMENT NUMBER THREE.

Page 5, line 42, insert after the word "manager" a comma and the words "an auditor."

AMENDMENT NUMBER FOUR.

Page 5, line 45, insert after the word "manager," the word "auditor."

AMENDMENT NUMBER FIVE.

Page 5, line 47, strike out the word "good", and also strike out all of lines 48, 49 and 50, and insert in lieu thereof the words "the pleasure of the board."

AMENDMENT NUMBER SIX.

Page 6, lines 15 and 16, strike out the words "upon the recommendation of the general manager."

AMENDMENT NUMBER SEVEN.

Page 6, line 18, strike out the words "appoint an auditor" and insert in lieu thereof the words "with the approval of the board of directors appoint.".

AMENDMENT NUMBER EIGHT

Page 7, line 4, after the word "To" insert the words "acquire by purchase, gift or condemnation, or to".

AMENDMENT NUMBER NINE

Page 7, line 45, strike out the period at the end of the line and insert in lieu thereof a comma and the following words "and to enter into contracts with public or private persons, officers or corporations whereby the facilities constructed by the district may be made use of by such persons officers, or corporations, and at the tolls, charges or for the consideration fixed by such contracts."

AMENDMENT NUMBER TEN.

Page 9, line 30, strike out the period and insert in lieu thereof a semi-colon and the words "provided that no taxes shall be levied by the board under the provisions of this section for the purpose of carrying out new projects after the original project for which the district was formed has been completed."

AMENDMENT NUMBER ELEVEN.

Page 4, line 34, strike out the word "three" and insert in lieu thereof the word "five".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of lines 3, 4, 5, 6 and 7, and insert in lieu thereof the following: "by donation, lease or purchase rights of way, camp sites, land, streams, lakes or trees and ground necessary for the culture and support thereof on or along the course of any state highway or any public highway and in excess of three hundred feet therefrom, in any case where the acquisition of such rights of way, camp sites, land, streams, lakes and trees".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 683—An act to amend sections 12, 14 and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill after the word "amend" strike out all the remainder of the title and insert the following: "An act entitled, 'An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California,' approved April 5, 1917, by amending sections twelve, fourteen, fifteen, twenty-two, and twenty-seven and by adding a new section numbered section forty-three."

AMENDMENT NUMBER TWO.

On page 2, line 4 of the printed bill, after the word, "may" strike out the words "declare its intention" and insert the word 'determine"

AMENDMENT NUMBER THREE.

On page 2, line 5, after the word "assess" insert the words 'not to exceed".

AMENDMENT NUMBER FOUR.

On page 2, line 7, after the word "act" strike out the remainder of line "7" and all of lines "8 to 18 inclusive

AMENDMENT NUMBER FIVE.

On page 2, line 21, add two new sections as follows:

"Sec. 15. Upon the conclusion of said hearing said board of directors shall make an order determining the amount of the benefits to accrue to the state and to each county comprising the district and to the people residing therein and may also determine the amount of assessment not to exceed one-fourth of said estimated cost, to

be assessed upon lands in private ownership as may be benefited by the construction of said proposed road, in proportion to the benefits so to accrue, in a sum equal to said estimated cost or so much thereof as may be necessary but said estimated cost if deemed excessive may be reduced to such amount as the board of directors shall deem proper. The amount of the assessment shall be certified to and transmitted to the state board of control and to the boards of supervisors of the counties constituting the district. In case any portion of said estimated cost is determined by said board to be assessed to the land in private ownership in said district said board shall proceed to form a highway assessment district as in the manner hereinafter provided in this act but said board, if it so determines, need not take any proceedings towards the formation of said district until the assessments against the state and the counties, respectively, have been finally fixed and determined as provided in sections sixteen and seventeen of this act.

SEC. 4. Section twenty-two of said section is hereby amended to read as follows

Sec. 22 If the board of directors in making an assessment shall determine the assess a portion thereof upon the lands in private ownership which will be benefited by the construction of the highway hereinafter provided, said board of directors after determining that such lands in private ownership shall be benefited by the construction of such highway shall adopt a resolution of intention substantially in the following form:

RESOLUTION OF INTENTION

WHEREAS, It appears to the satisfaction of the board of directors of joint highway district number _____ of the State of California, that land under private ownership will be benefited by the construction of a highway provided for in an act entitled: "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California, therefore be it

Resolved, That it is the intention of the board of directors of said joint highway district to create a highway assessment district to comprise all the land under private ownership within the following boundaries to-wit (Here set forth the boundaries of the proposed district.)

Further Resolved, That it is the intention to assess the sum of $_____, being a _____ part of the estimated cost of said highway construction as appears upon the report of the district engineer filed in the office of the board of directors of said district, upon the land within the boundaries of said proposed district as herein described in the manner provided in said act,

Further Resolved, That _____ the _____ day of _____, 19____, at the hour of _____ at (meeting place of the board of directors) is hereby fixed as the time and place for hearing all objections that may be made to the creation of said district or the amount of benefits to be assessed as aforesaid, also to hear and determine all claims for damages that may result from the construction of the highway aforesaid

Reference to the aforesaid report of the district engineer for further particulars is here made

Adopted by the board of directors of joint highway district number _____ of the State of California, this _____ day of _____, 19____.

_____ _____ _____

Directors.

Time for hearing The time of hearing shall be not less than thirty nor more than forty days from the date of the adoption of the above resolution."

AMENDMENT NUMBER SIX.

On page 2, line 19, "Section 3" should read "Section 5".

AMENDMENT NUMBER SEVEN

On page 2, line 24 after the word "imposed" insert the words "*provided, however*, the total amount of the assessment proposed to be imposed shall not be reduced more than two per cent (2%) of the amount thereof".

AMENDMENT NUMBER EIGHT

On page 2, line 52, after the word "modified" insert the following "as in this section provided".

AMENDMENT NUMBER NINE

At the end of the printed bill add the following new section:

"SEC. 6 A new section numbered section forty-three, is hereby added, to read as follows

Where in any joint highway district, organized and existing under the provisions of this act, proceedings have been taken for the making of any assessment or for the issuance of revenue bonds as in this act provided, all of such acts and provisions leading up to and including the making of said assessment or the issuance of said bonds, if said assessments have heretofore been made or said bonds have heretofore been sold, and all such acts and provisions heretofore had for the making of said assessment or the issuance of said bonds not yet sold, are hereby legalized ratified, confirmed and declared validated to all intents and purposes and the power of said

joint highway district and the board of directors thereof to make said assessment and to issue said bonds is hereby ratified, confirmed and declared, and said assessment is hereby declared to be legal and valid, and the bonds already sold are declared to be, and the bonds hereafter sold shall be, the legal and binding obligation of and against said joint highway district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 487—An act to declare a certain road between Bakersfield and Mojave, a State highway and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out all of line 1 of the title of the printed bill following the word "act", all of lines 2 and 3 thereof, and insert in lieu thereof the following: "declaring and establishing a state highway between Bakersfield and Mojave, in Kern county".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 following the period, all of lines 2 to 31, both inclusive, and insert in lieu thereof the following: "That certain highway beginning at the easterly city limits of Bakersfield and continuing in a general southeasterly direction along the present county highway through Edison, Tehachapi and Monolith, to Mojave is hereby declared to be and the same is hereby constituted a state highway, and the same is hereby placed under the supervision and control of the California highway commission of the state department of public works; *provided*, that the said state department of public works acting by and through said California highway commission, is empowered and authorized to make all necessary surveys for and to change the route and location of said highway between the said termini whenever and wherever and to such extent as it may deem such action expedient and in making any such change or route or location it may in its discretion, by formal resolution vacate or abandon as state highway the whole or any portion of said county highway between said termini which may not be included within such changed route or location."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of lines 5, 6, 7 and 8, and insert in lieu thereof the following: "by a judge of the superior court of the county in which said notary is commissioned to act. After approval the said bond must be recorded in the".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the figures 2168 insert the following: 'Insanity, affidavit for arrest for, warrant of arrest. Certificate of service. Whenever it appears by affidavit to the satisfaction of a magistrate of a county, or city and county, that any person therein is so far disordered in his mind as to endanger health, person, or property, he must issue and deliver to some peace officer, for service, a warrant directing that such person be arrested and taken before a judge of the superior court of the county, for a hearing and examination on such charge. Such officer must thereupon arrest and detain such person until a hearing and examination can be had, as hereinafter provided. At the time of the arrest a copy of said affidavit and warrant of arrest must be personally delivered to said person. Such affidavit and warrant shall be in substantially the following form:

In the_____Court,
Of_____,
_____County of_____, State of California.

AFFIDAVIT OF INSANITY

In the Matter of_____, an alleged insane person.

State of California }
_____County of_____, } ss.

_____, being duly sworn, deposes and says that there is now in said county, in the city or town of_____, a person named_____, who is insane, and is so far disordered in mind as to endanger the health, person, or property of h__self, or of others, and that __he at_____in said county, on the_____day of_____, 19__, threatened and attempted (state actions etc.).

_____

_____

That by reason of said insanity, said person is dangerous to be at large.

Wherefore, affiant prays that such action may be had as the law requires in the cases of persons who are so far disordered in mind as to endanger health, person, the property.

_____

Subscribed and sworn to before me, this_____day of_____19__.

WARRANT OF ARREST.

In the_____Court, _____County of_____,
State of California.

In the Matter of }
_____, }
An alleged insane person }

The People of the State of California, to any Sheriff, Constable, Marshal, Policeman or Peace-officer, in this State;

The affidavit of_____, having been presented this day to me, _____, county of_____, State of California, from which it appears that there is now in this county, at_____a person by the name of _____, who is insane, and who is so disordered in mind as to endanger h____ own health, person, and property (or the person, lives, and property of others), and that it is dangerous for said person to be at large;

And it satistactorily appearing to me that said_____is insane, and so far disordered in h___ mind as to endanger health, person, and property;

Now, therefore, you are commanded forthwith to arrest the above named person, and take h___ before a judge of the superior court of the said_____county of_____for a hearing and examination on the said charge of insanity.

And I hereby direct that a copy of this warrant, together with a copy of said affidavit, be delivered to said_____, at the time of h___ arrest; and I further direct that this warrant may be served at any hour of the night.

Witness my hand, this_____day of_____, 19__.

I hereby certify that I received the above warrant of arrest on the_____day of_____, 19__, and served the said warrant by arresting the said_____ alleged to be insane, and bringing h___ before_____, judge of the superior court of said_____county of_____, on the_____day of_____, 19__; and I further certify that I delivered a copy of said warrant of arrest, together with a copy of the affidavit of insanity, as directed in said warrant, personally to said_____, at the time of the arrest.

_____

_____

_____

He must be taken before a judge of the Superior court, to whom said affidavit and warrant of arrest must be delivered to be filed with the clerk. The judge must then inform him that he is charged with being insane, and inform of his rights to make a defense to such charge and produce any witnesses in relation thereto. The judge must by order fix such time and place for the hearing and examination in open

court as will give reasonable opportunity for the production and examination of witnesses. Said order must be entered at length in the minute book of the court, or must be signed by the judge and filed, and a certified copy of the said order must be served on such person. The judge may also order that notice of the arrest of such person and of the hearing on the said charge of insanity be served on such relatives of said person known to be residing in the county, as the court may deem necessary or proper."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment; commitment, form of.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the figures 2171, insert the following: "Judgment, Commitment, form of. The judge, after such examination and certificate made, if he believes the person so far disordered in his mind as to endanger health, person, or property, must adjudge him insane, and make and sign an order that he be confined in a hospital for the care and treatment of the insane, designated in such order, and the order must be accompanied by a written statement of the judge as to the financial condition of the insane person and of the persons legally liable for his maintenance, as far as can be ascertained. Such order and statement shall be in substantially the following form and shall be filed with the clerk.

JUDGMENT OF INSANITY AND ORDER OF COMMITMENT OF INSANE PERSONS.

In the Superior Court of the _____ County of _____, State of California.

In the Matter of
_____
An alleged insane person

On this _____ day of _____, A.D. 19__, _____, a person alleged to be insane, was brought before me in open court, for a hearing and examination on a charge of insanity, on the affidavit of _____, charging h__ with insanity, made before, and on a warrant of arrest issued thereon by_____, a magistrate of said _____ county of _____, and upon the order of this court, fixing time and place for the hearing and examination of said charge, made in open court, and it appearing to the court that said alleged insane person, when said order was made, was then and there personally present in open court, and was then and there informed by the court that __he was charged with being insane, and of h__ rights to make a defense to such charge, and of his right to be represented by counsel, and to produce witnesses on h__ behalf, and to have subpoenas issued to compel the attendance of witnesses, and was further informed that, if at such hearing and examination, __he should be ordered committed, that __he might, within five days after the making of such order of commitment, demand that the question of h__ insanity be tried by a jury before said superior court.

And it further appearing to the court, that the original order fixing time and place for said hearing and examination, was entered in the minutes of the court by the clerk thereof, and a duly certified copy of said order was duly served on said alleged insane person, and upon _____, relatives of said alleged insane person, residing in said _____ county of _____, as were deemed by the court necessary or proper persons to be served with notice of the arrest of said alleged insane person, and of the hearing on said charge of insanity.

At said hearing and examination, said alleged insane person was represented by _____, an attorney of this court (appointed by the court for that purpose).

The court thereupon, in open court, proceeded with the hearing and examination of said alleged insane person, and _____ were sworn and examined as witnesses in regard to the mental condition of said alleged insane person, h__ financial condition, and that the persons liable for h__ care, support, and maintenance.

At said hearing and examination, there were in attendance, _____ and _____, two regularly appointed and qualified medical examiners of said _____ county, who then and there heard the testimony of all the witnesses, and each of whom made a personal examination of said alleged insane person,

and testified before the court as to the results of such examinations, and other pertinent facts within their knowledge.

Said medical examiners after making the examination and hearing the testimony of the witnesses and testifying as aforesaid, did make a certificate showing all the facts required by section two thousand one hundred seventy of the Political Code, which certificate is hereto attached and made a part hereof.

_____
_____
_____
_____

Now, therefore, after such examination and certificate made as aforesaid, the court being satisfied from the testimony of said witnesses, and of the truth of the matter set forth in said certificate, that said _____ is insane, and is so far disordered in mind as to endanger health, person, and property, and that it is dangerous for life, health, person, and property, for such person to be at large, and that h__ condition is such as to require care and treatment in a hospital for the care and treatment of the insane.

It is therefore ordered, adjudged, and decreed, that said _____ is insane, and that __he be committed to and confined in the _____ State hospital, at _____, California.

It is further ordered and directed, that _____, sheriff of the _____ county of _____, take, convey, and deliver said _____ to the proper authorities of said hospital, to be held and confined therein as an insane person.

The sum of _____ dollars having been found on the person of said person at the time of h__ arrest, and said sheriff is ordered to take possession of the same and deliver it to the medical superintendent of said institution with said insane person.

Done in open court this _____ day of _____, 19__.

_____
Judge of the Superior Court, _____ County of _____, State of California.

STATEMENT OF FINANCIAL ABILITY.

As to the ability of said _____ to pay for h__ care and support at the hospital, I find on diligent inquiry that said _____ is possessed of real estate of the estimated value of _____ situated in _____ and of the following description. _____ also the following described personal property. _____ that the income from said property is as follows: _____ that said _____ is able to pay the sum of _____ per month _____ for h__ care and support at the _____ Name and address of guardian: _____ residing at _____.

Or

That said _____ has relatives as follows _____, residing at _____ residing at _____ _____ residing _____. That said relatives are financially able to pay for the care and support of said _____, at the hospital, the sum of _____ per month.

Dated _____, 19__.

_____
Judge of the Superior Court, _____ County of _____, State of California.

The county clerk shall keep an index, alphabetically arranged, which shall show the name and age of each person examined as to his or her sanity, the date of the order of commitment and the name of the hospital to which the person was committed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, after the period, after the figure 1, strike out all of sections 1, 2, 3, 4, and 5, and insert in lieu thereof the following:

"SECTION 1. A blacklist is hereby defined and declared to be any understanding

or agreement whereby the name of any person or persons, lists of names, description or other means of identification shall be spoken, written, printed, or implied for the purpose of being communicated or transmitted between two or more employers of labor, their bosses, foremen, superintendents, managers, officers or other agents, whereby the laborer is prevented or prohibited from engaging in a useful occupation. Any understanding or agreement between employers, their bosses, foremen, superintendents, managers, officers or other agents, whether written or verbal, or whether the employers, their bosses, foremen, superintendents, managers, officers or other agents, act individually or for some company, corporation, syndicate, partnership or society, or whether they are employed or acting as agents for one and the same or different companies, corporations, syndicates, partnership or societies, shall come within the meaning of this act.

SEC. 2. Any employer, boss, superintendent, manager, officer or other agent, who shall compile, maintain or use a blacklist as herein defined, or who shall discharge any person, or persons because of any blacklist by any former employer, shall be guilty of a misdemeanor.

SEC. 3. Any individual company, corporation, syndicate, partnership or society, who shall blacklist one or more than one person, is guilty of a separate and distinct violation of the provisions of this act for each and every person so blacklisted.

SEC. 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "The", and in lieu thereof insert the following "Unless otherwise provided by law the".

AMENDMENT NUMBER TWO

On page 1, line 17, of the printed bill, after the word "situated" insert the following "or in a county contiguous to said county.".

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure relating to notices to relatives of persons under guardianship.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill strike out the word "or" and insert in lieu thereof the word "of".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyances of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts

and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, strike out the comma after the word "crops".

AMENDMENT NUMBER TWO.

In line 5 of the printed bill, after the words "crops and", insert the word "of".

AMENDMENT NUMBER THREE.

In line 6 of the printed bill, strike out the words "expert entomologists" and insert in lieu thereof the word "experts".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

Assembly Concurrent Resolution No. 13 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 13 adopted by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Carter, Christian, Cleary, Cleveland, Connolly, Davis, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Jones, Lyman, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Prendergast, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 13 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District.

WHEREAS, There is a large number of landowners in the Sacramento-San Joaquin Drainage District interested in Sutter-Butte By-Pass Project No. 6 who are dissatisfied with the expenditures which have been made and are being made by the State Reclamation Board in Sutter-Butte By-Pass Project No. 6; and,

WHEREAS, Such landowners who are vitally concerned in and affected by the carrying out of such project and in the expenditures which are being made thereon are demanding correct statements and information concerning such expenditures, and,

WHEREAS, It is for the best interests of the State Reclamation Board, of such landowners themselves and of the general public to find out and be informed whether such dissatisfaction is based upon misinformation or ignorance in order that the State Reclamation Board may be restored to a position of confidence or whether such complaints are based upon facts in order that a remedy may be found through legislative action; therefore, be it

Resolved by the Assembly, the Senate concurring, That the President of the Senate shall appoint two members and the Speaker of the Assembly shall appoint three members who shall act as a committee of the Legislature to investigate the matters herein referred to and of affording such landowners and any persons interested an opportunity of presenting their complaints and their suggestions as to remedies, and be it further

Resolved, That the committee shall have the power to employ such assistants as it may deem necessary and that the expenses incurred in such investigation, not to exceed the sum of six hundred dollars, shall be paid equally by the Senate and Assembly out of their respective contingent funds

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, as amended, by adding a new section to be numbered 22*a*, relating to maintenance of public schools in detention homes.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Ball moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill after the words "public school" insert the words "and of a secondary public school".

AMENDMENT NUMBER TWO

On page 2, line 15, of the printed bill, strike out the word "school" after the words "and the" and insert in lieu thereof the word "schools"

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, after the word "district" insert the following "and of the high school districts, respectively,".

AMENDMENT NUMBER FOUR.

On page 2 line 20, of the printed bill, after the word "elementary" add the words "and secondary".

AMENDMENT NUMBER FIVE

On page 2, line 20, of the printed bill, strike out the word "district" and insert in lieu thereof the following "districts".

AMENDMENT NUMBER SIX.

On page 2, line 26, of the printed bill, strike out the words "The board" and insert in lieu thereof the words "Either school board"

AMENDMENT NUMBER SEVEN.

On page 2, line 26, of the printed bill, strike out the word "such" and insert in lieu thereof the word "its".

AMENDMENT NUMBER EIGHT.

On page 2, line 28, of the printed bill, strike out the words "a school has" and insert in lieu thereof the words "schools have".

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed bill, strike out the word "district" and insert in lieu thereof the word "districts".

AMENDMENT NUMBER TEN.

On page 2, lines 34 and 35, of the printed bill, strike out the words "board of school trustees or city board of education of the district" and insert in lieu thereof the words "governing bodies of the school districts".

AMENDMENT NUMBER ELEVEN.

On page 2, line 37, of the printed bill, strike out the word "the" before the word "district" and insert in lieu thereof the word "each".

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, strike out all of lines 41 to 47, both inclusive, and insert in lieu thereof the following: "3. The governing bodies of the school districts shall provide all supplies for their respective schools and shall furnish such teachers as are needed to conduct accredited schools. The teachers shall be under the jurisdiction of the regular school officials and shall make such reports as are required by law."

AMENDMENT NUMBER THIRTEEN.

On page 2, line 48, of the printed bill, after the word "attendance" insert the words "of each school".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 3, of the printed bill, strike out the word "such" and insert in lieu thereof the words "the elementary".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 4, of the printed bill, between the words "the" and "district" insert the word "elementary".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 7, of the printed bill, strike out the word "said" and insert in lieu thereof the words "the elementary".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 8, of the printed bill, insert after the period the following: "The amount of money to be received by the high school district from the state and county school funds because of the maintenance of a secondary school at any detention home shall be determined as in the case of other schools maintained by such district."

AMENDMENT NUMBER EIGHTEEN.

On page 3, of the printed bill, strike out lines 9 to 16, both inclusive, and in lieu thereof insert the following:

"5. The board of supervisors of the county may agree with the governing body of the respective districts in which the detention home is, or may be located, to transfer from the general fund of the county to the current expense fund of such districts such sums in excess of the amount of money received from the state and county school funds by each district as are necessary to maintain its school in the detention home."

Motion carried.

The Speaker appointed Mr. Ball as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 2, with instructions, reports that the instructions of the Assembly have been carried out.

BALL, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 548 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fulwider, Hawes, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

MOTION.

Mr. Fulwider moved that Assembly Bill No. 182 by Mr. Cleveland be taken up for consideration at this time.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED EIGHTY-TWO.

Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182 passed by the following vote:

AYES—Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Foster, Fulwider, Hawes, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Connolly asked for and was granted unanimous consent to take up Senate Bill No. 463, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-THREE.

Senate Bill No. 463—An act to amend section 15½ of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 463 finally passed by the following vote:

AYES—Baker, Edwin Ball, Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 18 passed by the following vote:

AYES—Baker, C C Baker, Edwin · Ball, Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 34 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property

necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 397 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McMillan, Miller, Moore, Noyes, Pomeroy, Roberts, Rock, Saylor, Scott, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mrs. Dorris asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 13, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

Senate Concurrent Resolution No. 13—Relative to reports of the department encampment of the Grand Army of the Republic.

Senate Concurrent Resolution No. 13 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 13 finally adopted by the following vote:

AYES—Baker, C. C., Baker, Edwin, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 13 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 13

Relative to reports of the department encampment of the Grand Army of the Republic

Resolved by the Senate, the Assembly concurring. That there shall be printed as a public document five hundred copies of the fifty-sixth session of the department encampment of the Grand Army of the Republic for the year 1923, and of each succeeding department encampment, together with illustrations, copies of general orders of the department, two hundred fifty copies for the use of the Senate and two hundred fifty copies for the use of the Assembly. Annual cost not to exceed five hundred dollars, payable from legislative printing appropriation.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1086 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Carter, Christian, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVENTEEN.

Senate Concurrent Resolution No. 17—Relative to leave of absence of E. L. Dow from the State of California.

Senate Concurrent Resolution No. 17 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 17 finally adopted by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 17 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 17.

Relative to leave of absence of E. L. Dow from the State of California.

Resolved by the Senate, the Assembly concurring, That leave of absence from the State of California for a longer period than sixty (60) days during his term of office is hereby granted to E. L. Dow, who is one of the trustees of Reclamation District No. 108, also one of the commissioners of Knights Landing Ridge Drainage District, and also one of the commissioners of the Sacramento River West Side Levee District.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 824 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carter, Christian, Clarke, Cleveland, Connolly, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Pomeroy, Prendergast, Roberts, Rock, Saylor, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 975 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Scott, Spalding, Spence, Weller, West, Williams, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Eksward moved that the hour of recess be extended.

Motion carried.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Johnston:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States Army and the board of engineers for rivers and harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs, and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Referred to Committee on Introduction of Bills.

MOTION TO WITHDRAW BILL.

Mr. Eksward moved that Assembly Bill No. 739 be withdrawn from the Committee on Engrossment and Enrollment, for the purpose of amending.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED THIRTY-NINE.

Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Eksward moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill strike out all of lines 27 to 36, inclusive, and insert in lieu thereof the following

"27 All that portion of the county of Los Angeles embraced within and comprising the following election precincts as of January 1, 1923, to wit: Los Angeles city precincts numbers six, seven, eight, nine, ten, eleven, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one, eighty-two, eighty-three, eighty-four, eighty-eight, eighty-nine, ninety, ninety-one, ninety-eight, two hundred seventy-seven, two hundred seventy-eight, two hundred eighty, two hundred eighty-one, two hundred eighty-two, two hundred eighty-three, two hundred eighty-four, two hundred eighty-five, two hundred eighty-six, two hundred eighty-seven, two hundred eighty-eight, two hundred eighty-nine, two hundred ninety, two hundred ninety-one, two hundred ninety-two, two hundred ninety-three, two hundred ninety-four, two hundred ninety-five, *two hundred ninety-six, two hundred ninety-seven, two hundred ninety-eight,* seven hundred sixty-one, seven hundred sixty-two, seven hundred sixty-three, seven hundred sixty-four, seven hundred sixty-five, seven hundred sixty-six, seven hundred sixty-seven, seven hundred sixty-eight, seven hundred sixty-nine, seven hundred seventy, seven hundred seventy-one, seven hundred seventy-two, seven hundred seventy-three seven hundred seventy-four, seven hundred seventy-five, seven hundred seventy-six, seven hundred seventy-seven, seven hundred seventy-eight, seven hundred seventy-nine, seven hundred eighty, seven hundred eighty-one, seven hundred eighty-two, seven hundred eighty-three, seven hundred eighty-four, seven hundred eighty-five, seven hundred eighty-six, seven hundred eighty-seven, seven hundred eighty-eight, seven hundred eighty-nine, seven hundred ninety, seven hundred ninety-one, seven hundred ninety-two, seven hundred ninety-three, seven hundred ninety-four, seven hundred ninety-five, seven hundred ninety-six, seven hundred ninety-seven, seven hundred ninety-eight, seven hundred ninety-nine, eight hundred, *eight hundred one, eight hundred two, eight hundred three, eight hundred four, and* eight hundred five shall constitute the twenty-seventh senatorial district.

28 All that portion of the county of Los Angeles embraced within and comprising the fifty-second and fifty-sixth assembly districts as designated and constituted by section ninety of this code and all that portion of said county included within and comprising the following election precincts as of January 1, 1923, to wit Nithsdale, Annandale numbers one, two and three, and Los Angeles City precincts numbers eight hundred six, eight hundred seven, eight hundred eight, eight hundred nine, eight hundred ten, eight hundred eleven, eight hundred twelve, eight hundred thirteen, eight hundred fourteen, eight hundred fifteen, eight hundred sixteen, eight hundred seventeen, eight hundred eighteen, eight hundred nineteen, eight hundred twenty, eight hundred twenty-one, eight hundred twenty-two, eight hundred twenty-three, eight hundred twenty-four, eight hundred twenty-five, eight hundred twenty-six, eight hundred twenty-seven, eight hundred twenty-eight, eight hundred twenty-*nine, eight hundred thirty, eight hundred thirty-one, eight hundred thirty-two,* eight hundred thirty-three and eight hundred thirty-four shall constitute the twenty-eighth senatorial district

29 All that portion of the county of Los Angeles embraced within and comprising the fifty-seventh and fifty-ninth assembly districts as designated and constituted by section ninety of this code and all that portion of said county included within and comprising the following election precincts as of January 1 1923, to wit Belvedere numbers one, two, three, four and five, and Los Angeles city precincts numbers three, four, five, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen twenty-nine thirty, thirty-one thirty-two, thirty-three, thirty-four, thirty-five thirty-six thirty-seven, thirty-eight thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six forty-seven, forty-eight, forty-nine, and fifty shall constitute the twenty-ninth senatorial district.

30 All that portion of the county of Los Angeles embraced within and comprising *the fifty-third and sixty-ninth assembly districts as designated and constituted* by section ninety of this code shall constitute the thirtieth senatorial district.

31 All that portion of the county of Los Angeles embraced within and comprising the sixty-fourth and sixty-eighth assembly districts as designated and constituted by section ninety of this code shall constitute the thirty-first senatorial district

32. All that portion of the county of Los Angeles embraced within and comprising the sixty-third assembly district as designated and constituted by section ninety of this code and all that portion of said county included within and comprising the following election precincts as of January 1, 1923, to wit Los Angeles city precincts

numbers three hundred forty-six, three hundred forty-seven three hundred forty-eight, three hundred seventy-five, three hundred seventy-six, three hundred seventy-seven, three hundred seventy-eight, three hundred seventy-nine, three hundred eighty, three hundred eighty-one, three hundred eighty-two, three hundred eighty-three, three hundred eighty-four, three hundred eighty-five, three hundred eighty-six, three hundred eighty-seven, three hundred eighty-eight, three hundred eighty-nine, three hundred ninety, three hundred ninety-one, three hundred ninety-two, three hundred ninety-three, three hundred ninety-four, three hundred ninety-five, four hundred one, four hundred two, four hundred three, four hundred four, four hundred five, four hundred six, four hundred seven, four hundred eight, four hundred nine, four hundred ten, four hundred eleven, four hundred twelve, four hundred thirteen, four hundred fourteen, four hundred fifteen, four hundred sixteen, four hundred seventeen, four hundred eighteen, four hundred nineteen, four hundred twenty, four hundred twenty-one four hundred twenty-two, four hundred twenty-three, four hundred twenty-four, four hundred twenty-five, four hundred twenty-six, four hundred twenty-seven, four hundred sixty-six, four hundred sixty-seven, seven hundred fifty-eight, and seven hundred sixty shall constitute the thirty-second senatorial district

"33. All that portion of the county of Los Angeles embraced within and comprising the fifty-eighth and seventy-second assembly districts as designated and constituted by section ninety of this code shall constitute the thirty-third senatorial district.

"34. All that portion of the county of Los Angeles embraced within and comprising the sixty-sixth assembly district as designated and constituted by section ninety of this code and also all that portion of said county bounded as follows Beginning at the intersection of the center lines of Eleventh street and Hoover street in the city of Los Angeles, thence along the center line of the following named streets, to wit Hoover street to Jefferson street, Jefferson street to Grand avenue, Grand avenue to Twenty-first street, Twenty-first street to Central avenue, Central avenue to Vernon avenue, Vernon avenue to the easterly boundary line of the city of Los Angeles thence in a northerly direction along said boundary line to the southerly charter boundary line of the city of Los Angeles where the same intersects with the center line of Alameda street, Alameda street to Fifteenth street, Fifteenth street to Central avenue, Central avenue to Pico street, Pico street to San Pedro street, San Pedro street to Eleventh street, Eleventh street to Hoover street the place of beginning, shall constitute the thirty-fourth senatorial district.

"35 All that portion of the county of Los Angeles bounded as follows Beginning at the intersection of the center lines of Eleventh street and Hoover street in the city of Los Angeles, thence along the center line of the following named streets, to wit Hoover street to Tenth street, Tenth street to Vermont avenue, Vermont avenue to Temple street, Temple street to Virgil street, Virgil street to Temple street, Temple street to Edgeware road, Edgeware road to Marion avenue, Marion avenue to Sunset boulevard, Sunset boulevard to Hill street, Hill street to Seventh street, Seventh street to Main street, Main street to Eleventh street, Eleventh street to Hoover street, the place of beginning, shall constitute the thirty-fifth senatorial district

"36. All that portion of the county of Los Angeles embraced within and comprising the seventieth and seventy-first assembly districts as designated and constituted by section ninety of this code shall constitute the thirty-sixth senatorial district."

AMENDMENT NUMBER TWO

On page 17, line 52, of the printed bill, strike out the word "precinct" following the word "assembly" and insert in lieu thereof the word "district".

Motion carried.

The Speaker appointed Mr. Eksward as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No 739, with instructions reports that the instructions of the Assembly have been carried out.

EKSWARD, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO ADJOURN.

At twelve o'clock and eight minutes p m, Mr. Carter moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m Monday, April 9, 1923.

MOTION TO AMEND.

Mr. Erb offered the following substitute motion as an amendment to Mr. Carter's motion:

That the Assembly do now adjourn until the hour of ten o'clock a.m. Monday, April 9, 1923.

Mr. Carter accepted Mr. Erb's amendment.

The question being on Mr. Carter's motion to adjourn, as amended.

Motion lost.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts: and for the issuance of county waterworks bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 316 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard Broughton, Carter, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Jones, Lyman, McMillan, McPherson, Miller, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Spalding, Spence, Weller, West, Williams, Woodbridge, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 660 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Foster, Fulwider, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, McPherson Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Scott, Spalding, Spence, Weller, West, Williams, Woodbridge, and Mr Speaker—43.

NOES—Carter—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Jones, Lyman, McPherson, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Scott, Spalding, Spence, Weller, West, Williams, Woodbridge, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Senate Bill No. 68, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-EIGHT

Senate Bill No. 68—An act to amend sections 2, 3, 4, 6, 8, 9 and 10 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended; and to repeal sections 11, 12 and 13 of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 finally passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Broughton, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Scott, Spalding, Spence, Weller, West, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 761 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 143 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 949 was passed be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Eksward, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, April 9, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 9, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Bernard, Mr. Carter was granted leave of absence for the day.

On motion of Mr. Erb, Mr. Fellom was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Crittenden, Mr. H. H. Conklin of Tracy was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Mr. Frank Sanders, editor of the Lincoln "News-Messenger," was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. McPherson, Mr. Nathan F. Coombs of Napa was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Rock, Mr. William Lyons, President of the Hyde Street Improvement Association of San Francisco, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Burns, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal.

By Mr. Kline:

WHEREAS, The directors of the Water Conservation Association, also representatives of many irrigation companies and districts of San Bernardino, Riverside and Orange counties have met at Riverside California, this 15th day of March, 1923, and carefully considered and discussed the proposed act of the Legislature relating to storage and use of underground water, Assembly Bill No 1176, now, therefore, be it

Resolved, By said directors and other representatives of water users now assembled

That we appreciate and commend the desire of the Division of Water Rights to be of the greatest possible service to the people of California in dealing with the many water problems of the State

That we are opposed to the adoption of the said proposed act of the Legislature for the reason that in considering and discussing it we find many uncertainties arising in connection with its provisions and see many difficulties in its operation and believe that its adoption will tend to create confusion, uncertainty and conflict of interest rather than to clarify and simplify the matters with which it deals, and that we believe the problems connected with the underground storage and conservation of waters are being successfully worked out under present laws and under the varying conditions that exist in different localities

By Mr. Pomeroy:

WHEREAS, The State constitution grants county supervisors the same police power as to cities and this power is now being used in some counties to zone or district the unincorporated areas for the protection of home neighborhoods, industrial districts, etc now, therefore, be it

Resolved, That Assembly Bill No 1269, providing a protection for county zoning identical with the protection established by the Legislature of 1917 for city zoning, be endorsed by the California Conference on City Planning in State wide meeting assembled at the Los Angeles City Club March 17 1923, and that the members of the Legislature and the Governor be most strongly urged to enact this most needed legislation.

Unanimously adopted March 17, 1923

C. H CHENEY, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR SPEAKER, Your Committee on Engrossment and Enrollment has examined the following

Assembly Joint Resolution No 17—Relative to memorializing Congress to adopt a bill introduced by Hon John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states and for other purposes

Also Assembly Joint Resolution No 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor

Also Assembly Joint Resolution No 23—Relative to the destruction of perishable products, and live stock,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolutions ordered on file for adoption

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1080—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended,

Also Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such

funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Also, Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the department of education.

Also, Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property rights in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920;

Also: Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof.

Also: Assembly Bill No. 506—An act to regulate the sale and use of narcotic habit-forming drugs in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended.

Also, Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended;

Also: Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience by incorporated towns, incorporated cities and incorporated cities and counties.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof.

Also, Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices.

Also: Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805*c*, providing for the cancellation of assessments on certain lands of the State.

Also: Assembly Bill No. 1059—An act to appropriate money in the State Treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

Also: Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Also: Assembly Bill No. 1060—An act to appropriate money now remaining in the "Operators' License Fund" to the "Motor Vehicle Fund".

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands;

Also: Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California;

Also Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests;

Also: Assembly Bill No. 107—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents;

Also: Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER: Your Committee on Revision and Printing, to which was referred Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State blue book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

ROCK, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923

MR. SPEAKER: Your Committee on Mileage, to which was referred Assembly Bill No 921—An act to amend section 158 of the Political Code, relating to legal distances—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HAWES, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts;

Also Assembly Bill No. 472—An act to amend section 1588 of the Political Code relating to the appointment and election of union and joint union elementary school trustees;

Also: Assembly Bill No. 473—An act to amend sections 1589, 1589*a*, 1590, 1591, 1591*a* of the Political Code, and to repeal section 1589*b* of the Political Code, relating to union elementary school districts:
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 6, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on April 4 passed Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 18 read first time, and referred to Committee on County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Crittenden:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:
An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

Referred to Committee on Introduction of Bills.

By Miss Broughton:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1923.

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:
An act to appropriate the unexpended balance of the moneys heretofore appropriated under an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919.

Referred to Committee on Introduction of Bills.

MOTION TO RE-REFER.

Mrs. Woodbridge moved that Assembly Bill No. 159 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 159 re-referred to Committee on Judiciary.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

Bill read second time, ordered to engrossment, and third reading

SECOND READING OF SENATE BILL

Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and

letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M. D.," "D. C.," "D. O.," "N. D.," "Opt. D.," "D. S. C.," "Ph. C.," "Ph. D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COOMBS, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RECONSIDER.

Mr. Eksward moved that the consideration of Mr Carter's motion to reconsider the vote whereby Assembly Bill No. 761 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Eksward moved that the consideration of Mr. Carter's motion to reconsider the vote whereby Assembly Bill No. 143 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Eksward moved that the consideration of Mr. Hornblower's motion to reconsider the vote whereby Assembly Bill No. 949 was passed be continued until the next legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 2 of article IX of the constitution of the State of California, relating to the election of a superintendent of public instruction.

COMMITTEE AMENDMENT.

During reading of the constitutional amendment, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "salary" strike out the words "equal to that of the chief justice of the Supreme Court of the State of California," and insert in lieu thereof the words "of eight thousand dollars,".

Amendment adopted.

Assembly Constitutional Amendment No. 17 ordered to reprint, engrossment, and on file for adoption

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the word "of", insert the word "fifteen".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after the word "exceed", insert the word "ten".

AMENDMENT NUMBER THREE

On page 1, line 18, of the printed bill, after the word "exceeding", insert the word "twenty-five".

Amendments adopted.

Assembly Constitutional Amendment No. 25 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 2—Relative to inferior courts.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill after the dash in line 1 of the title, and insert in lieu thereof the following. "A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "*Resolved by the Senate, the Assembly concurring,*" and in lieu thereof insert the words: "*Resolved by the Assembly, the Senate concurring,*".

Amendments adopted.

Assembly Constitutional Amendment No. 2 ordered to reprint, engrossment, and on file for adoption.

SPECIAL ORDER SET.

On motion of Mr. Morrison, the consideration of Assembly Constitutional Amendment No. 6 was made a special order for Wednesday, April 11, 1923 at eleven o'clock a m.

Assembly Bill No. 879—An act to refer to its provisions as the general dairy law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the

manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 879 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 945 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Rosenshine, and Scott—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Bill read third time.

MOTION.

During the discussion, Mr. Morris moved that further consideration of Assembly Bill No. 1224 go over until the next legislative day and that same keep its place on the file.

Motion carried

Assembly Bill No. 100—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect", approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1268 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At eleven o'clock and twenty-three minutes a.m., the Speaker declared the Assembly at recess for the purpose of allowing the Aeolian Quartette of Chicago to render two vocal selections for the Assembly.

Aeolian Quartette of Chicago—Vivian M. Graves, Alice B. Lewis, Ethel E. Holterman, and Ailene H. Gilbert.

REASSEMBLED.

At eleven o'clock and thirty-one minutes a.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 941 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 942—An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 942 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 943 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Carlson, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Wright, and Mr. Speaker—52

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their

insurance carrier or how they have secured the payment of compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 260 passed by the following vote:

AYES—Ball, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, McDowell McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Spalding, Spence, Stevenot, Stow, West, Whitacre, Wright, and Mr. Speaker—50.

NOES—Baker, Edwin; and Graves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read third time.

RECESS.

At twelve o'clock noon, on motion of Mr. Spence, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

COMMUNICATION.

The following communication was read, and ordered printed in the Journal:

To the Members of the Assembly.

The family of the late Dr. G. H. Douglas acknowledges with deep appreciation your kind expression of sympathy.

MOTION TO CORRECT JOURNALS.

Mr. Eksward moved that the Journals of Monday, April 2, 1923, Tuesday, April 3, 1923, Wednesday, April 4, 1923, and Thursday, April 5, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors;

Also: Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk;

Also: Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to include reference to industrial institutions;

Also: Assembly Bill No. 817—An act to provide for the formation, management, maintenance and dissolution of county fire protection districts;

Also: Assembly Bill No. 371—An act to add a new section to the Political Code to be numbered 4221*a*, relating to the right of the county surveyor to enter upon private property in the performance of his duties;

Also: Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 889—An act to amend section 925 of the Penal Code, relating to grand juries;

Also: Assembly Bill No. 1249—An act to amend sections 851, 852, 857*a* and 858 of the Code of Civil Procedure, and to add two new sections to said code, to be numbered 860*a* and 860*b*, relating to justices' courts;

Also: Assembly Bill No. 775—An act to amend sections 1327, 1328, 1333, 1491, 1658 and 1664, all relating to procedure in probate matters;

Also: Assembly Bill No. 296—An act to amend sections 1327 and 1328 of the Code of Civil Procedure, relating to will contests;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeitures for noncompletion of work within period fixed by contract, and manner of payments; and repealing all acts and parts of acts inconsistent therewith;

Also: Assembly Bill No. 963—An act to amend sections 851 and 854 and to repeal section 858 of the Code of Civil Procedure, relating to pleadings in justices' courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion;

Also: Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays;

Also: Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257*a*, relating to the prohibiting of publication of indebtedness;

Also: Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class;

Also: Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees;

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms;

Also: Assembly Bill No. 974—An act to amend section 1931 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith";

Also Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class;

Also: Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list, providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices

Also: Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate, and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COOMBS, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 693—An act to amend section 4218 of the Political Code, relating to the making of maps and assessment block books;

Also: Senate Bill No 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors;

Also Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law,

Also: Senate Bill No 176—An act to add a new section to the Code of Civil Procedure, to be numbered 2036*a*, relating to foreign depositions;

Also Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes,
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for and was granted unanimous consent to take up Assembly Bill No. 478, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED SEVENTY-EIGHT.

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 3 to 10, both inclusive, and insert in lieu thereof the following:

"SEC. 2. No person shall practice radiography in the State of California except legally licensed physicians and surgeons or dentists, or those who shall have had a certificate of registration issued to him as provided in this act; *provided, however*, that the provisions of this act shall not prohibit the making of radiographs or the practice of radiography as defined in this act by any person legally licensed to treat the sick and afflicted in the State of California for himself or others so legally licensed to treat the sick and afflicted in the State of California, and upon their request to report his findings of the radiographic plates, films or other impressions so made, said report to be accompanied with the plates, films or other impressions on which the report is based."

Motion carried.

The Speaker appointed Mr. Hornblower as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 478, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Eksward: An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be

numbered 24½, providing for the annexation of unincorporated territory to a fire district.

By Mr. Cleveland: An act to amend section 1926 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the nineteenth class.

By Mr. Johnston. An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives document number eighty-one of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States army and the board of engineers for rivers and harbors and printed in rivers and harbors committee document number five, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

By Mr. Crittenden: An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fore insurance companies", approved April 1, 1897, as amended.

By Miss Broughton: An act to appropriate the unexpended balance of the moneys heretofore appropriated under an act entitled "An act to establish and institution for the confinement, care and reformation of delinquent women, to provide for its maintenance conduct and government, to provide for commitment and admission thereto, and to make and appropriation therefor", approved May 3, 1919

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotier, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Foster, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Eksward: Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cleveland: Assembly Bill No 1324—An act to amend section 19x26 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnston: Assembly Bill No. 1325—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Crittenden: Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

Bill read first time, and referred to Committee on Insurance.

By Miss Broughton: Assembly Bill No. 1327—An act to appropriate the unexpended balance of the moneys heretofore appropriated under

an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyman: Assembly Constitutional Amendment No. 52—Proposed amendment to article XIII of the constitution, relative to tax exemption.

Introduced, and referred to Committee on Revenue and Taxation.

THIRD READING OF SENATE BILLS.

Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleveland, Connolly, Crittenden, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 105 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 213—An act to amend section 628*b*, of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 213 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Emme, Erb, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 8—An act authorizing boards of supervisors of counties to establish and maintain museums.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 8 finally passed by the following vote:

AYES—Anderson, Baker, Edwin; Ball, Bernard, Bromley, Carlson, Clarke, Cleary, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Erb, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Wright—52.
NOES—Graves, and Mr. Speaker—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 19 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Davis, Dean, Dorris, Emme, Erb, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 33—An act to add a new section to the Code of Civil Procedure to be numbered section 349½, relating to the limitation of the time within which actions, in which the validity of proceedings for the annexation of territory to municipal corporations, or the consolidation of municipal corporations is contested, can be commenced.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Broughton, Burns, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 169 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Eksward, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 264—An act to amend sections 378 and 430 of the Code of Civil Procedure, and to add four new sections to the said code to be numbered respectively 379*a*, 379*b*, 379*c*, and 391, relating to joinder of parties to civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 264 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 265—An act to amend section 427 of the Code of Civil Procedure, relating to joinder of causes of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Scott,

Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Wright, and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 266—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 266 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Christian, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said Code to be numbered 301, relating to admission to the practice of law.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 269 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—58.
NOES—Johnston—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 270—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation and severance of actions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 270 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, McDowell, McPherson, Moore, Morrison, Pomeroy, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 181—An act to add a new section to the Penal Code, to be numbered section 1171, relating to the release of convicts on parole.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 181 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, West, and Woodbridge—49.

NOES—Anderson, Badham, Dawson, Kline, Lyman, Mitchell, A. G., Pomeroy, Smith, Weller, Wright, and Mr. Speaker—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 162—An act to amend section 1561 of the Code of Civil Procedure, relating to sale of property under direction or authority of testator.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 162 finally passed by the following vote:

AYES—Anderson, Badarocco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Christian, Cleary, Cleveland, Crittenden, Dean, Donohue, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Pomeroy, Reindollar, Rock, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN ROSENSHINE IN THE CHAIR.

At two o'clock and fifty minutes p.m., Hon. Albert A. Rosenshine, Assemblyman from the thirty-first district, was called to the chair.

Senate Bill No. 163—An act to add a new section to the Code of Civil Procedure, to be numbered 561, relating to attachment of personal property pending administration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 163 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleveland, Coombs, Croter, Davis, Dawson, Donohue, Dorris, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 164—An act to amend section 1386 of the Civil Code, relating to succession to property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 164 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Donohue, Dorris, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Wright—52.

NOES—Lyman—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 189—An act to repeal section 1527 of the Code of Civil Procedure, relating to probate sales of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 189 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, and Wright—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 190—An act to amend sections 1578 and 1579 of the Code of Civil Procedure, relating to probate petitions for leave to mortgage or lease.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 190 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Coombs, Davis, Dean, Donohue, Duval, Emme, Erb, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and seven minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Senate Bill No. 302—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleveland, Crittenden, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Jones, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell T. A., Moore, Morris, Mueller, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr Bromley moved that Assembly Bill No. 1040 be withdrawn from the file, and ordered re-referred to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 1040 re-referred to Committee on Motor Vehicles.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Graves asked for and was granted unanimous consent to take up Assembly Bill No. 939, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED THIRTY-NINE.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Graves moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "or", preceding the word "confined" and in lieu thereof insert the words "who is".

Motion carried.

The Speaker appointed Mr. Graves as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 939, with instructions, reports that the instructions of the Assembly have been carried out.

GRAVES, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

ANNOUNCEMENT.

Mr. Bernard announced the receipt of an invitation to the members of the Assembly to visit and have luncheon at the University Agricultural College at Davis, on Wednesday, April 11, 1923.

MOTION.

Mr. Eksward moved that the Assembly accept the invitation with thanks.

Motion carried

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER Your Committee on Banking, to which was referred Assembly Bill No. 887—An act providing for the formation and incorporation of rural credit unions or cooperative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Building and Loan Associations.

LYONS, Chairman.

The above reported bill ordered re-referred to Committee on Building and Loan Associations.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the city of Santa Cruz, county of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the twenty-eighth day of February, 1923—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of April, 1923, at two o'clock and forty-five minutes p m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 811—An act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of April, 1923, at two o'clock and forty-five minutes p.m.

ROBERTS, Chairman.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XIb, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind,

Also: Senate Bill No. 455—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 74 read first time, and referred to Committee on Corporations.

Senate Bill No. 455 read first time, and referred to Committee on Civil Service.

Senate Bill No. 490 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER SACRAMENTO, April 9, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921;

Also Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section five thereof;

Also Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class.

Also Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County.

Also Senate Bill No 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 592 read first time, and referred to Committee on Normal Schools.

Senate Bill No. 458 read first time, and referred to Committee on Education.

Senate Bill No. 135 read first time, and referred to Committee on County Government.

Senate Bill No. 625 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 90 read first time, and referred to Committee on Labor and Capital.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts;

Also: Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game;

Also. Senate Bill No. 248—An act to amend sections 7 and 8*a* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5*a*;

Also: Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869*a*, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or trustor against the grantee or grantees of the person so designated "trustee" or "as trustee";

Also. Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 235 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 405 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 248 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 63 read first time, and referred to Committee on Judiciary.

Senate Bill No. 215 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 13 read and referred to Committee on Constitutional Amendments.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Members of the Senate and Assembly.

A budget was presented to you on February first in compliance with the constitutional amendment adopted by the people at the last election It gave you a complete statement of all proposed expenditures for the ensuing biennial period, and an estimate of the revenues.

This budget was the only complete and comprehensive one ever prepared in this State. It contained full details and many items where former so-called budgets contained but one or two items for a department The presentation of this detail gave full and valuable information to you and to the people.

During the past few weeks you have held hearings where all persons interested have been permitted to appear and offer suggestions At the same time many hearings have been held by me and many others by the State Board of Control. At your hearings members of the State Board of Control have been present to explain the budget The result of all of these hearings has been to furnish information regarding State finance, to show the people the need of economy, and to prove that extravagance has been in vogue for many years.

Now that these hearings are over and all the suggestions offered have been considered, it is apparent that the new budget plan is a wise one; that the budget itself is fundamentally sound, that it has provided liberally for the various State institutions; that a few minor changes will place it above honest criticism, that the State must and can live within its income; and that the adoption of the budget suggestions will save the people millions of dollars.

It has been found possible to strike out items in the budget aggregating $1,272,820. An item of rent was duplicated, the burning of the Women's Home at Sonoma makes a support appropriation unnecessary, vocational rehabilitation support ends with the ensuing fiscal year, support for the Norwalk and Mendocino State hospitals and elementary and secondary schools was overestimated, and a reduction in the Department of Architecture was found possible.

It has been found necessary to revise a number of items in the budget. The Civil Service Commission has been given an increase which will make it possible for that body to function efficiently. As a staunch believer in civil service, I am anxious to preserve this beneficent principle of government I am strongly opposed to the attempt in certain quarters to return to the old spoils system. The Board of Health has been given an increase in order to take care of certain necessary humane functions This board now has a very liberal allowance and will be required to run economically.

The Industrial Welfare Commission has been given enough to conduct its affairs efficiently, if economy is practiced and political hangers on are eliminated

The State Harbor Commission has been given a large increase for salaries and support. It is my desire that this commission be allowed to expend the revenues of the harbor for support, improvements and bond settlement. The appropriation must be within the estimated revenue or else the general fund will be taxed While this commission is self-sustaining it must be run economically, as the people in the final analysis pay the tax to support the harbor.

The probable passage of a bill adding new duties to the Real Estate Commission makes it necessary to increase that appropriation.

Forestry has been given an increase in order to provide fire lookouts, maintenance of Humboldt Redwood Park, and the State Nursery. The Redwood Park Commission at Boulder Creek has been given a necessary increase. The Department of Agriculture has been given an increase in order to provide better control of pests and more aid for farming interests.

An increase has been given the teachers' colleges which is ample. It is naturally difficult for some of the persons connected with these institutions to forget the past era of reckless extravagance and to adjust themselves to the economy program desired by the people. These colleges must be conducted on a more conservative basis if they expect to continue in public favor. I believe the heads of these colleges recognize the necessity for retrenchment and will cooperate to give the budget a fair trial.

The California School for the Deaf and Blind has been sadly neglected during the past few years. Strange to say, even in the reckless spending days of 1921, this fine humanitarian institution was not adequately provided for. This neglect should be explained by those responsible. I have made provision for books, repairs, and a new building.

The State Library has for years had my active interest. It contains one of the greatest collections of books in the world. I have been during the past few years, one of its best patrons. In order that the gathering together of valuable books may continue I have given this department an increase for purchasing books.

The preservation of fish and game is vital to the State. This work must be continued. The revenues will be expended for the purposes intended, but they will be expended economically and under close supervision. The money put up by hunters and fishers must not be wasted.

A close examination of the buildings of the State has been made during the past few weeks by members of the State Board of Control and provision has been made for repairs.

Recommendations were made to you in my budget message regarding the State Board of Charities and Corrections, the Immigration and Housing Commission, the State Mining Bureau, and the Building and Loan Commission, and bills are before you to carry out these recommendations. If the bills are adopted changes in the budget will not be necessary, but if the bills are not adopted, then I will propose changes in the budget to provide for these agencies.

My recommendations regarding the California Polytechnic School at San Luis Obispo are before you for your consideration and I have nothing further to add at this time.

In closing I want to assure you that no State function will be permitted to suffer because of inadequate support. The budget recommendations are in my opinion adequate to meet all legitimate needs. Should any so-called self-supporting agency during the ensuing biennial show a need for funds in excess of the allowance, the State Board of Control will provide such additional support as may be found necessary, not to exceed the revenues of that agency. In order that no State function may be hampered a large emergency appropriation has been placed in the budget.

Enclosed herewith are proposed amendments to the budget to cover the suggestions made above. These are presented to you for your consideration. The proposed changes make a net increase of $450,560.00 and set the total of the budget at $79,425,188.55.

The following are the changes proposed:

Original Budget	$78,974,628 55
Decreases	1,272,820 00
	$77,701,808 55
Increases	1,723,380 00
Total	$79,425,188 55

ITEMS OF DECREASE.

Department of Finance, rent	$294,700 00
Industrial Farm for Women	41,570 00
Department of Architecture	56,500 00
Elementary and secondary schools	600,000 00
Vocational rehabilitation	35,000 00
First District Court of Appeal	50 00
Mendocino State Hospital	18,000 00
Norwalk State Hospital	16,000 00
Harbor Commission, interest	211,000 00
	$1,272,820 00

ITEMS OF INCREASE.

Salaries, superior judges	$10,000 00
Department of Finance	15,000 00
Supreme Court	9,600 00
Bar Examiners	5,800 00
Civil Service Commission	24,660 00
Secretary of State	3,400 00
State Controller	4,200 00
Board of Equalization	5,000 00
Medical Examiners	10,000 00
Board of Health	40,000 00
Board of Chiropractors	7,000 00
Board of Osteopathy	2,000 00
Board of Optometry	1,200 00
Industrial Welfare Commission	25,000 00
San Francisco Harbor Commission	211,000 00
Insurance Commissioner	20,000 00
Board of Architecture, Southern Division	840 00
Real Estate Commission	60,000 00
Corporation Department	1,500 00
California School for Girls	21,100 00
Preston School of Industry	18,000 00
Whittier State School	26,000 00
Norwalk State Hospital	18,000 00
Sonoma State Home	67,500 00
Advisory Pardon Board	5,000 00
Criminal Identification Bureau	15,000 00
Board of Forestry	40,000 00
Redwood Park Commission	10,000 00
Redwood Park, purchase of land	30,000 00
Sixth District Agricultural Board	13,800 00
Department of Agriculture	79,005 00
Surveyor General	1,500 00
Fish and Game Commission	120,000 00
Chico Teachers College	30,000 00
Fresno Teachers College	50,000 00
San Diego Teachers College	71,000 00
Humboldt Teachers College	21,275 00
San Jose Teachers College	60,000 00
Santa Barbara Teachers College	30,000 00
San Francisco Teachers College	50,000 00
California School for Deaf and Blind	110,000 00
State Library, books	20,000 00
Rent, State offices	5,000 00
Smith-Hughes Vocational Education	355,000 00
	$1,723,380 00

Respectfully submitted.

FRIEND WM. RICHARDSON,
Governor of the State of California.

April 9, 1923.

The above message ordered printed in the Journal, and referred to the Committee on Ways and Means.

ADJOURNMENT.

At three o'clock and forty-five minutes p.m., on motion of Mr. Eksward, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, April 10, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 10, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Eksward, Mr. Carter was granted leave of absence for the day.

On motion of Mr. McPherson, Mr. Coombs was granted leave of absence for the day.

GUESTS ADMITTED TO THE FLOOR OF THE ASSEMBLY.

Through the courtesy of Mr. West, Captain E. L. Hawk, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Crittenden, Mr. C. E. Buthemuth, principal of the Woodbridge High School, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Hornblower, Mr. and Mrs. C. W. Calbreath of San Francisco were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Mrs. W. A. D'Egilbert of San Francisco was extended the privilege of the floor of the Assembly for this day, and her name ordered printed in the Journal.

Through the courtesy of Mr. Williams, Mr. C. D. Radcliffe, editor of the "Merced Sun," was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Heisinger, Mrs. J. B. Rader, and her eighth grade civics class were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Mr. William H. Akin of Los Angeles was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Messrs. Ed. Lewis, J. A. Pettis, C. C. McCray, J. F. Quinn and J. J. Ryan, former members

of the Assembly, were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Graves, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITION.

The following petition was presented and ordered printed in the Journal:

By Mr. Kline:

WHEREAS, The Palo Verde Valley, situated in the eastern part of this county, is completely isolated from the rest of the State of California, not being connected by highway with any other part of the State, and

WHEREAS, The Palo Verde Valley is a rapidly growing farming community producing millions of dollars in crop value each year, and

WHEREAS, This development is assuming greatly increased proportions and the farm crops thus produced are necessary and vital to the entire State, therefore be it

Resolved, By the Riverside County Chamber of Commerce, assembled in regular meeting this 20th day of March, 1923, that the representatives of this county in the State Legislature be requested to use every endeavor to the end that an appropriation of $300,000 at this session of the Legislature be secured for the improvement of a road from the State highway at or near Mecca to the Colorado River at or near Blythe.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a new section to be numbered 22*a*, relating to maintenance of public schools in detention homes;

Also: Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, by amending sections 12, 14, 15, 22, and 27 and by adding a new section numbered section 43;

Also: Assembly Bill No. 1210—An act to amend section 871 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889";

Also: Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees;

Also: Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480½, authorizing the governing boards of reclamation districts to hire a clerk;

Also: Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764c, relating to powers and duties of high school boards;

Also: Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tidelands to the United States of America, for naval purposes;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended;

Also: Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond;

Also: Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts;

Also: Assembly Bill No. 812—An act confirming and validating the organization of school districts;

Also: Assembly Bill No. 1293—An act prohibiting the doing of any public work costing an excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids therefor have first been advertised for, opened and rejected;

Also: Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose", which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 684—An act to amend an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended;

Also: Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same" which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

Also: Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases;

Also: Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 487—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County;

Also: Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways;

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service;

Also: Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended;

Also: Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code relating to the selling or leasing of school property unoccupied by any public school, to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of any real property upon which no public school is being maintained;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 324—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs;

Also: Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent therewith, approved May 19, 1915," approved May 28, 1917, as amended;

Also: Assembly Bill No. 570—An act to amend section 39*f* of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district;

Also: Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county;

Also: Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry, to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved ——————;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith;

Also: Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the

act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917, and amended and approved April 8, 1919;

Also, Assembly Bill No. 1107—An act to amend an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof,

Also: Assembly Bill No. 862—An act to amend section 626c of the Penal Code, relating to protection of deer;

Also: Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered transmitted to the Senate.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 653—An act to add a new section to be numbered section 15a to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1285—An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BAKER, C C., Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Bernard: Assembly Joint Resolution No. 25—Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in compliance with the provisions of the Act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917.

Introduced, and referred to Committee on Federal Relations.

ANNOUNCEMENT.

Mr. Bernard announced that due to the inclement weather, the visit to the University Agricultural Farm at Davis scheduled for Wednesday, April 11, 1923, had been postponed for a few days.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 921—An act to amend section 158 of the Political Code, relating to legal distances.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill, and in lieu thereof insert the following:

"An act to repeal sections one hundred fifty to two hundred eight, both inclusive, of, and to add a new section to be numbered one hundred fifty, to the Political Code, relating to legal distances."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 to 4, both inclusive, and in lieu thereof insert the following.

"SECTION 1. Sections one hundred fifty to two hundred eight, both inclusive, of the Political Code are hereby repealed.

SEC. 2. A new section is hereby added to the Political Code, to be numbeerd one hundred fifty, and to read as follows:

150. The legal distances from Sacramento to the various county seats are fixed as follows.

To Alameda county seat	84 miles
To Alpine county seat	240 miles
To Amador county seat	69 miles
To Butte county seat	66 miles
To Calaveras county seat	74 miles
To Colusa county seat	68 miles
To Contra Costa county seat	62 miles
To Del Norte county seat	473 miles
To El Dorado county seat	60 miles
To Fresno county seat	171 miles
To Glenn county seat	78 miles
To Humboldt county seat	373 miles
To Imperial county seat	665 miles
To Inyo county seat	467 miles
To Kern county seat	277 miles
To Kings county seat	207 miles
To Lake county seat	136 miles
To Lassen county seat	294 miles
To Los Angeles county seat	447 miles
To Madera county seat	149 miles
To Marin county seat	106 miles
To Mariposa county seat	156 miles
To Mendocino county seat	203 miles
To Merced county seat	116 miles
To Modoc county seat	371 miles
To Mono county seat	282 miles
To Monterey county seat	207 miles
To Napa county seat	62 miles
To Nevada county seat	75 miles
To Orange county seat	482 miles
To Placer county seat	36 miles
To Plumas county seat	150 miles
To Riverside county seat	511 miles
To Sacramento county seat	1 mile
To San Benito county seat	180 miles
To San Bernardino county seat	507 miles
To San Diego county seat	573 miles
To San Francisco county seat	90 miles
To San Joaquin county seat	49 miles
To San Luis Obispo county seat	348 miles
To San Mateo county seat	115 miles
To Santa Barbara county seat	460 miles
To Santa Clara county seat	136 miles
To Santa Cruz county seat	165 miles
To Shasta county seat	170 miles
To Sierra county seat	130 miles

To Siskiyou county seat	295 miles
To Solano county seat	40 miles
To Sonoma county seat	90 miles
To Stanislaus county seat	78 miles
To Sutter county seat	44 miles
To Tehama county seat	135 miles
To Trinity county seat	222 miles
To Tulare county seat	212 miles
To Tuolumne county seat	125 miles
To Ventura county seat	487 miles
To Yolo county seat	19 miles
To Yuba county seat	40 miles

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 473—An act to amend sections 1589, 1589*a*, 1590, 1591, 1591*a* of the Political Code, and to repeal section 1589*b* of the Political Code, relating to union elementary school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the figures "3818." and insert in lieu thereof the following:

"Section 3818: In all cases where a lot, piece or parcel of land, contained in any assessment has been sold or may hereafter be sold for delinquent taxes to the state, and the state has not disposed of the same, a partial redemption may be made, separately from the whole assessment, of any lot, piece or parcel of land as follows:

If such lot, piece or parcel of land has a separate valuation on the assessment roll, such partial redemption shall be made in the manner following. In the estimate provided for in the preceding section, the auditor shall estimate the amount of state and county taxes due on such lot, piece or parcel of land, together with a proper proportion of the taxes due on personal property under such assessment, and of the taxes due each school, road, lesser or other taxation district; and such redemption shall be made in the manner provided for in the preceding section.

If such lot, piece or parcel of land does not have a separate valuation on the assessment roll, it shall be the duty of the assessor to place upon the property sought to be redeemed, a valuation for the purpose of redemption, and at their next meeting the board of supervisors must approve the valuation thus fixed by the assessor, *provided*, that if the board of supervisors are not satisfied with the value placed upon the property by the assessor for the purpose of redemption, they may exercise the power vested in them, by law, as a board of equalization, and increase or decrease, the value of the property, as fixed by the assessor, for the purpose of redemption. The auditor shall then proceed to make redemption in the manner prescribed in the preceding paragraph of this section, *provided*, that no lot, piece or parcel of land owned or claimed under contract by the person so redeeming shall be divided for the purpose of such redemption.

A partial redemption may be made in like manner, separately from the whole assessment, of an undivided interest in any real property, if such property has a separate valuation on the assessment roll; the auditor estimating the amount of taxes due on such undivided interest according to the proportion which such interest in said real property bears to the whole assessment. The recorder shall note on the margin of the record of the certificate of sale of description of the property or undivided interest redeemed under this section and shall specifically set forth the several amounts of taxes paid under such redemption."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "or similar agency *that creates noise*—".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the word "in" and insert "on".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the figures "4300*a*," insert the following

"County Clerk's Fees. In addition to the charges otherwise provided for by law, the county clerk shall charge and collect the following fees:

For the filing of the first paper in a civil action or in a special proceeding, except a probate proceeding or an adoption proceeding, six dollars; *provided*, that in every special proceeding in which more than seven applicants or petitioners join, one dollar shall be collected for each additional applicant or petitioner above seven.

For filing the papers transmitted from another county on the transfer of a civil action or a special proceeding, except a probate proceeding or an adoption proceeding, six dollars.

For filing the papers transmitted on appeal from a justice's court in a civil action or a special proceeding, six dollars.

On the appearance of any defendant, intervenor or correspondent, whether separately or jointly, except for the purpose of making disclaimer, to be paid upon filing the first paper in the action on his behalf, one dollar

For filing the first petition for letters of administration, a petition for special letters of administration, a petition for letters testamentary or a petiton for letters of guardanship, six dollars; for filing a second or any subsequent petition for letters of administration, special letters of administration, letters testamentary, or letters of guardianship, in the same proceeding, or a petition to contest any will or codicil, three dollars; *provided*, that when such subsequent petition is filed to amend a previously filed petition, but where the petitioner is the same person named in the original petition, no fee shall be charged, *also provided*, that when the public administrator or the secretary of the state commission in lunacy, in his official capacity is the petitioner, he shall be required to pay said fee only out of the assets of the estate coming into his possession.

For issuing a writ of execution, a writ of restitution, a writ of possession, a writ of prohibition, or any writ for the enforcement of any order or judgment, one dollar

For issuing an order of sale, one dollar.

For filing any notice of intention to move for a new trial of any civil action or special proceeding, two dollars.

For preparing a first copy of any record, proceeding, or paper on file in his office, per folio, twelve cents

For preparing a carbon copy of any record, proceeding, or paper on file in his office, made at the time of preparing a first copy thereof, per folio, five cents.

For certifying to a copy of any paper, record or proceeding on file in his office, fifty cents

For comparing with the original on file in his office, the copy of any paper, record or proceeding prepared by another and presented for his certificate, two cents per folio.

For certificate required by court of appeals or supreme court on the dismissal of an appeal, one dollar.

For exemplification of record or other paper on file besides the charges allowed for copying or comparing, one dollar.

The foregoing fees shall be in full for all services rendered by the county clerk in any civil action or special proceeding.

No fee shall be charged by the clerk for service rendered in any criminal action or adoption proceeding, nor for any service to the State of California, or any municipality or county in said State, or to the national government, nor for any service relating thereto, except for making or certifying to a copy of a filed paper, record or proceeding, when not otherwise provided by law.

For issuing a marriage license, one-half to be paid to the county recorder, two dollars, *provided*, that in counties where the salary of the county recorder is the sole compensation allowed by law this fee shall be paid to the county treasurer, who shall credit one-half to the county recorder. Said fee shall be in full for all services of the clerk and recorder in connection with the issuance of a marriage license and the recording of a marriage certificate

For filing and indexing articles of incorporation, amended articles of incorporation or a certified copy of articles of incorporation, one dollar.

For filing a certificate of increase of the capital stock of a corporation, one dollar.

For filing a certificate of decrease of the capital stock of a corporation, one dollar.

For filing a certificate of increase of the number of directors of a corporation, one dollar.

For filing a certificate of decrease of the number of directors of a corporation, one dollar

For filing a certificate of notice of removal of the principal place of business of a corporation, one dollar.

For filing a certificate of creation of bonded indebtedness of a corporation, one dollar.

For filing a certificate of increase of bonded indebtedness of a corporation, one dollar.

For filing any charter, by-laws, or any other certificate, etc., of any corporation, granting power to do business in this State, one dollar.

For filing and indexing a certificate of fictitious name, including affidavit of publication, one dollar.

For filing and indexing an auctioneer's bond, one dollar.

For filing and indexing all papers for which a charge is not elsewhere provided, other than papers filed in actions or special proceedings, official bonds, or certificates of appointment, one dollar.

For either recording or registering any license or certificate or issuing any certificate, or both, in connection with a license, required by law, for which a charge is not otherwise prescribed, one dollar.

For making a record of a certificate of revivor, one dollar.

For each certificate to the official capacity of any public official, twenty-five cents.

For taking an affidavit, except in criminal cases, or adoption proceedings, fifty cents.

For searching records or files, for each year, fifty cents.

For taking acknowledgment of any deed or other instrument, including the certificate, for each signature, fifty cents.

SEC. 2. Section four thousand one hundred ninety of the Political Code shall not be repealed or affected by this act, but the fees therein provided for shall be in addition to those hereinabove provided for."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of line 52, and insert in lieu thereof the following "The sum of two thousand dollars per annum"

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed bill, after the word "annum", insert the following "In counties of this class the district attorney may appoint a deputy district attorney, which office of deputy district attorney is hereby created, and said deputy district attorney shall receive as compensation for all services performed as such the sum of one thousand five hundred dollars per annum, to be paid out of the county treasury in equal monthly installments at the same time, in the same manner and out of the same fund that salaries of county officers are paid."

AMENDMENT NUMBER THREE

On page 3 of the printed bill strike out all of lines 39 to 47, inclusive, and insert in lieu thereof the following

"11 The superintendent of schools, three thousand dollars per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties within and without the county as are incident to the full discharge of the requirements of the office of the superintendent of schools In counties of this class the secretary of the county board of education shall receive the sum of three hundred dollars per annum, said salary to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county superintendent of schools. The secretary of the county board of education of this county hereby provided is in lieu of the fees heretofore allowed under the provisions of section one thousand seven hundred seventy of this code It is hereby found as a fact that the salary provided for in this section does not work an increase in compensation and is intended that the same shall apply immediately to the present incumbent. It is also provided that the superintendent of schools may appoint one assistant superintendent of schools which office of assistant superintendent of schools is hereby created, who shall receive a salary of one thousand five hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers are paid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to include reference to industrial institutions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 6 and 7 of the title of the printed bill, strike out the words "include reference to industrial institutions" and insert in lieu thereof the following words: "relate to institutions of industry".

AMENDMENT NUMBER TWO.

In line 6 of the printed bill, insert after the word "follows" the following "An act providing for the establishment and administration of institutions of industry in the counties of the state and the commitment thereto and discipline of persons charged with or convicted of public offenses."

AMENDMENT NUMBER THREE.

In line 7 of the printed bill, insert after the word "follows" the following:

"Section 1. In each county of this state, one or more institutions of industry may be established under the provisions of this act The activities of any such institution established under the provisions of this act may consist of one or more of the following:

A. The establishment and development of a farm.

B. The construction or maintenance of roads, mountain trails or county parks;

C. The manufacture or repair of articles used by some institution or department of the county or needed by it in its care of the dependent sick and indigent poor.

It is the purpose of this act to make possible the substitution of constructive labor for profitless prison confinement in order that those charged with or convicted of public offenses may become better citizens because of their disciplinary experience.

Sec. 2. For the purpose of establishing an institution of industry the board of supervisors of any county may acquire by condemnation, purchase, lease, donation, or otherwise, as many acres of land suitable for agriculture as may be necessary for the purposes of such institution, or land with or without improvements located suitably for industries or sites for camps near roads, mountain trails or county parks. Such land may be situate within or without the county and may consist of separate parcels. If such land is without the county no institution of industry may be established thereon without the consent of the board of supervisors of the county in which the land is located. The board of supervisors shall erect on such land such buildings and structures, make such improvements, secure by purchase or otherwise such personal property, and institute such industries as may be convenient or necessary to carry out the purposes of this act. Stock, machinery, or any other property belonging to the county and in use on the county farm or elsewhere may be used by any such institution of industry.

Sec. 3 The board of supervisors shall employ a superintendent for such institution of industry and such other subordinate persons as may be necessary for the proper administration thereof and the keeping of the prisoners imprisoned thereon. As part of the compensation to be agreed upon for such superintendent and other persons board and lodging may be furnished. The board shall also adopt rules governing the administration of such institution of industry and discipline thereon in furtherance of the purposes of this act which rules shall be enforced by the superintendent and those subordinate to him.

Sec. 4 The board of supervisors of each county establishing an institution of industry shall either provide thereon separate quarters for women prisoners, or shall establish a separate institution of industry for women prisoners. In either event women prisoners shall have sleeping and eating quarters separate from male prisoners and shall be kept separate from the male prisoners in their employment

Sec. 5. When land has been acquired and such buildings and structures erected and improvements made as may be immediately necessary for the carrying out of the purposes of this act or arrangements have been made for an institution of industry, the board of supervisors shall adopt a resolution proclaiming that an institution of industry has been established in the county and designating a day on and after which persons will be admitted to such institution of industry. Certified copies of such resolution shall be forwarded by the clerk of the board of supervisors to each justice of the peace in the county.

Sec. 6 Any person convicted (1) of a violation of sections two hundred seventy or two hundred seventy *a* of the Penal Code or (2) of a misdemeanor in the superior court of any county having established an institution of industry, or (3) of a misdemeanor in any justices court within such county may, on and after the date designated in the resolution proclaiming the establishment of such institution of industry, if sentenced to be imprisoned as a punishment upon such conviction, be sentenced to imprisonment in such institution of industry *provided, however*, such person may be detained in the county jail until transportation to said institution of industry is available.

Any person committed to the county jail after conviction may, with his consent, be recommitted to an institution of industry for the unexpired balance of his term

Sec. 7. The legislative body of any incorporated city located in a county which has established an institution of industry may adopt, and forward to the board of supervisors a certified copy of a resolution stating that the city desires to have its prisoners cared for at the institution of industry and agrees to pay therefor quarterly at a rate per prisoner per day, which rate shall be set forth in the resolution. At its option the board of supervisors may adopt a resolution stating that the county will care for the prisoners of said city at its institution of industry at the rate set forth in the city's resolution. A certified copy of such resolution shall be forwarded to the clerk of the city named therein. Such clerk shall immediately notify the city recorder or judges of the police or other inferior court of such city that an agreement has been entered into between the city and the county for the care of the prisoners of the city at the institution of industry of such county.

Thereafter any person convicted of a public offense in any recorder's court, police court or other inferior court of such city may, if sentenced to be imprisoned as a

punishment upon such conviction, be sentenced to imprisonment in the institution of industry: *provided, however*, that such person may be detained in the city jail until transportation to the institution of industry is available.

Any person serving a sentence in the jail of such city at the time the city and county enter into the agreement whereby the city's prisoners are to be cared for at the institution of industry of the county may, with his consent, be recommitted to the institution of industry for the unexpired term of his sentence; *provided*, such unexpired term shall be not less than seven days in length.

Sec. 8. The several officers charged with the execution of the judgments of their respective courts shall deliver all persons sentenced to imprisonment in any institution of industry to the superintendent of the institution within forty-eight hours after sentence is pronounced. It shall be the duty of the superintendent of the institution of industry to receive all persons committed to the institution by competent authority and to keep them safely in custody at such institution until the expiration or other termination of their respective sentences.

When persons are sentenced to imprisonment in any institution of industry, the superintendent shall cause a psychological and physical examination of each prisoner to be made upon his entry into the institution with a view to determining the nature of the employment and treatment most likely to improve the health and moral well being of each prisoner. Such person shall thereupon be assigned by the superintendent to that form of activity carried on by the institution which will benefit him most. Upon the expiration of the sentence of any person imprisoned in any institution of industry, such person shall be discharged and furnished either with transportation to the place where he was convicted or be given a sum of money sufficient to pay his fare to such place.

Sec. 9. The cost of establishing and maintaining such institution of industry shall be paid out of the county general fund. Any revenue derived from such institution, including that received from any city for the care of its prisoners at said institution shall be paid into the county general fund. The cost of transporting city prisoners to such institution of industry shall be borne by the city from whose courts they were committed. All other transportation charges shall be borne by the county and paid out of the general fund. Any person transferred from the institution of industry to the county jail shall be maintained at the jail at the expense of the county as are other prisoners in such jail.

It shall not be the intent of any board of supervisors to make any financial profit out of the care of city prisoners and the rate to be charged therefor shall not exceed the average cost to the county of caring for one prisoner per day. In calculating this average cost, the value of the farm products used in other county institutions and in supplying the needs of paupers, incompetent, poor and indigent persons, and persons incapacitated by age, disease or accident shall be deducted from the cost of maintenance, and the cost of the original investment in establishing such farm shall not be included. By mutual agreement between the cities and the county, the rate may be changed from time to time but at no time shall the rate charged be greater than fifty cents per day per prisoner.

Sec. 10. Each person in custody at such institution of industry who shall be found, in the manner hereinafter provided, to have any person or persons dependent on him for support, shall be credited with a sum not to exceed two dollars for each day of eight hours work done by him at such institution. Every other person in custody at such institution shall be credited with a sum not to exceed fifty cents for each day of eight hours work done by him at such institution. The maximum amount per day to be so credited to the person in custody at such institution shall be fixed from time to time by the board of supervisors and shall be as large as is justified by the production of the institution but not to exceed the sums mentioned in this section.

The superintendent of the institution may by order cause an amount less than the maximum per day to be credited to any person because of lack of effort on the part of such person, the amount credited to be in proportion to the effort.

The sum to the credit of each such person upon his discharge shall be paid him in addition to any transportation charge otherwise paid under this act. Any such person may, by written order, direct the payment of any sums credited to him to any person dependent upon him or to whom he is indebted. *Provided, however*, that the court by whom any such person was sentenced to such institution may at any time by written order direct payment of all or any part of the sums to be credited to any such person to any person or persons dependent for support on such prisoner. At the time of sentencing any person to such institution the court shall by making inquiry or taking evidence find whether or not any person or persons are dependent upon the defendant for support. A copy of such finding of the court shall be transmitted to the superintendent of the institution. Payments authorized to be made to any person other than the prisoner may be made weekly on any day designated by the superintendent of the institution of industry.

For the purpose of making the payments in this section provided the board of supervisors shall by order provide said superintendent with a revolving fund. Upon order of the board of supervisors the county auditor shall draw a warrant in favor of the superintendent of the institution and the county treasurer shall cash the same. Thereafter the superintendent shall receive from the county general fund upon

demands supported by receipts all sums paid out by him under the provisions of this section and shall return all sums so received to the revolving fund. The board of supervisors shall require the superintendent of the institution to give a bond with good and sufficient sureties in an amount not less than twice such revolving fund, conditioned upon the faithful performance by said superintendent of all his obligations and in particular the safe-keeping and honest use of said revolving fund.

Sec. 11. So far as practicable those in custody at such institution of industry shall be employed in productive labor The products of the institution shall be used first, to maintain the prisoners and employees at such institution; second, to supply other county institutions having need of the same with the products of the institution of industry; third, to supply the needs of the paupers, incompetents, poor and indigent persons and those incapacitated by age, disease or accident with whose relief and support the county is charged.

Sec. 12. It shall be the duty of the superintendent and he shall have power subject to the regulations adopted by the board of supervisors to maintain discipline at the institution. Whenever the superintendent shall report to the court which had sentenced any prisoner to such institution that such prisoner refuses to abide by the rules of such institution or refuses to work thereat, such court may make an order transferring such prisoner to the county jail or city jail for the unexpired term of his sentence, and all sums credited to such prisoner shall be forfeited by him unless they have been ordered paid to some person dependent upon him. Thereafter the court may recommit such person to the institution of industry upon recommendation of the superintendent of the institution.

It shall be the duty of the superintendent of any institution of industry to which any woman prisoner may be sent to keep such woman prisoner separate from the male prisoners at such institution. Employment shall be provided for the women prisoners separate from that for male prisoners.

Sec. 13. The boundary of every institution of industry established under the provisions of this act shall be marked by a fence, hedge or by some other visible line. Every person confined at any such institution who escapes therefrom or attempts to escape therefrom shall upon conviction thereof be imprisoned in a state prison for a term of not less than one year nor more than five years, or in the county jail or institution of industry for not to exceed one year.

Sec. 14. Any institution of industry established under the provisions of this act shall be considered a county jail, or as to city prisoners, a city jail, for all purposes not inconsistent with the provisions and purposes hereof. Nothing in this act shall operate to prevent any woman being sentenced to a hospital for treatment under any provision of law now existing.

Sec 15. Any person held for trial in the jail of a county having established an institution of industry or in the jail of any city whose prisoners are being cared for at such institution, may be detained at the institution of industry or in jail as the court before whom such person is to be tried may order.

Sec. 16. The place of custody of any person detained for the purpose of insuring his presence at any trial or hearing as a witness shall be, subject to the order of the court by whose order such person is detained, either in jail or at the institution of industry of the county in which such person is in custody

Sec. 17. If provision is made for one of the activities of an institution of industry at a location near the county jail, and no provision is made in the institution for feeding persons committed thereto who are engaged in such activity, or for boarding them, then such persons may be boarded and provided sleeping accommodations in the county jail and while in the county jail shall be under the custody of the sheriff.

Sec. 18. Any board of supervisors which has established or desires to establish an institution of industry may at any time appoint an advisory board to consist of not less than three nor more than five persons One member of the advisory board shall be a penologist and one member a physician It shall be the duty of the advisory board to acquaint itself with the conduct of the jails in the county, to keep itself informed about the administration of the institution of industry and to report its recommendations and suggestions to the board of supervisors. It shall have power to visit any jail within the county, to examine the records thereof, and to ascertain whether or not there are any persons illegally committed to or detained at any jail.

It shall also be the duty of the advisory board to encourage recreational and educational activities at the institution of industry."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 817—An act to provide for the formation, management, maintenance and dissolution of county fire protection districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title following the word "management" and insert in lieu thereof the following "and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof".

AMENDMENT NUMBER TWO.

In line 3 of the printed bill insert after the word "district": "or timber land patroled by the state board of forestry or in accordance with the rules and regulations of said state board of forestry"

AMENDMENT NUMBER THREE.

In line 5, page 1, of the printed bill strike out the word "described" and insert in lieu thereof the words "set forth".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill strike out all of lines 1 to 11, both inclusive, and the first three words in line 12 and insert in lieu thereof the following:

"SEC 3 At any time prior to the time fixed for the hearing of said matter any person interested may file with the clerk of the board written objections to the formation of the district. At the time and place fixed for the hearing, or at any time to which said hearing may be continued, the board of supervisors shall consider all written objections filed and shall pass upon the same. If the board overrules said objections it shall hear any person having objection to the inclusion within said proposed district of any territory and may exclude any territory therefrom which would not be benefited by incorporation within the district.

At the conclusion of the hearing the board of supervisors may abandon the proposed establishment of a fire district or may decide to establish a county fire protection district If it decides to establish a county fire protection district it shall adopt a resolution so declaring, which resolution shall set forth the name of the district and shall either describe the territory comprising the district or set forth its boundaries."

AMENDMENT NUMBER FIVE.

On page 2, line 12, of the printed bill insert the word and figure "Section 4", after the word "district".

AMENDMENT NUMBER SIX.

On page 2, line 12, of the printed bill strike out the word "protests" and insert in lieu thereof the words "written objections".

AMENDMENT NUMBER SEVEN.

On page 2, line 13, of said printed bill strike out the word "making" and insert in lieu thereof the word "adoption".

AMENDMENT NUMBER EIGHT.

On page 2, line 13, of said printed bill strike out the word "declaration" and insert in lieu thereof the word "resolution".

AMENDMENT NUMBER NINE.

On page 2, line 15, of said printed bill strike out the word "protests" and insert in lieu thereof the words "written objections".

AMENDMENT NUMBER TEN.

On page 2, line 18, of said printed bill strike out the word "declaration" and insert in lieu thereof the word "resolution".

AMENDMENT NUMBER ELEVEN.

On page 2, line 18, of said printed bill after the word "board" and before the period, insert the following: "declaring such district established".

AMENDMENT NUMBER TWELVE.

On page 2, line 21, of said printed bill, strike out the word "describe" and insert in lieu thereof the word "designate".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 39, of the printed bill, strike out the word "declaration" and insert in lieu thereof the word "resolution".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 49, of the printed bill, strike out the numeral "4" and insert in lieu thereof the number "5".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 50, of the printed bill, strike out the word "situated" and insert in lieu thereof the word "established".

AMENDMENT NUMBER SIXTEEN.

On page 3, lines 1, 2, 3, and 4, of the printed bill, strike out the period in line 1 and the complete sentence in lines 1, 2, 3 and 4 and insert in lieu thereof the following, "and for the furnishing of fire protection thereto; to appoint agents and employees for such district sufficient to maintain and operate the property acquired for the purposes of the district and to police the district to acquire real or personal property needful for the purposes of said district and to dispose of the same when no longer needed; to construct any needed structures, and to perform all other acts necessary or proper to accomplish the purposes of this act".

AMENDMENT NUMBER SEVENTEEN.

On page 3, insert between lines 7 and 8 of the printed bill the following section:

"SEC. 6. The title to all property which may have been acquired for a county fire protection district, created under the provisions of this act, shall be vested in the county wherein such county fire protection district is located. Whenever all of the territory in such county fire protection district shall be annexed to, or otherwise included within, any municipal corporation, then such county fire protection district shall be deemed dissolved and such property shall thereupon become the property of such municipal corporation. All money in the county treasury to the credit of any fund of such county fire protection district shall, upon the annexation or inclusion of such territory, as above noted, be forthwith transferred to the treasury of said municipal corporation and be used for the purposes for which the same was available prior to such transfer and none other".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 8, of the printed bill, strike out the numeral "5" and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER NINETEEN

On page 3, line 9, of the printed bill, after the word "taxable" insert the word "real".

AMENDMENT NUMBER TWENTY.

On page 3, lines 15 and 16, of the printed bill, strike out the last word in line 15 and the first word in line 16 and insert in lieu thereof the following, "furtherance of".

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 18, of the printed bill, strike out the numeral "6" and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 40, strike out the period and insert in lieu thereof the following: ", whether such highways, at the time of dissolution, are in incorporated territory or in unincorporated territory."

AMENDMENT NUMBER TWENTY-THREE

On page 3 of said printed bill, after line 40, insert the following.

"SEC. 9. At any time after the establishment of a county fire protection district under the provisions of this act, the board of supervisors may determine that territory should be annexed to such district. Thereupon said board shall fix a time and place for the hearing of the matter of the annexation of said territory and shall direct its clerk to publish a notice once a week for two successive weeks in a newspaper circulated in the territory which it is proposed to annex which said board deems most likely to give notice to the inhabitants of such territory. Such notice shall be headed 'Notice of the proposed annexation of territory to the_____ _____ county fire protection district in_____county', (stating the name of the district and county to which it is proposed to annex territory) and shall contain a statement of the time and place fixed by the board for a hearing on the matter of the formation of a county fire protection district. Said notice shall designate the territory proposed to be annexed.

SEC. 10. At the time and place fixed by the board of supervisors for the hearing of said matter of annexation, or at any time to which said hearing may be continued, the board shall hear any person objecting to said annexation or objecting to the annexation of any portion of said territory. At the conclusion of said hearing said board of supervisors may refuse to annex any territory to the established district or it may include all or a portion of the territory proposed to be annexed. If it determines to annex to said district any territory it shall so declare by resolution and thereupon said territory shall be annexed to said district for all purposes of this act.

SEC. 11. The provisions of this act shall be liberally construed to effect the purposes thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 371—An act to add a new section to the Political Code to be numbered 4221*a*, relating to the right of the county surveyor to enter upon private property in the performance of his duties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, add the following new matter after line 3:

"SEC. 4221*a*. Whenever it shall be determined by the board of supervisors of any county that the public convenience and necessity demand the acquisition of property by the county to be used for any purpose authorized by law, the county surveyor, when instructed by the board of supervisors of the county, shall have authority to enter upon private property in the discharge of his duties without liability to the owner or owners thereof other than damage caused by his negligent act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the period in the title of the printed bill and insert the words "and for the conduct of business therein".

AMENDMENT NUMBER TWO.

Strike out lines 1 to 6, both inclusive, of the printed bill, and insert in lieu thereof the following

"SECTION 1. Whenever a county hospital and alms house, court house, jail, historical museum, library building, art gallery, art institute, exposition building or other building or buildings, are not entirely needed for county purposes, the board of supervisors may lease the same or a portion of the same to any city within the county, to be used by said city for the purpose for which such building, or buildings, is used by the county, and may enter into an agreement with any such city to care for and maintain the business of the city to be carried on within said building or buildings, upon such terms and conditions to be agreed upon by the board of supervisors and governing body of such city."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 889—An act to amend section 925 of the Penal Code, relating to grand juries.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "may at all times" and insert in lieu thereof the words "must upon request".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the words "he thinks" and insert in lieu thereof the words "they think".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the comma following the words "deputy district attorney" and before the words "shall" add the following words "or either or any of them,".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, after the word "counsel" and before the word "whose" add the following words, "and special investigators,".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, strike out the period following the word "jury" and add the following words "and their services shall be a county charge."

AMENDMENT NUMBER SIX.

On page 1, line 23, of the printed bill, strike out the words "on demand of the district attorney".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1249—An act to amend sections 851, 852, 857*a* and 858 of the Code of Civil Procedure, and to add two new sections to said code, to be numbered 860*a* and 860*b*, relating to justices' courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the words "eight hundred fifty-one and eight hun-" and strike out all of lines 2, 3, 4, 5, and 6 of the title and insert in lieu thereof the following: "eight hundred fifty-two, eight hundred fifty-five, eight hundred fifty-seven *a*, and eight hundred fifty-eight, and to repeal section eight hundred fifty-seven of the Code of Civil Procedure relating to justices' courts."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "Section 1." and insert in lieu thereof the following

"SECTION 1. Section eight hundred fifty-two of the Code of Civil Procedure is hereby amended to read as follows.

852. The pleadings are.

1. The complaint by the plaintiff;

2. The demurrer to the complaint;

3. The answer by the defendant which may set up affirmative matter constituting a counterclaim or cross-complaint.

SEC. 2. Section eight hundred fifty-five of the Code of Civil Procedure is hereby amended to read as follows:

855. The answer may contain a denial of any or all of the material facts stated in the complaint, which the defendant believes to be untrue, and also a statement, in a plain and direct manner, of any other facts constituting a defense or counterclaim or cross-complaint upon which an action might be brought by the defendant against the plaintiff, or his assignor, in a justice's court, the statement of any affirmative matter in the answer in avoidance or constituting a defense or counterclaim or cross-complaint must, on the trial, be deemed controverted by the opposite party.

SEC 3. Section eight hundred fifty-seven of the Code of Civil Procedure is hereby repealed.

SEC 4. Section eight hundred fifty-seven *a* of the Code of Civil Procedure is hereby amended to read as follows:

857*a*. Affirmative judgment may be rendered for the defendant on his cross-complaint whenever the defendant proves that he is entitled to more than the plaintiff or whenever the defendant proves that he is entitled to judgment and the plaintiff fails to prove that he is entitled to any judgment.

SEC. 5. Section eight hundred fifty-eight of the Code of Civil Procedure is hereby amended to read as follows:

858. The proceedings on demurrer are as follows:

1. If the demurrer to the complaint is sustained, the plaintiff may, within such time, not exceeding two days, as the court allows, amend his complaint;

2. If the demurrer to the complaint is overruled, the defendant may answer forthwith."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 775—An act to amend sections 1327, 1328, 1333, 1491, 1658 and 1664, all relating to procedure in probate matters.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title of the printed bill following the word "amend" and strike out all of lines 2, 3 and 4 of said title and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out all of lines 1 to 25, inclusive, and on page 2 of the printed bill strike out all of lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section one thousand six hundred and sixty-four of the Code of Civil Procedure is amended to read as follows:"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 296—An act to amend sections 1327 and 1328 of the Code of Civil Procedure, relating to will contests.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 2 of the title of the printed bill following the word "seven" and insert in lieu thereof the following: ", one thousand three hundred twenty-eight and one thousand three hundred thirty-three of the".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 22, insert the following:

"SEC. 3. Section one thousand three hundred thirty-three of the Code of Civil Procedure is hereby amended to read as follows:

1333. If no person within six months after the probate of a will, contest the same or the validity thereof, the probate of the will is conclusive; saving to infants and persons of unsound mind, a like period of six months after their respective disabilities are removed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeiture for noncompletion of work within period fixed by contract, and manner of payments; and repealing all acts and parts of acts inconsistent therewith.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "may" and insert in lieu thereof the word "shall".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 963—An act to amend sections 851 and 854 and to repeal section 858 of the Code of Civil Procedure, relating to pleadings in justices' courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of the first two lines of the title and the word "fifty-eight" in the third line, and insert in lieu thereof the following: "An act to amend section eight hundred fifty-one".

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out all of lines 14 to 29 inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257*a*, relating to the prohibiting of publication of indebtedness.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 974—An act to amend section 19x31 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certifi-

cates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Strike out all of line 1 of the title of the printed bill following the word "act", all of lines 2 to 7, both inclusive, and insert in lieu thereof the following: "To add chapter II to title V of part III of the Political Code embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, and to repeal sections 2237, 2238, 2239, 2240, 2243, 2244, 2254, 2255, 2257, 2267, 2268, 2270, 2280, and 2282 of said code relating to the education of the deaf and the blind."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 693—An act to amend section 4218 of the Political Code relating to the making of maps and assessment block books.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2236*a*, relating to foreign depositions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock.

Assembly Joint Resolution No. 23 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 23 adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Carlson, Christian, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fox, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyman, McMillan, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 23 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 23

Relative to the destruction of perishable products, and live stock.

WHEREAS, The Assembly of the State of California views with alarm the tremendous loss suffered by the farmers and producers of our State, during the last shipping season, a loss caused by railroad and labor conflicts. Now, therefore, be it

Resolved by the Assembly and Senate, jointly, That we do most urgently request the State Railroad Commission of California and the Interstate Commerce Commission of the United States of America to adopt such means of adjustment of the interests of the parties to the conflict as will prevent a repetition of the disastrous and ruinous losses suffered by the farmers and producers of our State; and we urge the enactment of such regulations as will provide for the immediate shipment of all perishable products and live stock, and be it further

Resolved, That a copy of this resolution be sent to each member of the Interstate Commerce Commission of the United States and to each member of the Railroad Commission of the State of California.

SPECIAL ORDER SET.

On motion of Miss Miller the consideration of Assembly Bills Nos. 761 and 762 were made a special order for Thursday, April 12, 1923, at eleven o'clock a.m.

Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1224 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Emme, Erb, Graves, Hawes, Johnson, Johnston, Jones, Lyons, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, and Mr. Speaker—47.

NOES—Badham, Broughton, Christian, Cleveland, Dean, Dorris, Foster, Fox, Kline, McMillan, Moore, Pomeroy, Prendergast, Williams, and Wright—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 892—An act to amend sections 2, 3, 4 and 5 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section 8, article XI, of the constitution," approved March 2, 1891.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 892 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Cleary, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Emme, Erb, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Dozier, and Graves—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Bromley gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 892 was this day passed.

Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 822 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 480 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Christian, Cleveland, Croter, Dawson, Dean, Donohue, Dorris, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Prendergast, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on passage of the bill.

The roll was called, and Assembly Bill No. 479 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Christian, Cleveland, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Foster, Fox, Fulwider, Hawes, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 915 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Burns, Christian, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Foster, Fox, Fulwider, Hawes, Johnson, Jones, Kline, Lyman, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662*a*, relating to the registration of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 362 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Carlson, Cleary, Croter, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Wright—47.

NOES—Anderson, Cleveland, Duval, Kline, Snyder, and Mr. Speaker—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An act to add a new section to the Political Code to be numbered 1608*e* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 330 refused passage by the following vote:

AYES—Ball, Broughton, Carlson, Cleary, Dean, Dorris, Fellom, Foster, Heisinger, Jones, Lyman, McMillan, Miller, Moore, Morrison, Roberts, Saylor, Spalding, Spence, Woodbridge, and Wright—21.

NOES—Anderson, Badham, Baker, Edwin; Bernard, Bromley, Burns, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Erb, Fox, Fulwider, Graves, Kline, McDowell, Mitchell, A. G., Morris, Noyes, Pomeroy, Prendergast, Rock, Scott, Smith, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—33.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER TWENTY-THREE.

Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to reapportionments.

Assembly Constitutional Amendment No. 23 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During reading of the Constitutional Amendment, Mr. Roberts moved that the Speaker appoint a Select Committee of One to amend the Constitutional Amendment as follows:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the word "nor", insert the following: ", except as hereinafter provided,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of line 5 after the word "of", all of lines 6 to 16, both inclusive, and insert in lieu thereof the following: "senatorial districts no city or city and county shall contain more than four senatorial districts. Each city or city and county having a population in excess of four times the unit determined by dividing the total population of the state by forty shall be divided into four senatorial districts as nearly equal in population as may be.

The remaining counties or parts of counties not included in a district as above provided shall be apportioned into a sufficient number of senatorial districts to make, when added to the number already formed from the populous counties as hereinbefore provided, a total of forty districts, and for the purpose of the formation of such district any part of a county not so included may be united to any other county, and these districts, formed from said remaining counties or parts of counties shall be as nearly equal in population, as may be."

Motion lost.

The question being on the adoption of Assembly Constitutional Amendment No. 23.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Cleary moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-six minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward,

Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Pedrotti.

The roll of absentees was called, and Assembly Constitutional Amendment No. 23 refused adoption by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleveland, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Moore, Mueller, Noyes, Prendergast, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Wright—49.

NOES—Badaracco, Badham, Baker, Edwin; Bromley, Burns, Cleary, Dawson, Eksward, Erb, Fellom, Graves, Hawes, Hornblower, Lyons, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Schmidt, Scott, Weller, and Mr. Speaker—28.

NOTICE OF RECONSIDERATION.

Mr. Cleary gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was this day refused adoption.

RECESS.

At twelve o'clock and eight minutes p.m., on motion of Mr. Eksward, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Hicks reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 727—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor and the length of term thereof—has

had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Commerce and Navigation, to which was referred Assembly Bill No 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the reversion or recession thereof to the abutting property owners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

McPHERSON, Chairman.

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Also Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Also Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON BUILDING AND LOAN ASSOCIATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 887—An act providing for the formation and incorporation of rural credit unions or cooperative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

(Signed out)

SPALDING, Chairman
ROCK.
SCHMIDT.
CHRISTIAN.
ROSENSHINE.
BROUGHTON.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No 198—An act to amend section 340*a* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason, providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof;

Also: Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates;

Also: Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 336—An act to amend section 4252 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class;

Also, Assembly Bill No 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class,

Also: Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class;

Also Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class;

Also Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries of the district attorney, deputy district attorney, and stenographer in the office of the district attorney in counties of the twenty-seventh class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913,

Also Assembly Bill No 392—An act to amend section 4305 of the Political Code, relating to salary fund;

Also Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor;

Also Assembly Bill No. 1313—An act to amend section 4013 of the Political Code relating to county officers;

Also, Assembly Bill No 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties;

Also: Assembly Bill No 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also Assembly Bill No. 1302—An act to amend section 4236a of the Political Code relating to jurors' fees in counties of the seventh class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 737zz, relating to the salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to Committee on Ways and Means.

MORRIS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corpora-

tions with respect to property rights in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1056—An act to amend section 305 of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359a, relating to the time within which actions must be commenced against directors and stockholders of corporation;

Also: Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

JOHNSTON, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922.

Also: Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

DONOHUE, Chairman.

The above reported concurrent resolutions ordered on file for adoption.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No 69—An act to add a new section to the Political Code to be numbered 2600, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 70—An act to amend section 2605 of the Political Code relating to San Diego Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No 237—An act granting to the city of San Rafael the salt marsh tide and submerged lands of the State of California within the present boundaries of said city, including the right to wharf out therefrom, and the regulating the management, use and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Commerce and Navigation, to which was referred Senate Bill No 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, state or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 159—An act to amend sections 11 and 124 of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended;

Also Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating

to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers;

Also: Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: Your Committee on Corporations, to which was referred Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

JOHNSTON, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 228—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Bernard:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act levying an excise or license tax upon the production of petroleum, or other crude oil, or mineral oil, and of natural gas, providing for the collection and disposition of such excise taxes providing penalties for violation of the provisions of said act, and repealing all acts or parts of acts inconsistent herewith.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Stow: Assembly Concurrent Resolution No. 20—Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Stow asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, without reference to committee or printer, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER NINETEEN.

Assembly Concurrent Resolution No. 20—Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

Assembly Concurrent Resolution No. 20 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 20 adopted by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bromley, Cleveland, Croter, Davis, Dean, Donohue, Dozier, Duval, Ekswaird, Emme, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 20 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 20.

Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

WHEREAS, The Legislature of the State of California has been advised that the Honorable Henry C. Wallace, Secretary of Agriculture of the United States, will visit the city of Sacramento on Wednesday, April 11, 1923; and,

WHEREAS, This Legislature deems it an extreme honor to be able to receive this eminent gentleman; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee from the Legislature, composed of three members of the Senate, to be appointed by the Lieutenant Governor, and a like number from the Assembly, to be appointed by the Speaker, are hereby authorized to meet the Honorable Henry C. Wallace upon his arrival in Sacramento, and to escort him to the Assembly Chamber; and, be it further

Resolved, That the Senate and Assembly meet jointly in the Assembly Chamber at 2:30 p.m. to receive the Honorable Henry C. Wallace, Secretary of Agriculture.

MOTION TO RE-REFER.

Mr. Morrison moved that Assembly Bill No. 271 be withdrawn from the file, and ordered re-referred to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 271 re-referred to Committee on Labor and Capital.

MOTION TO RE-REFER.

Mr. Johnson moved that Assembly Bill No. 1066 be withdrawn from the file, and ordered re-referred to Committee on Live Stock and Dairies.

Motion carried.

Assembly Bill No. 1066 re-referred to Committee on Live Stock and Dairies.

MOTION TO RECONSIDER.

Mr. Eksward moved that the consideration of Mr. Carter's motion to reconsider the vote whereby Assembly Bill No. 143 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Eksward moved that the consideration of Mr. Hornblower's motion to reconsider the vote whereby Assembly Bill No. 949 was passed be continued until the next legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 247—An act amending section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 247 passed by the following vote:

AYES—Badaracco, Baker, Edwin; Ball, Bromley, Broughton, Burns, Crittenden, Croter, Davis, Dean, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 11—Relative to the establishment of a bureau or department of publicity by the United States government.

Senate Joint Resolution No. 11 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Burns, Christian, Cleveland, Crittenden, Croter, Dawson, Dean, Donohue, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Saylor, Schmidt, Scott,

Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Dozier, and Prendergast—2.

Title read and approved.

Senate Joint Resolution No. 11 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 11.

Relative to the establishment of a bureau or department of publicity by the United States government.

WHEREAS, The subject of "selling America to Americans," by an intensive campaign of advertising in the interest of "see America first," and the establishment of a department of publicity for the purpose of properly advertising America is an important matter in these days of extensive advertising directing the attention of Americans to Europe and points outside of the United States; now, therefore be it

Resolved by the Senate and the Assembly, jointly, That the members of the Legislature of the State of California petition the President of the United States and the Congress to enact legislation in the interests of the spirit of "see America first" and urge that they use their utmost endeavor for the immediate passage of laws for and the

(*a*) Establishment of a bureau of publicity under the direction of the department of the interior for our forty-eight states and territories to encourage travel in America and to educate people to travel in America by carrying on and conducting a publicity campaign by advertising in this and other countries the scenic wonders, climate, highways, resources, lakes, rivers, inland waterways, places of historic interest, national parks, national forests, national monuments, ice caves, overland and other cross country trails and Indian mounds

(*b*) Establishment of automobile highways from the Atlantic to the Pacific and from the Gulf to the Great Lakes and also paved highways from national parks to national parks, with government appropriation for the development of these highways, and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward copies of these resolutions to the President of the United States, to the Vice President of the United States, the Speaker of the House of Representatives and to each of California's senators and representatives in Congress.

Senate Bill No. 645—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 645 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Christian, Crittenden, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Kline, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Bromley moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the words "designated as chapter ____, Laws of 1923".

Motion carried.

The Speaker appointed Mr. Bromley as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 598, with instructions, reports that the instructions of the Assembly have been carried out.

BROMLEY, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 19, 21*a*, 24*a*, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Cleveland, Davis, Dean, Dorris, Eksward, Emme, Foster, Fox, Fulwider, Graves, Heisinger, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Scott, Smith, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 272—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 272 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Erb, Foster, Fulwider, Johnson, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 485—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State Treasury and providing for exemption from fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 485 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Burns, Cleveland, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Jones, Kline, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Saylor, Scott, Smith, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—Dozier, Graves, and Lyons—3

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 349—An act to amend section 4 of an act entitled "An act to create a drainage district to be called Knights Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for the levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rock, Saylor, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 350—An act to amend section 4 of the act entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by construction of levees along the west bank of the Sacramento River and adjacent thereto, and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 350 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Christian, Cleary, Cleveland, Crittenden, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fox, Fulwider, Graves, Heisinger, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees; the office of said district; and of proceedings to determine legality of district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 352 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Christian, Cleary, Cleveland, Croter, Davis, Dean, Dorris, Dozier, Duval, Eksward, Erb, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 489—An act to approve, confirm, ratify and validate sales and conveyance of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Christian, Clarke, Cleary, Croter, Dean, Donohue, Duval, Eksward, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry,

hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 88 passed by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Crittenden, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Hornblower, Johnson, Jones, Lyons, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr Speaker—43.

NOES—Anderson, Badham, Baker, Edwin; Cleveland, Davis, Dozier, Duval, Graves, Kline, Mitchell, A. G, Moore, Pomeroy, and Weller—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 983—An act to amend sections 6, 16 and 17, of an act entitled "The Corporate Securities Act," approved May 18, 1917, as amended, relating to the powers and duties of the Commissioner of Corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 983 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Bromley, Burns, Clarke, Cleveland, Crittenden, Davis, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fox Fulwider, Graves, Hawes, Hornblower, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A G., Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mr. Bromley moved to amend the title as follows:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill strike out the word "six" and insert in lieu thereof the following "two, five".

AMENDMENT NUMBER TWO.

Strike out all of line 2 of the title of the printed bill following the word "entitled", all of lines 3 and 4 thereof and insert in lieu thereof the following: "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a state corporation department and the office of commissioner of corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered twenty-four *a*, relating to the powers and duties of the commissioner of corporation"

Amendments adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 590 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Burns, Cleary, Cleveland, Crittenden, Davis, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Morrison, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Burns, Christian, Clarke, Cleary, Cleveland, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 416 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Burns, Christian, Clarke, Cleary, Cleveland, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pomeroy, Remdollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mathews asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVENTEEN.

Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

Assembly Joint Resolution No. 17 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Broughton, Burns, Christian, Cleary, Cleveland, Davis, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 17 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 17.

Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

WHEREAS, Hon. John E. Raker, Member of Congress from the Second District of California, has introduced a bill in the House of Representatives (H. R. 11789),

which provides "That the United States government hereby assumes, subject to the conditions of this act or any subsequent act of Congress, the payment to the several states of sums of money equivalent to the amounts which such states would receive from the taxation of said lands of the United States within their respective borders if such lands were owned by individuals;" and

WHEREAS, The amount which California would receive from the taxation of the lands of the United States within the boundaries of the State and "set apart, reserved, or withdrawn under the provisions of section 24 of the act of Congress approved March 3, 1891," would be over $5,000,000 annually, and

WHEREAS, This amount would be distributed almost entirely among the remote and mountainous counties of the State, thus greatly benefiting communities where assessed valuations are low by reason of the exemption from annual taxation of the lands of the United States above referred to, and where the cost of building and upkeep of roads and highways is high on account of the mountainous surface, and where the population is sparse because these lands of the United States are withdrawn from settlement, improvement and development under the homestead laws; and where forest depletion contrary to economic demands and forest perpetuation are the results of high taxes; and

WHEREAS, The lands of the United States above referred to, comprising at least half the area of several mountain counties and nearly one-fifth the total area of the State, while exempt from annual taxation, are being put to commercial and industrial uses for the benefit of all the people of the United States, which places these lands on the same basis as to use with assessed and taxed lands used for the same purposes; and

WHEREAS, It is only just and right that a heavy burden of local annual taxation should not be placed on the people of any state in which and by reason of the fact that extensive areas of land and great natural resources are set aside and reserved for the economic use and benefit of all the people of the United States, now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California approves the purposes of the bill referred to and respectfully requests its support and adoption by the Congress of the United States at the earliest possible date; and be it further

Resolved, That the Speaker of the Assembly be authorized to transmit copies of this resolution by mail to the governors of the states of Oregon, Washington, Idaho, Montana, Wyoming, Utah, Nevada, Colorado, New Mexico, and Arizona, with the request that similar action be taken by their respective legislatures; and be it further

Resolved, That the Speaker of the Assembly be authorized to transmit copies of this resolution, by mail, to all the members of Congress and the Senate of the United States.

ADJOURNMENT.

At three o'clock and eight minutes p.m., on motion of Mr. Eksward, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, April 11, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 11, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Reindollar, Mr. Carlson was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Bromley, Mr. William Llewellyn, a member of the Assembly in 1895, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Mr. John C. Lynch, the speaker of the Assembly in 1895, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Cleary, Mr. Harry O. Hill of Los Angeles was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Cleary, Mr F. P. Knapp of Modesto was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Weller, Hon. and Mrs Fillmore Condit, T. J. Cannon, and Verne Dumas of Long Beach were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. West, Mr. J E Maxwell, vice principal; Mr. Hoffman and Miss Bishop, teachers, and the following pupils of the Galt High School were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

Margaret Caeledge, Anna Bell Crump, Robert Nichols, Rose Villiborghis, Elizazeth Lambert, Lucy Hart, Marion Randall, Alice Peterson, Gertrude Fawcett, Angeline Saiquti, Doris Dunn, Inez Ambrozia, Beatrice Orr, John Crump, Clarence Hart, Otto Sargenti, Marshall Angrove, Osborne Ayers, Edward Barber, Erwin Hanschildt, Clarence Hanschildt, John Conicoft, Leslie Coupi, Raymond Coupi, Rodney Coupi, Elwood Tufts, Charles Furtado, August Lanchert, and Julius Pellantim.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Lyons, its further reading was dispensed with.

ASSISTANT CLERK HICKS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Pomeroy:

WHEREAS, A number of California counties have been acquiring park lands during the past decade and are in need of a department of the county government, or county park commission, to aid the county supervisors in looking after such parks and to work out an appropriate and comprehensive system of parks throughout the county, to secure gifts as far as possible of appropriate recreation places, picnic parks, and the preservation of scenic beauties now fast disappearing; now, therefore, be it

Resolved, That Assembly Bill No. 928, by Assemblyman Hugh R. Pomeroy, providing for the establishment of county park boards, their membership powers and duties, is hereby endorsed by the California Conference on City Planning in Statewide conference assembled at the Los Angeles City Club on March 17, 1923, and the members of the Legislature and the Governor are most strongly urged to make this

bill into law for the common benefit of better living conditions throughout the State.
Unanimously adopted March 17, 1923.

CALIFORNIA CONFERENCE ON CITY PLANNING.
C. H. CHENEY, Secretary.

Also:

WHEREAS, Our cities and counties and the State are now seriously hampered in opening and extending any streets for lack of power to take more than the actual width between street lines, thereby leaving in many cases narrow strips and unusable portions of lots that often hold up the proper improvement and development of property abutting on such streets; and

WHEREAS, A number of states of the country have now by constitutional amendment authorized the taking not only of the actual street width but also of a reasonable depth on each side in order that the lots may be recut to the best advantage and that some of the increment in value caused by the opening or widening or extension thereof may be used by the city, county or State, making the improvement to help pay for the same by reselling the replatted frontage; now, therefore, be it

Resolved, That Assembly Constitutional Amendment No. 26 be endorsed by this conference because we know the great benefits that will come from the use of this additional essential power and we most strongly urge upon the members of the Legislature that this amendment be placed upon the ballot at the election in 1924.

Unanimously adopted March 17, 1923.

CALIFORNIA CONFERENCE ON CITY PLANNING.
C. H. CHENEY, Secretary.

Also:

WHEREAS, The act of 1917 relating to the establishment of building setback lines is based on the theory of law similar to eminent domain and provides a most cumbersome procedure thereunder, and

WHEREAS, In most of the other cities of the union where such building setback regulations are being adopted by cities they are done under and through the use of police power; now, therefore, be it

Resolved, That Assembly Bill No. 1117, repealing the setback line act of 1917, be endorsed by the California Conference on City Planning in State-wide conference assembled at the Los Angeles City Club on March 17, 1923, and that the members of the State Legislature and the Governor be urged to enact this bill.

Unanimously adopted March 17, 1923

CALIFORNIA CONFERENCE ON CITY PLANNING.
C. H. CHENEY, Secretary.

Also:

WHEREAS, There are often camp sites, steep hill slopes, grades and intersections of highways where it is advisable to acquire more than 300 feet in width along public highways in order to preserve the trees and scenic beauties which line them, and

WHEREAS, Many local communities and individuals are willing to place funds in the hands of the State Highway Commission with which to acquire such trees and pieces of land as it may find advisable from time to time in the best interests of the State. Now, therefore, be it

Resolved, That the California Conference on City Planning in State wide conference assembled at the Los Angeles City Club on March 17, 1923, most strongly urges the enactment of Assembly Bill No 507 by the State Legislature and the Governor.

Unanimously adopted March 17, 1923

CALIFORNIA CONFERENCE ON CITY PLANNING
C. H. CHENEY, Secretary

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts;

Also Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 2 of article IX of the constitution of the State of California, relating to the election of a Superintendent of Public Instruction,

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature.
And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 478—An act to promote the better education of practitioners of radiography, to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Also: Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Also: Assembly Bill No. 473—An act to amend sections 1580, 1589*a*, 1590, 1591, 1591*a* of the Political Code, and to repeal section 1589*b* of the Political Code, relating to union elementary school districts.

Also: Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Also: Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

Also: Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class;

Also: Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

Also: Assembly Bill No. 974—An act to amend section 1931 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith".
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class;

Also: Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties;

Also: Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices;

Also: Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes;

Also: Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments; And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON REVISION OF CRIMINAL PROCEDURE

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923

MR. SPEAKER: Your Committee on Revision of Criminal Procedure, to which was referred Assembly Bill No. 67—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

JONES, Chairman.

The above reported bill ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 653—An act to add a new section to be numbered section 15*a* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds," approved June 16, 1913, relating to retirement of attendance officers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

In line 13 of the printed bill, strike out the "period" and insert in lieu thereof the following: ", *provided* such person has had five years successful teaching experience in California."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1285—An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the semicolon, insert the following: "and any parent, guardian or other person having control or charge of any minor between the ages of eight and sixteen years who removes such minor from any city, city and county, or school district before the completion of the then current school term, shall enroll such minor in a public full-time day school of the city, city and county, or school district to which such minor is removed.".

AMENDMENT NUMBER TWO.

On page 1, lines 12 and 13, of the printed bill, strike out the words "from the requirements of attendance upon a public day school", and insert in lieu thereof the following "by the proper school authorities from the requirements of attendance upon a public full-time day school".

AMENDMENT NUMBER THREE

On page 2, lines 17, 18 and 19, of the printed bill, strike out the words "a permit to work or an age and schooling certificate granted by the proper judicial or educational officers in accordance with law", and insert in lieu thereof the following "permits to work granted under the provisions of this act: *provided*, that such children shall be subject to compulsory attendance upon part-time classes as provided for persons between sixteen and eighteen years of age under the provisions of an act entitled, "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language to enforce attendance upon such part-time classes where established, and providing penalties for violation of the provisions of this act" approved May 27 1919"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, after the words "Section 1," strike out the remainder of the bill and insert in lieu thereof, the following "There is hereby granted to the city of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said state by virtue of its sovereignty in and to all lands, tidelands and submerged lands, whether filled or unfilled, in the present city of Oakland, consisting of three parcels hereinafter described, to wit

Parcel 1. A piece of land bounded on the north by the line of ordinary low tide of May 4, 1852 on the south by the southern boundary of said city of Oakland, on the west by the projection southerly of the center line of Adeline street as the same now exists, and on the east by the projection southerly of the easterly line of Washington street as the same now exists

Parcel 2 A piece of land bounded on the north by the southern line of property now owned by said city of Oakland on the south by the southern boundary of said city of Oakland on the west by the projection southerly of the center line of Franklin street as the same now exists and on the east by the projection southerly of the easterly line of Webster street as the same now exists,

Parcel 3. A piece of land bounded on the north by the present termination of Broadway street, on the south by the southern boundary line of said city of Oakland, on the west by the projection southerly of the western line of Broadway, as the same now exists, and on the east by the projection southerly of the easterly line of said Broadway street, as the same now exists

to be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit

(*a*) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever: *provided*, that said city, or its successors, may grant franchises thereon for limited periods, (but in no event exceeding fifty years) for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods, (but in no event exceeding fifty years) for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(*b*) That said harbor shall be improved by said city without expense to the state, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(*c*) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (*a*), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors

(*d*) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said land for said purpose."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 727—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor and the length of term thereof.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the words "Section 1 . insert the following

"The power to erect bridges on public highways across navigable streams in this State is hereby granted to the boards of supervisors of the several counties of the State, under the restrictions of this act

SEC. 2. Where a navigable stream is the boundary line between the counties, the boards of supervisors of such counties may join in the construction of a bridge upon such terms as may be agreed upon, *provided, however*, that in case of a failure to agree, either county may build the bridge and maintain control thereof

SEC. 3. Whenever the supervisors of any county or counties desire to erect a bridge on any public highway across any navigable stream within the provisions of this act, said board or boards shall notify the state engineer of such purpose, and of the precise point where such bridge is purposed to be located. The state engineer shall, within ten days after the receipt of such notice, designate the width of the draw or the height of such bridge, and also the length of the spans necessary to permit the free flow of water.

SEC. 4. The communication from the state engineer, fixing the draw and spans, shall be spread upon the minutes of the board, and any bridge constructed at that point shall be in conformity therewith *provided, however*, that the state engineer may, upon hearing before him, had upon application of any person or body interested, made within ten days after the receipt by said board of supervisors, of said

communication of said engineer, change his first plans, in which case the modified plans must be so spread upon the minutes, and shall stand in the place of the original; *provided, however*, that before such hearing is had, the said engineer must give ten days notice by publication in some newspaper published in the county or counties from which the application came, of the time and place of the hearing. In case of the absence or inability of the state engineer to act, the duties devolving upon him under this Act shall be performed by the state surveyor-general.

SEC. 5. When a bridge shall be built on a navigable stream, by one county, or two counties, it may be absolutely free, or tolls sufficient to pay in whole, or in part, for the construction, and to keep up the repairs and expenses thereof, may be charged the rate to be fixed by the board of supervisors of the county in which the same is located, or, if located in two counties, then by the boards of supervisors of the two counties or, if there be any disagreement between said Boards, as to imposing or removing tolls, or the rate, the matter in dispute shall be referred to the board of supervisors of some neighboring county for determination, and its decision, communicated in writing to the clerks of the said Boards, respectively, shall be final, and if tolls are fixed or removed thereby, the same shall take effect on the tenth day from the date of such written determination

SEC. 6. The power to grant licenses and franchises, and to fix the license tax therefor as provided in section two thousand eight hundred forty-five of the Political Code to individuals or corporations to construct bridges across San Francisco bay, Suisun bay, Carquinez straits, and at points below the head of navigation of the Petaluma, Napa and Sonoma creeks and the Sacramento and San Joaquin rivers, shall be exercised by the county on the left bank of such bays or streams descending

SEC. 7. Upon the filing with the clerk of the board of supervisors of the county having jurisdiction, of the certificate of the railroad commission issued to any individual or corporation and the approval by the authorities of the United States *having jurisdiction over such navigable streams, said board of supervisors shall* grant a franchise to the individual or corporation named in such certificate Such franchise shall not be assignable, except upon the consent of the supervisors of the county granting the same

SEC. 8. Jurisdiction is hereby conferred upon the railroad commission of the State of California, upon an application by any individual or corporation, and upon such hearing as the commission shall require, to issue within its discretion a certificate for the erection of toll bridges across the streams specified in Section Six of this act. Such certificate shall specify the life of the franchise, not to exceed the term of forty years, which term may be extended if in the opinion of the Commission, such may be necessary, the amount of the bond for the faithful inauguration and completion of such bridge, which bond shall be not less than one per cent nor more than ten per cent of the estimated cost of such bridge, and the tolls to be charged, which tolls may, from time to time, be changed by the Railroad Commission upon good cause appearing therefor, and such other requirements as the Commission may designate

SEC. 9. The individual or corporation to whom such franchise shall have been granted shall record with the county recorder of the county by which said franchise is granted the certificate of the railroad commission, the approval of the authorities of the United States and the bond hereinabove provided before beginning the work of erecting such bridge.

SEC. 10. Every bridge erected under the provisions of this act must have good and substantial railings or sidings, at least four and one-half feet high When a bridge is completed and a certificate that it is so, and is safe and convenient for the public use is signed by the commissioner of highways, or the president of the board of supervisors, and filed in the county clerk's office in the county or counties in which it is located, the owners or directors may erect a toll gate at such bridge and require such tolls as the railroad commission may from time to time prescribe A license, therefor, must be issued by the auditor of the county on giving the necessary bond and paying the license tax as hereinafter provided

SEC. 11. Sections two thousand eight hundred forty-seven, two thousand eight hundred fifty, two thousand eight hundred fifty-one, two thousand eight hundred fifty-four, two thousand eight hundred fifty-five, two thousand eight hundred fifty-seven, two thousand eight hundred fifty-eight, two thousand eight hundred seventy-four, two thousand eight hundred seventy-seven, two thousand eight hundred seventy-nine, two thousand eight hundred eighty and two thousand eight hundred eighty-one of the Political Code are hereby re-enacted and made a part of this act

SEC. 12. The board of supervisors, or other governing body of any city and county, or county in this State, shall have power to declare that it is necessary for the public convenience to have a bridge or bridges built across any estuary, swamp, pond or arm of a bay that may lie or extend into the county, or city and county, and prescribe the points between which said bridge or bridges shall be built, and when they shall have specified the points between which it is in their judgment, necessary to build the said bridge or bridges they may let contracts to build the bridges, as aforesaid, and pay for the same out of the general fund of the city and county or county.

SEC. 13. All acts and parts of acts, in conflict with the provisions of this act, are hereby repealed.

SEC. 14. This act shall take effect and be in force from and after ninety days after the adjournment of the present session of the legislature."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the reversion or recession thereof to the abutting property owners.

COMMITTEE AMENDENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 4 of the title following the word "for" and all of line 5 and insert in lieu thereof the following, "the transfer and recession thereof to said town of Sausalito".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 25, both inclusive, and on page 2 strike out all of lines 1 to 19, both inclusive, and insert in lieu thereof the following:

"SECTION 1. All claims by the State of California for any right of way and for any use as streets or other interest which the public may have in or to the following described portions of submerged lands officially described and known as streets or avenues in the town of Sausalito:

(1) All that portion of Humboldt avenue commencing at the intersection of the northeasterly line of Humboldt avenue with the southeasterly line of Johnson street, thence southwesterly along the southeasterly line of Johnson street to the southwesterly line of Humboldt avenue; thence southeasterly along said line of Humboldt avenue to the intersection of said line with the westerly line of Railroad avenue, thence northerly along said line of Railroad avenue to its intersection with the northeasterly line of Humboldt avenue; thence northwesterly along said northeasterly line of Humboldt avenue to the point of beginning.

(2) All that portion of Humboldt avenue lying between the northwesterly line of Johnson street and the southeasterly line of Pine street.

(3) All that portion of Humboldt avenue lying between the northwesterly line of Pine street and the southeasterly line of Turney street.

(4) All that portion of Humboldt avenue lying between the northwesterly line of Turney street and the southeasterly line of Locust street.

(5) All that portion of Humboldt avenue lying between the northwesterly line of Locust street and the southeasterly line of Litho street.

(6) All that portion of Humboldt avenue lying between the northwesterly line of Litho street and the southeasterly line of Bee street.

(7) All that portion of Humboldt avenue lying between the northwesterly line of Bee street and the southeasterly line of Napa street.

(8) All that portion of Railroad avenue commencing at the intersection of the westerly line of Railroad avenue with the northeasterly line of Humboldt avenue; thence northerly along said line of Railroad avenue a distance of 531 feet to the intersection with the southwesterly line of Donahue avenue; thence southeasterly along said line of Donahue avenue, if produced southeasterly, to the intersection with the easterly line of Railroad avenue; thence southerly along said easterly line of Railroad avenue 356 feet to a point from which a line at right angles intersects the point of beginning; thence at right angles westerly a distance of 200 feet to the point of beginning.

(9) All that portion of B street lying between Railroad avenue and Humboldt avenue.

(10) All that portion of C, D and E streets lying between Donahue avenue and Humboldt avenue,

are hereby relinquished and abandoned.

SEC. 2. The legislature hereby declares that the intention of this act is to relinquish and abandon the above mentioned portions of streets and to vest all right, title and interest of the State of California in and to said lands above described and to completely transfer and cede the same, in and to the town of Sausalito."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 887—An act providing for the formation and incorporation of rural credit unions or cooperative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Amendment to title of act to read as follows:

"An act providing for the formation and incorporation of credit unions or cooperative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest."

AMENDMENT NUMBER TWO.

Section 1 to read as follows:

"When authorized by the official vested by law with the power of supervision and license under this act, seven or more persons employed or residing in the State of California may form a corporation to be known as a credit union. Such persons shall subscribe and acknowledge and submit to the said official, vested by law with the power of supervision and license under this act at his office, an organization certificate in triplicate which shall specifically state:

(1) The name of the corporation, which shall include the words 'credit union.'

(2) The place where its business is to be transacted. If the condition of membership is employment of its members by a certain individual, partnership or corporation, the place of business of such individual, partnership or corporation may be stated as the place of business of such credit union.

(3) The par value of the shares, which shall not exceed twenty-five dollars.

(4) The full names, residence and postoffice address of each of the incorporators and the number of shares subscribed for by each.

(5) The term of its existance, not exceeding fifty years.

(6) The number of its directors, which shall not be less than five, and the names and addresses of the incorporators who shall be its directors until the first annual meeting of shareholders.

Page 2, ending at line 2, new subdivisions should be added to section 1 and numbered 7 and 8 to read as follows

(7) The amount of its capital stock and the number of shares into which it is divided.

(8) If there is capital stock, the amount actually subscribed and by whom.

Section 2, page 2, line 4 The words "superintendent of banks" should be stricken out and amended to read "The official vested by law with the power of supervision and license under this act"

Page 2, section 2, subdivision 16 to be stricken out.

Section 3, page 2, should be amended and read as follows "When the official vested by law with the power of supervision and license under this act shall have attached his written approval to the organization certificates as provided by section 29 of this act, the said articles of incorporation so approved shall be returned to the Credit Union or its attorneys. The said articles of incorporation together with the certificate of approval attached to the original and to the copies thereof must then be filed with the secretary of state. The secretary of state shall retain and file the original of said articles of incorporation bearing the original written approval of the official vested by law with the power of supervision and license under this act upon the payment of the fees as required by law and he shall then return the other copies bearing his official filing certificate The said two certified articles of incorporation shall then be filed with the county clerk where said corporation shall have its principal place of business The county clerk shall then return to said corporation one of said copies duly certified The said copy of said articles so certified by the secretary of state and county clerk shall then be filed with the official vested by law with the power of supervision and license under this act and then the corporate existence of the credit union shall begin, and it shall have power to elect officers and to transact such other business as relates to its organization But it shall transact no other business until the official vested by law with the supervision and license under this act shall have duly issued to it, the authorization certificate specified in section thirty of this act"

Page 2 section 2, subdivision 9, should be amended to read as follows "The conditions upon which certificates may be received and withdrawn."

Page 3, subdivision 4, section 4, commencing on line 6, should be amended and read "To receive the savings of its members in payment of shares or of certificates which shall specify the date, the amount rate of interest and when the principal and interest are payable and also the withdrawal value thereof at the end of the year"

Page 3, subdivision 8, commencing on line 19, should be stricken out and thereafter the paragraphs should be renumbered

Page 3, section 4, subdivision 13, commencing line 31, should be stricken out

Section 5, subdivision 2, should be amended to read "Making any loan in excess of fifty dollars unless security therefor is taken. The term "security" within the meaning of this subdivision shall include an indorsed note of any of the members, nor in any event, make a loan to any member in excess of ten per cent of its capital and guaranty fund"

Subdivision 4, section 5, page 3, should be amended to read "Permit any director, officer or member of the credit committee or supervisory committee to borrow directly or indirectly or become surety for any loan or advance made by the corporation."

Page 4, subdivision 5, section 5, to be amended to read: "Issue shares or accept funds in trust, except in the name of the trustee, as such, for a specified beneficiary whose residence shall be disclosed to the credit union by such trustee"

Page 4, section 7, should be amended to read The capital, funds, undivided profits and guaranty fund of any credit union may be deposited in one or more savings banks, state banks or trust companies, incorporated under the laws of the State of California, or in national banks located in the state or invested in certificates of building and loan associations which have been duly licensed to operate in the State of California"

Page 4, section 8, to be amended to read as follows "Every credit union shall create a guaranty fund which shall in no case exceed the capital of the corporation, plus fifty per centum of its other liabilities, *provided however*, every credit union shall, at all times maintain a capital and guaranty fund of not less than one tenth of the investment certificates issued and outstanding by it, and shall be held to meet contingencies until the corporation is dissolved, when it may be distributed among the shareholders Such guaranty fund shall be created and regulated as follows

(1) All entrance fees and transfer fees remaining after the payment of organization expenses shall be set aside to such fund

(2) At the close of each fiscal year, twenty-five per centum of the net earnings of the corporation for the year shall be carried to such fund, *provided*, that, upon the recommendation of the board of directors, the shareholders, at the annual meeting, may increase, or if such fund equals or exceeds its capital, may decrease the proportion of net earnings to be thus set aside,

(3) Any sums recovered on items previously charged to it shall be credited to such fund. Losses incurred by a credit union may be charged to its guaranty fund."

Page 5, section 10, and its subdivisions 1 and 2, commencing at line 12, to be amended and read as follows: "The directors of any credit union, may, at the close of each fiscal year, declare such dividends from its undivided profits as is provided for by law, but no credit union shall declare, credit or pay any dividends to its shareholders until it shall have

(1) Carried to its guaranty fund, such part of its net earnings as is required by section eight of this act.

Section 11, page 5, commencing on line 26, should be amended as follows and read: "Any credit union may make a written application to the official vested by law with the power of supervision and license under this act for leave to change its place of business to another place in the same county. The application shall state the reasons for such proposed change, and shall be signed and acknowledged by a majority of its board of directors and accompanied by the written assent thereto of at least two-thirds of its shareholders: *provided*, no change shall be made without the written consent of the said official. When permission to remove has been given under this section, the credit union may, upon or after the day specified in said written authorization remove its property and effects to the location designated therein, and, thereafter, its place of business shall be the location so specified, and it shall have all the rights and powers in such new location which it possessed at its former location."

Page 6, section 12, should be amended to read as follows: "The shares of members of any credit union and all the accumulation on such shares shall be exempt from sale on execution and proceedings supplementary thereto to the amount of six hundred dollars."

Page 6, section 13, should be stricken out.

Section 14 should be renumbered to section 13 and should be amended to read: "A member desiring to withdraw from a credit union shall give thirty days written notice of his intention to withdraw. On the expiration of said notice, he is entitled to receive the full amount paid in upon the stock or investment certificate surrendered exclusive of the entrance or withdrawal fee together with such proportion of the earnings thereon as the by-laws may provide or may be filed by the board of directors, but not more than one-half of the monthly receipts in any one month must be applied to withdrawals for that month without consent of the board of directors. The board of directors may expel any member who has not carried out his engagements with the credit union, or, who has been convicted of a criminal offense, or, who neglects or refuses to comply with the provisions of this article, or of the by-laws. The amount paid on said shares of any certificates by such members, together with any dividends credited to their shares and any interest which has accrued on their certificates, shall be repaid to them in order of their withdrawal or expulsion as funds become available therefor, but the credit union may deduct from such payments any sums due it from such members."

Page 6, section 15, should be renumbered to section 14. As renumbered section 14 should be amended to read: "Annual meetings. An annual meeting for the election of directors, a credit committee and a supervisory committee shall be held during the month of January in each year, upon such notice and at such time and place as the by-laws provide."

Page 7, section 16, line 9. The word "eligible" should be changed to the word "ineligible".

Section 16 should be renumbered to read section 15.

Section 17 should be renumbered to read section 16.

Page 7, section 18 should be eliminated

Section 19 should be renumbered to read section 18.

Section 20 should be renumbered to read section 19 and on line 48 the word "make" should be stricken out and the word "the" inserted instead.

Page 8, subdivision 2, section 29, to be renumbered to read section 19 and amend line 1: "To fix the amount of surety bond required of each officer having the control or custody of funds."

Page 8, subdivision 3, section 19, as renumbered line 3, to be amended to read as follows: "To determine from time to time, the rate of interest which shall be allowed on shares or certificates and interest rate on loans."

Page 8, section 21, to be renumbered to section 20.

Section 22 to be renumbered to section 21.

Subdivisions of section 21 as renumbered to be renumbered 1, 2, 3, 4, 5 and 6.

Page 9, section 23, to be renumbered to section 22.

Section 24 to be renumbered to section 23 and should be amended to read as follows: "The by-laws of a credit union may be changed or amended by two-thirds vote of the shareholders, *provided*, the proposed change or amendment shall have first had the approval of the official vested by law with the power of supervision and license under this act, *and, provided, further*, that notice of such amendment, shall have been given to each shareholder as prescribed in the by-laws. A copy of any change or amendment thus adopted shall be filed in the office of the official vested by law with the power of

supervision and license under this act within thirty days after its adoption. Any credit union deeming itself aggrieved by the refusal of the official vested by law with the power of supervision and license under this act to give his approval to a proposed change or amendment, may apply to the superior court of the county wherein the credit union is located, upon notice to the official vested by law with the power of supervision and license under this act, for a review of such decision. Such superior court shall review the action of the official vested by law with the power of supervision and license under this act, he may overrule, or set aside the action of the official vested by law with the power of supervision and license to act or may approve or deny such change or amendment. An approval thus obtained shall enable the credit union to make the change or amendment as approved."

Section 25 to be renumbered to read section 24 and read as follows: "No law which taxes corporations in any form or the shares thereof or the accumulation therein, shall apply to corporations doing business in accordance with the provisions of this article unless such corporations are specifically named in said law."

Section 26 as numbered in original bill to be stricken out.

Section 27 to be renumbered to section 25.

Section 28 to be renumbered and read section 26, to read as follows: "On or before thirty days after the close of the fiscal year of each credit union, every such credit union shall make a written report to the official vested by law with the power of supervision and license under this act which shall contain a statement of its condition, and at the day of the close of the fiscal year, the said report shall be in form and contain the matters prescribed by the official vested by law with the power of supervision and license under this act. Every such report shall be verified by the oath of the president, treasurer, secretary and a majority of the members of the supervisory committee. The verification shall state that the report is true and correct in all respects to the best of the knowledge and belief of the persons verifying it, and that the usual business of the credit union has been transacted at the location required by this article and not elsewhere.

Every such credit union shall also make such other special reports to the official vested by law with the power of supervision and license under this act as he may from time to time require, which shall be in such form and filed at such date as may be prescribed by the official vested by law with the power of supervision and license under this act and, shall, if required by him, be verified in such manner as he may prescribe.

If any such credit union shall fail to make any report required by this section on or before the day designed for the making thereof, or shall fail to include therein, any matter required by the said official vested by law with the power of supervision and license under this act, such credit union shall forfeit to the people of the state, the sum of five dollars for every day that such report shall be delayed or withheld and, for every day that it shall fail to report any such omitted matter, unless the time therefore, shall have been extended by the official vested by law with the power of supervision and license under this act."

Page 10, section 29, to be amended to read section 27.

Section 30 to be amended to read section 28.

Section 31 to be amended to read section 29 and read as follows: "When any certificates shall have been filed for examinations the official vested by law with the power of supervision and license under this act shall thereupon ascertain from the best sources of information at his command, and by such investigation as he may deem necessary, whether the character, responsibility and general fitness of the person or persons named in such certificates are such as to command confidence and warrant belief that the business of the proposed corporation will be honestly and efficiently conducted in accordance with the intent and purpose of this act and whether the public convenience and advantage will be promoted by allowing such proposed corporation to engage or continue in business.

After the said officer shall be satisfied by such investigation whether it is expedient and desirable to permit such proposed corporation to engage or continue in business, he shall, within sixty days after the date of filing of such certificates for examination, attach to said certificates his written approval or the word "refused" with the date of such endorsement. In case of such refusal, he shall forthwith return one of the triplicates, so endorsed to the proposed incorporators from whom such certificates were received."

Page 11, section 32, to be amended to read as section 30 and then to read: "Before authorizing any corporation to begin or continue business the official vested by law with the power of supervision and license under this act shall be satisfied that such corporation has in good faith complied with all the requirements of law and fulfilled all the conditions, precedent to commencing business imposed by this act. In case of every stock corporation, he shall examine or cause an examination to be made, in order to ascertain whether all of its capital stock has been fully paid in cash.

If satisfied, that such corporation has in good faith complied with all the requirements of law, and fulfilled all the conditions precedent to commencing business imposed by this act, the said official shall, within sixty days after the date on which said organization certificates were filed with him for examination, but in no case

after the expiration of that period, issue under his hand, and official seal, in triplicate, an authorization certificate to the persons named in said organization certificate. Such authorization certificate shall state that the corporation named therein as complied with the provisions of this act and with all the requirements of law that it is authorized to transact within this state, all business specified therein and that such business can be safely entrusted to it. One of the triplicate authorization certificates shall be transmitted by the said official vested by law with the power of supervision and license hereunder to the corporation thereby authorized to commence or continue business, another shall be filed in the office of the said official, and the third shall be filed by said corporation in the county clerk's office wherein the organization certificate of said corporation has been filed. The said official and said county clerk shall respectively attach such authorization certificate to such corporation organization certificate previously filed in their respective offices and shall record both such certificate in the books of incorporation herein. However, such authorization certificate shall not be issued by said official vested by law with the power of license and supervision hereunder until said credit union shall have paid to said official the sum of twenty-five dollars as a license fee."

Section 33, as numbered in the original bill on page 11, to be stricken out.

Page 12, section 34, as numbered in the original bill to be stricken out.

Page 12, section 35, of original bill to be renumbered to read section 31, and then to read as follows: "For satisfactory cause to him shown, the official vested by law with the powers of license and supervision hereunder, may grant extensions of time to corporations to which this act is applicable as follows:

1. He may extend, for not more than one year, the time within which any such corporation may commence business. Such extension shall only be made by an order under his hand and official seal, which shall be executed in triplicate, and one copy shall be filed in his office, one in the office of the clerk of the county in which the organization certificate of such corporation has been filed, and the third shall be transmitted to such corporation.

2. He may extend, for not exceeding twenty days in the case of any corporation to which this chapter is applicable, the time within which any such corporation is required to make and file any report to the said official."

A new section to be added and numbered thirty-two, and then to read as follows:

"It shall be the duty of the official vested by law with the power of license and supervision, in person or one of his deputies, at least once in each year, without previous notice, to visit and examine into the affairs of every such credit union licensed by him, and on such occasions, he shall have free access to all the books, records, securities, and papers of every such credit union. He shall first count the cash and check the bank balance of such credit unions with the proper amount of funds as shown on the books to be on hand and at the date and hour of such examination, shall then examine and verify the books, accounts, and securities, and, so far as possible and consistent, the values of all property owned or held as collateral security for moneys loaned and otherwise use reasonable diligence to ascertain the financial condition and solvency thereof. He and his deputies shall have power to administer oaths in the line of duty, and to examine under oath, the officers, employees and agents, or the custodian or receiver, relative to any or all the business thereof.

The cost of such examination shall be paid by the credit unions, including traveling and hotel expenses for each day actually engaged in the examination. Each such cost shall not exceed the sum of ten ($10.00) dollars per day. Whenever the result of any such examination shall develop a condition demanding an extended audit of the books and affairs, the commissioner may for such purpose, appoint a competent auditor at the expense of the credit union examined. The expense of such auditor shall be fixed by the commissioner, and shall not exceed ten ($10.00) dollars, plus traveling and hotel expenses for each day actually engaged in the making of the audit and the preparation of the report.

The powers of supervision, examination and license of all credit unions formed hereunder, shall be vested in the building and loan commissioner of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason; providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1319.—An act to add a new section to the Code of Civil Procedure to be numbered 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Bill read second time, ordered to engrossment and third reading.

Assembly Bill No. 336—An act to amend section 4252 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1, 2 and 3 of the title, and insert in lieu thereof the following:

"An act to amend section four thousand two hundred fifty-two of, and to add a new section, to be numbered four thousand two hundred fifty-two and one-half to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 6, add the following:

1. The county clerk, three thousand dollars ($3,000) per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy, who shall be appointed by the county clerk, and who shall be paid a salary of one thousand eight hundred dollars per annum, one deputy who shall be appointed by the county clerk and who shall be paid a salary of one thousand five hundred dollars per annum, and one deputy, who shall be appointed by the county clerk and who shall be paid a salary of one thousand two hundred dollars per annum. The salaries of said deputies shall be paid by the county in monthly installments, at the time and in the manner and out of the same fund as the salaries of other county officers are paid; *provided*, that the county clerk be, and he is hereby allowed the sum of ten cents (10c) for the registration of each voter, which registration is taken and made outside of the office of the county clerk; *provided, further*, that in any year that a general election, primary election, special state election, or special county election within the county is held, such number of assistants as is necessary to properly prepare for and conduct said elections shall be allowed, to be paid out of the general fund of the county on the presentation and filing with the board of supervisors, duly verified claims therefor, approved by the county clerk, said compensation not to exceed two hundred ($200.00) dollars for each election held. The office of the county clerk shall be kept open on each and every day except Sunday, and legal holidays from nine o'clock a.m. to twelve o'clock m., and from one o'clock p.m. to five o'clock p.m.

2. The sheriff, four thousand dollars ($4,000) per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff the following deputies, who shall be appointed by the sheriff and shall be paid salaries as follows, to wit: One under sheriff at a salary of two hundred dollars ($200) per month, one deputy sheriff at a salary of one hundred seventy-five dollars ($175) per month, one deputy sheriff at a salary of one hundred twenty-five dollars ($125) per month, and one deputy sheriff at seventy-five dollars ($75) per month, who shall be head jailer at the county jail in said county; *provided*, that if the sheriff shall not be allowed the privilege of boarding the prisoners as heretofore provided, in this county, then the deputy who shall be head jailer shall receive the salary of one hundred dollars per month; said sheriff and his deputies shall be allowed their actual traveling expenses in the performance of their duties, but no other fees or mileage of any nature or kind shall be allowed in civil or criminal matters; except the sheriff shall have for his use the per diems allowed by law for the transportation of prisoners and insane persons to state institutions; all fees of every nature and kind collected

by the sheriff shall be turned into the county treasurer. The salaries of the deputies heretofore provided shall be paid in monthly installments by said county, at the same time and manner and out of the same fund as the salaries of other county officers are paid.

3. The county recorder, three thousand dollars ($3,000) per annum, *provided*, that in counties of this class there shall be and is allowed to the recorder not to exceed two copyists who shall be appointed by the recorder of said county, said copyists to be paid and receive a salary not to exceed two thousand four hundred dollars ($2,400) in the aggregate in any one year, which salaries shall be paid by said county in monthly installments in the form and in the manner and out of the same fund as the salary of other county officers are paid.

4. The auditor, one thousand eight hundred dollars per annum

5. The tax collector, two thousand seven hundred dollars per annum, *provided*, that in counties of this class, there shall be and there hereby is allowed to the tax collector a deputy to be appointed by the tax collector, who shall receive a salary of one hundred dollars ($100) per month, which salary shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid, *provided*, that the tax collector shall be allowed one hundred fifty dollars ($150) per annum for necessary clerical assistance.

6. The assessor, three thousand six hundred dollars ($3,600) per annum; and said assessor may appoint one chief deputy, who shall receive a salary of two thousand four hundred dollars ($2,400) per annum, and one deputy who shall receive a salary of one thousand five hundred dollars ($1,500) per annum, which salaries shall be paid by the county in equal monthly installments; also he may appoint other field deputies whose compensation in the aggregate shall not exceed four thousand dollars ($4,000) in any one year, payable to them in installments, at such time and in such amounts as may be designated by the assessor, *provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom said compensation is paid. All of the salaries of the above deputies shall be paid in the same manner and out of the same fund as the salaries of other county officials are paid. All commissions or fees now or hereafter allowed by law shall be paid into the county treasury and no compensation shall be allowed the assessor for preparing the military roll of a county of this class. The office of the county assessor shall be kept open on each and every day, except Sundays and legal holidays, from nine o'clock a.m. to twelve o'clock m. and from one o'clock p.m. to five o'clock p.m. The changes provided in this section do not affect an increase in the compensation of a county officer and shall apply immediately to incumbents.

7. The county treasurer, two thousand four hundred ($2,400) per annum, *provided*, that in counties of this class there shall be and is hereby allowed to the treasurer a deputy, to be appointed by the treasurer, who shall receive a salary of one hundred fifty dollars ($150) per month, which salary shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as salaries of other county officials are paid.

8. The district attorney, two thousand five hundred dollars ($2,500) per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the district attorney one deputy, to be appointed by the district attorney, who shall receive a salary of two thousand one hundred dollars ($2,100) per annum, and one stenographer, which office is hereby created to be appointed by the district attorney at a salary of one hundred and twenty-five dollars ($125) per month, which salaries of said deputy and said stenographer shall be paid in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of other county officials are paid.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. Public administrator, such fees as are now or may hereafter be allowed by law.

11. The superintendent of schools, two thousand five hundred dollars ($2,500) per annum. This office shall be kept open on all business days from nine a.m. to twelve m. and from one o'clock p.m. to five o'clock p.m. He shall be allowed his actual expenses, when visiting the schools of this county and such per diem as is now or may hereafter be allowed by law, for services as a member of the county board of education, *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools a deputy, to be appointed by the superintendent of schools, who shall receive from the county a salary of one thousand six hundred twenty dollars ($1,620) per annum, which salary shall be paid by the county in equal monthly installments, and which said salary shall be paid at the same time and in the same manner and out of the same funds as is the salary of the superintendent of schools, *provided*, that the superintendent of schools shall be allowed fifty dollars ($50) per month for stenographic assistance.

12. The county surveyor, two thousand five hundred dollars ($2,500) per annum; *provided*, that if the county surveyor shall be appointed superintendent of the permanent highways in the county constructed under bond issue, under any statute of this state providing for the appointment of such superintendent, then and in that event said county surveyor shall receive a salary of four thousand dollars ($4,000) per

annum; *provided*, that in counties of this class there shall be and is hereby allowed to the county surveyor the following deputies who shall be appointed by the county surveyor, and who shall be paid salaries as follows One chief deputy county surveyor at a salary of one hundred fifty dollars ($150) per month, one deputy county surveyor at a salary of one hundred twenty-five dollars ($125) per month and one deputy at one hundred dollars ($100) per month, all of which offices are hereby created also said county surveyor may appoint another deputy or deputies, the compensation of said deputies or deputy in the aggregate not to exceed two thousand dollars ($2,000) in any one year, payable to such deputy or deputies in such installments, at such time and in such amount as may be designated by the county surveyor, *provided, however*, that the county surveyor shall file with the county auditor a verified statement showing in detail the amounts and the persons to whom said compensation is paid The salaries of said deputies and each of them shall be paid in the same manner and out of the same fund as the salaries of other county officers are paid

13. The county librarian, one thousand eight hundred dollars per annum.

14. In counties of this class, each member of the county board of education shall receive five dollars for each day the board of education is in session, not to exceed a total of three hundred and fifty dollars per annum. In addition each member shall receive the same mileage as is allowed the members of the board of supervisors of said county. Compensation of the members of the county board of education shall be payable out of the same funds and in the same manner as is the salary of the county superintendent of schools.

15. Justices of the peace shall receive the following monthly salaries, to be paid each month as salaries of other county officers are paid, which shall be in full for all services rendered in both civil and criminal cases In townships where the population is four thousand or more, one hundred fifty dollars ($150) per month, and said justice of the peace shall be furnished with offices and necessary supplies by the board of supervisors of said county, in townships where the population is two thousand and less than four thousand, eighty dollars per month, in townships where the population is one thousand and less than two thousand, forty dollars per month, in townships where the population is less than one thousand, twenty dollars per month, *provided*, that the justice of the peace shall, before receiving his monthly salary, file with the auditor a statement of all fines received, together with the treasurer's receipt for same, *provided, further*, that no justice of the peace shall hold the office of city recorder.

16 Constables shall receive the following monthly salaries to be paid each month as salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases In townships where the population is four thousand or more, eighty dollars per month, in townships where the population is two thousand and less than four thousand, seventy dollars per month, in townships where the population is one thousand and less than two thousand, fifty dollars per month, in townships where the population is less than one thousand, twenty-five dollars per month In addition to the monthly salary herein allowed each constable may retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil actions each constable shall also be allowed all necessary expenses actually incurred by him in arresting, pursuing or conveying prisoners to court or to prison, and actual expenses incurred in serving any process in any criminal case pending in said county, which said expenses shall be audited and allowed by the board of supervisors out of the county treasury.

17. For the purposes of subdivisions fifteen and sixteen of this section, the population of the several judicial townships shall be ascertained by the board of supervisors of said county at their regular meeting in the month of December following the election of justices of the peace and constables in said county, by multiplying by three the number of registered voters in said township as shown by the register prepared by the county clerk of said county for the general election next preceding the date of such determination. It is hereby found as a fact, that the salaries provided for in subdivisions fifteen and sixteen do not work an increase in the compensation and the same shall apply immediately to incumbents.

18 Each member of the board of supervisors, one thousand two hundred dollars ($1,200) per annum, and their necessary expenses when attending to the business of the county, other than the meetings of the board at the county seat, and twenty cents (20c) per mile in traveling from his residence to the county seat, *provided* that not more than one mileage for any one regular session of the board shall be allowed, and not more than one mileage for any special session of the board shall be allowed

19. The salaries of all county and township officers and their deputies shall be payable in monthly installments on the first day of each month.

20 For acting as a grand juror in the superior court, for each day's attendance per day, three dollars. For every mile actually traveled in attending court as a grand juror in going only, twenty-five cents per mile.

Sec 2. A new section is hereby added to the Political Code to be numbered four thousand two hundred fifty-two and one-half, and to read as follows

4252½ In counties of the twenty-third class the recorder shall be entitled to the actual cost incurred by him for the recording of all papers, documents and records in his office, not to exceed six cents (6c) per folio for long-hand recording and not to exceed five cents (5c) per folio for typewritten recording for each paper or document so recorded, *provided*, that said recorder shall file monthly, with the county auditor sworn statements showing in detail the persons and the amounts paid to each for such recording."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, after line 6 of the printed bill, insert the following

"1 County Clerk. Two thousand four hundred dollars per annum, and in counties of this class there shall be one deputy clerk who shall be appointed by the county clerk, and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the treasury of said county at the same time and in the same manner as the salaries of county officers are paid

2 Sheriff. Three thousand dollars per annum and actual traveling expenses in the pursuit or arrest of criminals, either in or out of his county, *provided* that in counties of this class there shall be one deputy sheriff, who shall be appointed by the sheriff, and who shall receive a salary of one thousand eight hundred dollars, payable out of the treasury of said county at the same time and in the same manner as the salaries of county officers are paid.

3 Recorder Two thousand dollars per annum, and in counties of this class there shall be one chief deputy recorder who shall be appointed by the recorder and who shall receive a salary of one thousand five hundred dollars per annum, and two deputy recorders who shall be appointed by the recorder and who shall receive a salary of one thousand two hundred dollars per annum, such salaries to be paid out of the treasury of said county at the same time and in the same manner as the salaries of county officers are paid.

4 Auditor. One thousand dollars per annum.

5. Treasurer. Two thousand dollars per annum and in counties of this class said treasurer may appoint clerical assistants, as may be necesary for the transaction of the business of his office, whose salaries shall not in any one fiscal year exceed the sum of one thousand five hundred dollars Said salaries to be paid upon verified claims filed with the board of supervisors

6. Tax Collector One thousand dollars per annum, and in counties of this class there shall be one deputy tax collector, who shall be appointed by the tax collector, and who shall receive a salary of one thousand eight hundred dollars per annum, said salary to be paid at the same time and in the same manner as the salaries of county officers are paid

7 Assessor Three thousand dollars per annum, and in counties of this class there shall be one chief deputy assessor, who shall be appointed by the assessor, who shall receive a salary of one thousand eight hundred dollars per annum, and the assessor may appoint such other deputies, as may be necessary for the proper discharge of the duties of his offices, whose compensation shall not for any one fiscal year exceed the sum of one thousand five hundred dollars The salary of said chief deputy assessor shall be paid in the same manner and at the same time as the salaries of county officers are paid, and the salaries of such other deputies, as said assessor shall appoint, shall be paid upon presentation of verified claims therefor to the board of supervisors.

8. District Attorney. Two thousand four hundred dollars per annum and in counties of this class the district attorney shall appoint a clerk or stenographer who shall receive a salary of one thousand two hundred dollars per annum, said salaries to be paid at the same time and in the same manner as the salaries of county officers are paid

9. Coroner Five hundred dollars per annum and the actual traveling and other expenses that he incurs while discharging the duties of his office.

10 Public Administrator. Such fees as are now or may be hereafter allowed by law.

11. Surveyor. Two thousand one hundred dollars per annum and his actual traveling and other expenses while engaged in the performance of the duties of his office and while on the business of the county by order of the board of supervisors *and provided*, that whenever the board of supervisors shall direct the surveyor to perform engineering or surveying work for said county he may with the consent of the board of supervisors, appoint such office and field assistants as shall be necessary for the performance of said work.

12. Superintendent of Schools. Two thousand four hundred dollars per annum and his actual traveling expenses in visiting the schools of his county *provided* that in counties of this class there shall be one deputy superintendent of schools who shall be appointed by the superintendent of schools, and who shall receive a salary of one thousand two hundred dollars per annum, payable in the same manner and at the same time as the salaries of county officers are paid.

13. Supervisor. Each supervisor shall receive one hundred dollars per month and his actual expenses when attending to the business of the county by the order of the board and mileage at the rate of twenty cents per mile, one way, for traveling from his residence to the county seat to attend the meetings of the board, and mileage at the rate of twenty cents per mile, one way for all actual distances traveled by him in the performance of his duties as road commissioner. Mileage shall be paid for each time said board of supervisors shall meet in separate session.

14. Classification of Townships. In counties of this class the township officers shall receive the following compensation. For the purpose of fixing compensation of justices of the peace and constables according to their duties townships in counties of this class are hereby classified according to their population as follows: Townships having a population of eight thousand or more shall belong to and be known as townships of the first class; townships having a population of two thousand five hundred or more and less than eight thousand shall be known as townships of the second class; and townships having a population of less than two thousand five hundred shall belong to and be known as townships of the third class.

15. Justices of the Peace. Justices of the peace shall receive the following salaries: In townships of the first class one hundred dollars per month; in townships of the second class, forty dollars per month; and in townships of the third class, twenty dollars per month. Such salaries shall be paid in the same manner and out of the same fund as salaries of county officers are paid, and shall be compensation in full for all services rendered. All fees received by justices of the peace shall be paid into the county treasury every month.

16. Constables. Constables shall receive the following salaries: In townships of the first class one hundred dollars per month; in townships of the second class forty dollars per month; and in townships of the third class twenty dollars per month; and also actual traveling and other necessary expenses incurred in the pursuit and arrest of criminals and investigation of criminal offenses; *and provided*, that said constables shall be entitled to retain for their own use the mileage fee in civil cases, and all other fees received by them shall be paid into the county treasury every month.

17. Population of Townships. For the purpose of section concerning the population of townships, the population shall be ascertained by the United States census taken in the year one thousand nine hundred twenty.

18. Jurors. Grand jurors and jurors in the superior court shall receive for each day's attendance three dollars and for each mile actually traveled in attending court as a juror, one way, twenty-five cents. Mileage shall be paid for each time a regularly empaneled jury or grand jury shall be called in separate session.

19. Librarian. The librarian two thousand dollars per annum, *and provided* said librarian may appoint such assistants as shall be necessary for the expeditious transaction of the duties of her office, and the compensation of said assistants shall be paid out of the County Library Fund and upon the filing of a verified claim or claims therefor, and shall not exceed in any one fiscal year the sum of five thousand dollars.

20. That wherever in this act the salary of a county officer is changed from a fee basis or a fee and salary basis to a flat salary only, it is hereby found that such change does not effect or constitute an increase in the salary of such officer.

21. The provisions of this act are intended to apply to, and effect, incumbents, except in so far as such provisions do not constitute, an increase in salary of such incumbent.

22. Any salary, compensation or fee provided by law to be paid to any county officer as officers or ex-officio officers of levee district number one in said county of Sutter, shall be retained by such officer for his own use and not be paid into the county treasury."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four."

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four".

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two".

AMENDMENT NUMBER FOUR.

On page 3, line 17, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four".

AMENDMENT NUMBER FIVE.

On page 3, line 23, of the printed bill, strike out all after the comma, also all of lines 24, 25, and 26 down to the period, and insert in lieu thereof the words "*provided*, that the auditor shall be allowed six additional deputies for a period of one month who shall each receive a salary or compensation of five dollars per day for each day actually employed, and five additional deputies for a period of two months who shall each receive a salary or compensation of five dollars per day for each day actually employed."

AMENDMENT NUMBER SIX.

On page 3, line 32, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four".

AMENDMENT NUMBER SEVEN.

On page 3, line 33, of the printed bill, strike out all after the comma, and also all of line 34 and line 35 down to the period following the word "annum".

AMENDMENT NUMBER EIGHT.

On page 4, line 1, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four".

AMENDMENT NUMBER NINE

On page 4, line 4, of the printed bill, strike out all after the semicolon following the word "annum," and also all of lines 5 and 6 down to the semicolon following the word "month".

AMENDMENT NUMBER TEN.

On page 4, line 31, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four".

AMENDMENT NUMBER ELEVEN.

On page 4, line 36, of the printed bill, strike out the word "twenty-two" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TWELVE.

On page 4, line 44, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 31, of the printed bill, strike out the word "one" and insert in lieu thereof the word "four".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 33, of the printed bill strike out all after the semicolon following the word "annum", and also all of lines 34 and 35

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries fees and expenses of officers in counties of the fifteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the colon at the end of line 6, insert the following:

"1. The county clerk, two thousand eight hundred dollars per annum, and there shall be and there is hereby allowed to the county clerk, in addition, one deputy who shall be paid the sum of one thousand eight hundred dollars per annum, and one deputy who shall be paid the sum of one thousand eight hundred dollars per annum, and one deputy who shall be paid the sum of one thousand five hundred dollars per annum and one deputy who shall be paid the sum of one thousand two hundred dollars per annum, the said salaries to be paid by such county in monthly installments at the time and in the manner and out of the same fund as the salaries of the county officers are paid, *and provided, further*, that in each year in which a new and complete registration of voters is required by law, said county clerk shall appoint an additional deputy or deputies, who shall receive the sum of seven and one-half cents per name for taking affidavits of registration, and claims for their service at said rate shall be presented to and allowed by the board of supervisors as other claims are presented and allowed, *and provided, further*, that all fees and commissions received by this office shall be turned over to the county and become the property of the county.

2. The sheriff, three thousand three hundred dollars per annum, and all commissions, fees and mileage for the service of papers or process coming from courts other than those of his own county *provided* that in counties of this class there shall be he and is hereby allowed to the sheriff, one under sheriff whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum, and one deputy who shall be jailer, whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum, and one deputy who shall be finger print expert, whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum and one deputy whose salary is hereby fixed at the sum of one thousand six hundred dollars per annum, and one deputy whose salary is hereby fixed at the sum of one thousand two hundred dollars per annum and one matron, which office is hereby created, whose salary is hereby fixed at three dollars for each and every day in which there are women prisoners confined in the jail; said deputies and matron to be appointed by the sheriff and their salaries to be paid by the county in equal monthly installments at the time and in the manner and out of the same fund as the salaries of county officers are paid

3 The recorder, two thousand eight hundred dollars per annum; and one deputy, whose office is hereby expressly created, to be appointed by the recorder who shall receive a salary of one thousand eight hundred dollars per annum, and one deputy at a salary of one thousand two hundred dollars per annum, payable in monthly installments; *and provided, further*, that the recorder is hereby allowed as many copyists as may be required, who shall receive as compensation the sum of four cents per folio for recording any instrument or notice The salaries of the deputy recorder and copyists herein provided shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All fees and commissions received by this office shall be turned over to the county and become the property of the county.

4. The auditor, two thousand eight hundred dollars per annum and there shall be and there is hereby allowed to the auditor in addition one chief deputy to be appointed by the auditor who shall be paid a salary of two thousand one hundred dollars per annum and one deputy who shall be appointed by the auditor who shall be paid a salary of one thousand three hundred dollars per annum and one deputy who shall be appointed by the auditor who shall be paid a salary of one thousand dollars per annum and such additional clerks and assistants as the auditor may require, and whose compensation in the aggregate shall not exceed six hundred dollars in any one year, *and provided*, that the auditor shall file with the county clerk a verified statement showing in full detail the amount paid, and the persons to whom said compensation is paid for such extra assistants aforesaid The salaries herein provided shall be paid by the county in monthly installments at the same time and out of the same fund as the salaries of county officers are paid.

5. The treasurer, two thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, one deputy, to be appointed by him, who shall receive from the county a salary of one thousand eight hundred dollars per annum, to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid All fees and commissions received by the treasurer shall be turned over to the county and become the property of the county.

6. The tax-collector, two thousand eight hundred dollars per annum, provided that in counties of this class there shall be and there is hereby allowed to the tax collector the following deputies and assistants, whose offices are hereby created and who shall be appointed by the tax collector; one deputy at a salary of one thousand eight hundred dollars per annum, and such assistants as the tax collector may require; *provided*, that the compensation of such assistants shall not, in the aggregate exceed the sum of one thousand eight hundred dollars in any one year; and provided, that the tax collector shall file with the county auditor a verified statement showing in detail, the amounts and the persons to whom said compensation is paid; the salaries of the said deputy and other assistants shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salaries of the county officers are paid.

7. The assessor, two thousand eight hundred dollars per annum, and his actual traveling expenses when away from his office on county business, *provided*, that in counties of this class there shall be and there is hereby allowed to the assessor the following deputies and assistants, whose offices are hereby created and who shall be appointed by the assessor, one deputy at a salary of one thousand eight hundred dollars per annum, one stenographer at a salary of one thousand two hundred dollars per annum; one stenographer at a salary of one thousand dollars per annum, and one stenographer at a salary of nine hundred dollars per annum and such other deputies as the assessor may require, and whose compensation in the aggregate shall not exceed the sum of eight thousand five hundred dollars in any one year; *and provided*, that the assessor shall file with the county auditor a verified statement showing in detail, the amounts, and the persons to whom said compensation is paid. The salaries of such deputies and stenographers shall be paid by said county in monthly installments and at the same time and in the same manner and out of the same fund that county officers are paid. All fees and commissions, including poll tax, collected by this office shall be turned over to the county and become the property of the county.

8. The coroner, such fees as are now, or may hereafter be allowed by law.

9. The public administrator, such fees as are now, or may hereafter be allowed by law.

10. The district attorney two thousand eight hundred dollars per annum, and actual traveling expenses when away from his office on county business; *provided*, that in counties of this class there shall be and there is hereby allowed to the district attorney, one deputy to be appointed by the district attorney who shall be paid the salary of two thousand one hundred dollars per annum, which deputy shall devote his entire time to the duties of his office, and one deputy to reside at Blythe or vicinity who shall be paid a salary of five hundred dollars per annum, *provided, however*, that should a second department of the superior court be established by this legislature, that, in that event, the district attorney shall not be permitted to appoint a deputy at a compensation of two thousand one hundred dollars per annum, but shall be entitled to appoint two deputies at one thousand two hundred dollars per annum each, *and provided, further*, that a stenographer be appointed by the district attorney to be paid a salary of one thousand two hundred dollars per annum. Said deputies and stenographer shall be paid out of the county treasury in monthly installments in the same manner and out of the same fund as county officers are paid.

11. The superintendent of schools two thousand eight hundred dollars per annum; his office shall be kept open on all business days from nine a.m. to five p.m., he shall be allowed his actual traveling expenses when visiting the schools of the county, *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools, one deputy to be appointed by him who shall receive from the county a salary of one thousand eight hundred dollars per annum; *and provided, further*, that in counties of this class the superintendent of schools shall be allowed not to exceed the sum of three hundred dollars per annum for necessary work of a stenographer. Said deputy and stenographer shall be paid by said county in monthly installments in the same manner and out of the same fund as the salaries of county officers are paid.

12. The surveyor, two thousand eight hundred dollars per annum, and in addition thereto, all necessary field assistants *provided* that in counties of this class there shall be and there hereby is allowed the surveyor, two deputies who shall be appointed by the surveyor of said county, and who shall be paid salaries as follows: One deputy at a salary of one thousand six hundred dollars per annum and one deputy at one thousand one hundred dollars per annum. The salaries of said deputies herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salaries of county officers are paid. All necessary expenses for field assistants shall be paid by the county, and the actual cost of preparing assessor's maps, whenever a complete set of such maps is ordered prepared by the board of supervisors, said cost of preparing said assessor's maps not to exceed the sum of one thousand eight hundred dollars.

13. From and after the first Monday after the first day of January, one thousand nine hundred fifteen, the officers of townships in counties of this class shall be one justice of the peace and one constable, anything in the provisions of section four thousand and fourteen of this code to the contrary notwithstanding.

14. The justice of the peace in townships having a city or a portion thereof, situated therein and having a population of twelve thousand or more, one thousand five hundred dollars per annum, payable in monthly installments, which shall be in full for all services rendered by him in both civil and criminal cases tried before him, and he shall each month pay to the county treasurer all fines, commissions and fees collected by him as such justice of the peace, including fees for celebrating marriages and returning certificates thereof to the county recorder; *and provided, further*, that the board of supervisors of counties of the fifteenth class shall furnish each justice of the peace in townships having a population of twelve thousand or more, with a suitable office in which to hold court and also furnish the necessary furniture, books, blanks and supplies for said court, *and provided, further*, that in townships having a population of twelve thousand or more there shall be and there is hereby allowed to the justice of the peace, one clerk which office is hereby created who shall be appointed by the justice of the peace of said township, subject to the approval of the board of supervisors of the county, and whose salary is hereby fixed at the sum of nine hundred dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justice of the peace is paid Said clerk shall take the oath of office prescribed for county officers and give a bond in the sum of one thousand dollars conditioned for the faithful discharge of the duties of his office, which bond shall be approved and filed in the same manner as are bonds of county officers He shall keep a record of the proceedings of said court and issue all processes ordered by the justice of said court and receive and pay into the county treasury all fines, forfeitures and fees paid into said court He shall render each month to the county auditor and the county treasurer, an exact account under oath of all fines, forfeitures and fees paid and collected and he shall prepare bonds, and justified bail when the amount has been fixed by the court or justice, and may administer and certify oaths and shall remain in the court room of said court during court hours and during such other reasonable times as may be necessary for the proper performance of his duty. He shall have the custody of all records and papers of said court In townships having a population of six thousand and less than twelve thousand the justice of the peace therein shall receive seventy-five dollars per month; in townships having a population of four thousand and less than six thousand, thirty-five dollars per month; in townships having a population of one thousand five hundred and less than four thousand, twenty-five dollars per month, in townships having a population of one thousand and less than one thousand five hundred, fifteen dollars per month, and in all other townships in said county, ten dollars per month; *provided, however*, that in all townships having an area equal to or exceeding one thousand square miles such salary shall not be less than fifty dollars per month. Each justice of the peace must pay into the county treasury once each month all fines collected by him in criminal cases and the auditor shall withhold a warrant for salary until a sworn statement has been filed with him of all criminal cases tried and fines collected and paid into the county treasury. All provisions of this paragraph to apply to present incumbents

15. Constables in townships having one or more cities, or portions thereof situated therein, and having a population of twelve thousand or more, one thousand five hundred dollars per annum, payable in monthly installments, and their actual traveling expenses when engaged in official business outside of such townships, which shall be in full for all services rendered by them in all civil and criminal business They shall charge and collect such fees as are allowed by law, and they shall each month pay into the county treasury all fees, forfeitures, fines, and commissions collected by them in the discharge of their duties as such constables. In townships having a population of six thousand and less than twelve thousand the constable shall receive fifty dollars per month; in townships having a population of four thousand and less than six thousand, twenty-five dollars per month, in townships having a population of one thousand five hundred and less than four thousand, twenty dollars per month, and in all other townships in said county ten dollars per month *provided*, that in all townships having an area equal to or exceeding one thousand square miles such salary shall not be less than fifty dollars per month; *provided, further*, that in addition to the salaries herein allowed, each constable except constables in townships having a city or portion thereof situated therein, and having a population of twelve thousand or more shall receive for their own use in civil cases the fees allowed by law, and shall be paid out of the treasury of the county his actual traveling expenses outside of his own township, but within his county, for the service of the warrant of arrest or any other paper in a criminal case, both going and returning, ten cents per mile, for each mile actually traveled outside of his county both going and returning from the place of arrest or other service, five cents per mile, and for transporting prisoners to the county jail, the actual cost of transportation.

16 The population of several judicial townships for the purpose of fixing compensation of township officers shall be ascertained and declared by the board of supervisors on the first Monday after the first day of January, every odd numbered year.

17. Each supervisor one thousand five hundred dollars per annum, payable in monthly installments, and fifteen cents per mile one way for traveling expenses from his residence to the place of meeting of the board at the county seat, for not more

than four board meetings per month, and the necessary actual expenses incurred by him while engaged in county business outside of his district, not exceeding in the aggregate the sum of three hundred dollars per annum.

18. Whenever the work of an office has not been brought down to date by the retiring officer and the present incumbent shall present to the board of supervisors a signed sworn statement setting forth explicitly, and in detail the work so lacking and which was in that condition when he was inducted into office, and provided the county auditor shall also certify to the public necessity of the work, the board of supervisors shall investigate such condition and may, if they, by resolution, certify that the public necessity demands it before the new incumbent can make up such work, employ additional help and provide for compensation for such time as such work consumes, at a rate not to exceed eighty dollars per month for each person so employed.

19. Whenever the board of supervisors shall by resolution certify that the public convenience and necessity requires prompt dispatch of business, not possible by the normal office help of any county office that they may appoint such additional help as they deem necessary until said extra work is completed, and they shall fix the compensation thereof, and the rate therefor per month for each person so employed, and they may designate that such extra help shall work part of the time in one office and part of the time in another office. This shall not be construed to provide for permanent positions in any office to care for work which the law now may impose on such county office, but shall only be exercised as a temporary measure to expedite the public business in a reasonable and businesslike manner for the purposes and under the conditions named.

Sec. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments, and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries of the district attorney, deputy district attorney, and stenographer in the office of the district attorney in counties of the twenty-seventh class.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out line 3 and add the following:

"4256. In counties of the twenty-seventh class the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, fees and expenses, to wit:

1. The county clerk, three thousand dollars per annum; and in any year when a new and complete or supplemental registration of voters is required by law to be made, he shall receive the sum of fifteen cents for each elector registered, which shall be allowed by the board of supervisors at the close of registration preceding a general election, and paid from the general fund of the county. The county clerk shall be allowed one deputy at a salary of one thousand eight hundred dollars per annum, and one deputy at a salary of one thousand five hundred dollars per annum.

The county clerk shall also be allowed one copyist at a salary of one thousand two hundred dollars per annum; and two copyists during the month of October in each even numbered year and prior to the holding of the November general election, said copyists to receive a salary of fifty dollars each for said month; said deputies and copyists to be appointed by the county clerk.

The county clerk shall appoint all necessary deputies for the registration of voters, said deputies to be paid by the county clerk.

2. The sheriff, five thousand dollars per annum, and necessary expenses for pursuing criminals or transacting any criminal business. The sheriff shall be allowed one deputy, who shall be the jailer, at a salary of one thousand eight hundred dollars per annum; and one deputy at a salary of one thousand two hundred dollars per annum; said deputies to be appointed by the sheriff; and such additional deputies as may be required to enforce the provisions of the motor vehicle law, said deputies

to be appointed by the sheriff and to receive such compensation, to be paid out of the general fund of the county, as the board of supervisors may fix.

3. The recorder, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the recorder the following deputies and copyists who shall be appointed by the recorder of said county and shall be paid salaries and compensations as follows:

One chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, and three additional deputies for indexing and comparing, each of whom shall receive a salary of one thousand five hundred dollars per annum.

Said recorder may also appoint such copyists, not to exceed three as may be required for the recording of all papers, notices and documents in his office, who shall receive as compensation for their services the sum of six cents per folio for actual work done in copying any instrument to be recorded (except maps and plats) and for making copies of any records or papers.

The salaries and compensations of all deputies and copyists herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid; *provided*, that the recorder shall file monthly with the auditor a verified statement showing in detail the persons employed as such copyists and the amount due to each for such copying. All fees collected by said recorder for filing and recording of instruments and other documents, maps and plats, or for copies made from records shall be paid into the county treasurer.

4. The auditor, three thousand dollars per annum. The auditor shall be allowed one deputy at a salary of one thousand eight hundred dollars per annum, said deputy to be appointed by the auditor; *and provided further*, that the said auditor shall be allowed one copyist who shall hold office for a period not to exceed four months of each year, at a salary of one hundred dollars per month, said copyist to be appointed by the auditor.

5. The treasurer, three thousand dollars per annum. The treasurer shall be allowed one deputy for six months of each year at a salary of one hundred fifty dollars per month, said deputy to be appointed by the treasurer.

6. The tax collector, two thousand five hundred dollars per annum. The tax collector shall be allowed one deputy at a salary of one thousand eight hundred dollars per annum, said deputy to be appointed by the tax collector; *and provided, further*, that the said tax collector shall be allowed one deputy who shall hold office during the months of September, October, November and December at a salary of seventy-five dollars per month, said deputy to be appointed by the tax collector.

7. The assessor, three thousand six hundred dollars per annum and necessary traveling expenses in the performance of the duties of his office; *provided*, that in counties of this class there shall be, and there hereby is allowed to the assessor, the following deputies, who shall be appointed by the assessor and who shall be paid salaries as follows: One assistant assessor who shall receive a salary of two thousand dollars per annum; one deputy assessor who shall receive a salary of one thousand six hundred and eighty dollars per annum; one deputy who shall receive a salary of one thousand five hundred dollars per annum; one copyist for a period not to exceed four months each year at a salary of one hundred dollars per month; such additional deputies as may be necessary to carry on the work of his office for a length of time not to exceed three months for each deputy and the aggregate compensation to be paid all of such deputies shall not exceed the sum of six thousand fifty dollars in any fiscal year. The deputies herein provided for shall be paid at the same time and in the same manner, and out of the same fund as the salary of the county assessor is paid; *provided*, the assessor shall be allowed a draftsman who shall annually revise the plats in the office of the assessor, for which he shall receive a sum not to exceed four hundred dollars in any one year. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation and it is intended that the same shall apply to the present incumbents.

8. The district attorney, three thousand dollars per annum. The district attorney shall be allowed one deputy at a salary of two thousand four hundred dollars per annum, and also a stenographer at a salary of one thousand five hundred dollars per annum, said deputy and stenographer to be appointed by the district attorney.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The superintendent of schools, two thousand five hundred dollars per annum, and shall also be allowed the compensation allowed by law for services on the board of education, and actual traveling expenses when visiting in his (or her) county. The superintendent of schools shall be allowed one deputy at a salary of one thousand five hundred dollars per annum, and one deputy at a salary of one thousand two hundred dollars per annum, said deputies to be appointed by superintendent of schools.

12. The surveyor, such fees as are now or may hereafter be allowed by law.

13. For the purpose of regulating the compensation of justices of the peace and constables, townships in counties of the twenty-sixth class are hereby classified

according to population to be determined by the board of supervisors at the time of the formation of any new judicial township or townships in the manner prescribed by section four thousand fifty-five of the Political Code. Townships having a population of five thousand or more shall belong to and be known as townships of the first class. Townships having a population of less than five thousand and more than three thousand five hundred shall belong to and be known as townships of the second class. Townships having a population of less than three thousand five hundred shall belong to and be known as townships of the third class. Justices of the peace shall receive the following salaries for all services rendered by them: In townships of the first class, one hundred dollars per month; in townships of the second class, fifty dollars per month; in townships of the third class, thirty-five dollars per month.

14. Constables in counties of this class shall receive the following salaries for all services rendered by them in criminal cases: In townships of the first class, one hundred dollars per month; in townships of the second class, fifty dollars per month; in townships of the third class, thirty-five dollars per month; constables shall also receive for their own use and benefit, such fees as are now or may hereafter be allowed by law in civil cases. They shall also be allowed their actual expenses in conveying prisoners from place of arrest to court, and, in case of conviction, from the court to the county jail.

15. Supervisors, each, the sum of one thousand eight hundred dollars per annum for all services performed by them as supervisors and as members of the board of equalization. Each supervisor shall receive mileage at the rate of twenty-five cents per each mile traveled in going to and from the meeting of the board. They shall act as road commissioners in their respective districts and shall receive for their services as such road commissioner mileage at the rate of twenty-five cents per mile for all distances actually traveled by them in the discharge of their duties as such road commissioner; *provided*, that such mileage as road commissioner shall not in any one year exceed the sum of six hundred dollars for any one of the road commissioners.

15*a*. There is created for counties of the twenty-seventh class a county librarian, who shall be appointed by the board of supervisors for a term of four years and shall receive a salary of two thousand five hundred dollars per annum, to be paid at the time and in the manner as other county officers.

16. The official reporter of the superior court, such fees as are now or may hereafter be allowed by law.

17. Juror fees shall be as follows: For attending as a grand juror, or a trial juror in the superior court, for each day's attendance, three dollars per day; for each mile he travels in attending court as such juror, fifteen cents per mile in going only.

18. If at any time there shall be created and established in this state a county office designated the office of county public defender, then, and in that case, the salary to be allowed such officer in counties of this class shall be one thousand two hundred dollars per annum.

19. The provisions of subdivision eighteen of this section shall have no force or effect unless the office therein anticipated is created by constitutional or legislative enactment.

20. The salaries of all county and township officers and their deputies shall be payable in equal monthly installments from the salary fund of the county on the first day of each month.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes, nor to increase or decrease the compensation paid to or received by any such person under the provisions of such statute, except as otherwise herein expressly provided."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1302—An act to amend section 4236*a* of the Political Code, relating to jurors' fees in counties of the seventh class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property rights in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title and substitute in lieu thereof the following.

"An act to amend an act entitled 'An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this state, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections one, two, three, four, five, seven, eight, nine, ten and eleven thereof."

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, strike out the words "agricultural land" and substitute in lieu thereof the words "real property".

AMENDMENT NUMBER THREE.

On page 4, line 10, of the printed bill, strike out the first letter "a" in the word "alien".

Amendments adopted.

Bill read second time, ordered to reprint engrossment, and third reading.

Assembly Bill No 1056—An act to amend section 305 of the Civil Code, relating to corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the word "five" and insert in lieu thereof the word "three".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill strike out the word "five" and insert in lieu thereof the word "three".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out lines 3 to 30, both inclusive, and insert in lieu thereof the following:

"303. A corporation may, by its by-laws, where no other provision is specially made, provide for:

1. The time, place, and manner of calling and conducting its meetings, and may dispense with notice of all regular meetings of stockholders or directors.
2. The number of stockholders or members constituting a quorum.
3. The mode of voting by proxy.
4. The qualifications of directors, and may prescribe territorial qualifications for directors, in which case the directors may be chosen from stockholders residing or engaged in business in suitable territorial divisions, and may provide the mode, manner and method of establishing and re-establishing such divisions.
5. The duties of directors, and also the time of their annual election, and the mode and manner of giving notice thereof.
6. The compensation and duties of officers.
7. The manner of election and tenure of office of all officers other than the directors; and,
8. Suitable penalties for violations of by-laws, not exceeding in any case one hundred dollars for any one offense.
9. The newspaper in which all notices of the meetings of stockholders or board of directors, notice of which is required, shall be published, which must be some newspaper published in the county where the principal place of business of the corporation is located, or if none is published therein, then in a newspaper published in an adjoining county; *provided*, that when the by-laws prescribe the newspaper in which said publication shall be made, if from any cause at the time any publication is desired to be made, the publication of such newspaper shall have ceased, the board of directors may, by an order entered on the records of the corporation, direct the publication to be made in some other newspaper published in the county, or if none is published therein, then in an adjoining county."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 174—An act to amend section 309 of the Civil Code, relating to corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359*a*, relating to the time within which actions must be commenced against directors and stockholders of corporation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS

Senate Bill No 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon

streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, and ordered on file for third reading

Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations.

Bill read second time, and ordered on file for third reading

Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego.

Bill read second time, and ordered on file for third reading

Senate Bill No. 70—An act to amend section 2605 of the Political Code, relating to San Diego Bay

Bill read second time, and ordered on file for third reading

Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill, strike out the word "and" after the words "by cities", and insert in lieu thereof, a comma.

AMENDMENT NUMBER TWO

In line 2 of the title of the printed bill, after the word "counties", insert a comma, and the following "and unincorporated territory".

AMENDMENT NUMBER THREE

In line 5 of the title of the printed bill strike out the words "there along" and insert in lieu thereof, a comma

AMENDMENT NUMBER FOUR

In line 7 of the title of the printed bill, after the word "and" insert the following "granting powers to the governing bodies of said district which are necessary and convenient to accomplish said purposes and".

AMENDMENT NUMBER FIVE

On page 1, line 4, of the printed bill, after the word "state" insert a comma and the following "or by any person, firm or corporation"

AMENDMENT NUMBER SIX

On page 1, line 6, of the printed bill, commencing with the word "municipality" strike out to and including the word "such" in line 7, and insert in lieu thereof the following "city or city and county *provided*, that said city or city and county shall exclude from the proposed district any territory over which the state or any county shall then have or be exercising control in harbor or port matters. At the time of the creation of such district it may include a part or all of said city or city and county, and the boundaries of such district shall be determined by the governing body of such city, or city and county, and the district may be created and enlarged by said governing body so as to include any territory contiguous thereto, *provided*, that any city or city and county or unincorporated territory not in such district at the time of its creation may be annexed thereto as provided in subdivision *c* of section six, chapter 218, Statutes of 1921. Such"

AMENDMENT NUMBER SEVEN

On page 1 line 8, of the printed bill, before the word "for" insert the following "shall be formed"

AMENDMENT NUMBER EIGHT

On page 1, line 10, of the printed bill, strike out the words "sea wall" and insert in lieu thereof the words "sea walls"

AMENDMENT NUMBER NINE

On page 1, line 10, of the printed bill, strike out the word "there"

AMENDMENT NUMBER TEN

On page 1, line 11 of the printed bill, strike out the word "along"

AMENDMENT NUMBER ELEVEN

On page 1, line 12, of the printed bill, after the word "and" insert the following ", all other improvements necessary or convenient for the construction of a rail, and, or water terminal, and".

AMENDMENT NUMBER TWELVE

On page 1 of the printed bill, strike out all of lines 13, 14, 15, and 16, commencing with the comma after the word "purposes" in line 13, and insert in lieu thereof the following "and for the purpose of forming such harbor district. Such governing body for the purpose of providing a fund, or funds, for the payment of any indebtedness incurred under the provisions of this act is hereby authorized to levy and collect taxes in said district in accordance with the provisions of the charter of said city, or city and county, and to issue and sell its bonds in accordance with the constitution of the State of California, as hereinafter provided"

AMENDMENT NUMBER THIRTEEN

On page 1, line 17, of the printed bill, strike out the word "a" and insert in lieu thereof the word "the"

AMENDMENT NUMBER FOURTEEN.

On page 1, line 18, of the printed bill, strike out the words "or municipalities within such district" and insert in lieu thereof the words "in which said governing body is located".

AMENDMENT NUMBER FIFTEEN

On page 1, line 24, of the printed bill, strike out the period after the word "thereto" and insert in lieu thereof the following , *provided*, that only electors residing in said district shall be entitled to vote at any such election"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation,

and government of municipal corporations," approved March 13, 1883, as amended

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 159—An act to amend sections 11 and 12¼ of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

Bill read second time, and ordered on file for third reading

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6, line 42, of the printed bill, after the word "streets" insert the following: "(or the city engineer, in the cases herein provided.)"

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act en-

titled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

Assembly Joint Resolution No. 21 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 21 adopted by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleveland, Coombs, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Johnson, Johnston, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Dozier—1.

Title read and approved.

Assembly Joint Resolution No. 21 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 21.

Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

WHEREAS, Child labor conditions in some states of the United States are deplorable and children are being exploited in industry, and laws passed by Congress to prohibit child labor have been held unconstitutional, and

WHEREAS, At the present time there is no uniform or general law in the United States prohibiting child labor; and,

WHEREAS, The advisability and urgency of an amendment to the constitution of the United States prohibiting child labor is very great; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California urges upon the Congress of the United States that it submit to the legislatures of the several states such an amendment to the constitution of the United States and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly be and are hereby directed to forward copies of these resolutions to the President of the United States and to each of California's senators and representatives in Congress.

Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School For Girls, and other institutions; establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of proceed and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a

new section to be numbered 22*a*, relating to maintenance of public schools in detention homes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Johnson, Johnston, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee on One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 47, of the printed bill, strike out the period and in lieu thereof insert the following: ", or to any company operating under an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, and all acts amendatory thereof."

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 520, with instructions, reports that the instructions of the Assembly have been carried out.

DONOHUE, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mrs. Woodbridge moved that Assembly Bill No. 1011 be withdrawn from the file, and ordered re-referred to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 1011 re-referred to Committee on Labor and Capital.

Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 841 refused passage by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Croter, Davis, Dawson, Dozier, Duval, Foster, Fox, Graves, Johnson, Jones, Kline, Lyman, Mathews, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Roberts, Rosenshine, Smith, Snyder, Spence, Stevenot, Stow, Weller, Whitacre, Williams, and Mr. Speaker.—40.

NOES—Badaracco, Bernard, Broughton, Burns, Connolly, Crittenden, Dean, Dorris, Erb, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Noyes, Rock, Schmidt, Spalding, West, Woodbridge, and Wright—30.

NOTICE OF RECONSIDERATION.

Mr. Crittenden gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 841 was this day refused passage.

Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 251 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Dean, Dorris, Dozier, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Woodbridge, and Mr. Speaker—53.

NOES—Cleveland, Spalding, Williams, and Wright—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 143 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Carter moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 761 was passed, be continued until the next legislative day.

Motion carried.

RECONSIDERATION WAIVED.

Mr. Hornblower waived his motion to reconsider the vote whereby Assembly Bill No. 949 was passed.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 35—An act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 35 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Jones, Kline, Lyons, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Remdollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—54.

NOES—Baker, Edwin; Bromley, Carter, Duval, Graves, Johnston, Stow, and Weller—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146*a*, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 160 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—61.

NOES—Clarke, and Wright—2.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER SIX.

Assembly Constitutional Amendment No 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

Assembly Constitutional Amendment No. 6 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 6 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Clarke, Coombs, Croter, Davis, Dawson, Donohue, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, West, Whitacre, and Woodbridge—55.

NOES—Baker, C. C., Broughton, Cleary, Cleveland, Crittenden, Dorris, Jones, Miller, Moore, Pomeroy, Saylor, Spalding, Weller, Williams, Wright, and Mr. Speaker—16.

Title read and approved.

Assembly Constitutional Amendment No. 6 ordered transmitted to the Senate

ASSEMBLY CONSTITUTIONAL AMENDMENT No 6

A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, establishing a State Athletic Commission and regulating boxing and sparring in the State.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, one thousand nine hundred twenty-three, two thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution of this State by adding a new article thereto to be numbered XXIV and to read as follows

ARTICLE XXIV

Section 1. There shall hereafter be a State Athletic Commission. Within thirty days after this act takes effect the Governor shall appoint three persons, who shall constitute the State Athletic Commission, one of such commissioners shall hold office for a term to expire January 1, 1926, one for a term to expire January 1, 1927, and one for a term to expire January 1, 1928. Their successors shall be appointed for a term of two years. The commissioners shall receive no compensation for their services but shall be paid their actual and necessary traveling and other expenses incurred by them in the performance of their official duties The commission shall maintain in the city of Sacramento general offices for the transaction of its business.

The members of the commission shall, at their first meeting after their appointment, elect one of their number chairman of the commission, shall adopt a seal for the commission, and make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient, and they may thereafter amend or abrogate such rules. Two of the members of the commission shall constitute a quorum to do business, and the concurrence of at least two commissioners shall be necessary to render a determination by the commission.

Sec. 2. The commission may appoint and at pleasure remove not to exceed four deputies who shall be paid a salary of three thousand dollars per annum and all necessary expenses for traveling and maintenance incurred by them in the performance of their official duties outside of the city of Sacramento. The commission shall direct a deputy to be present at each place where sparring, boxing or wrestling matches are to be held pursuant to the provisions of this act. Such deputy shall ascertain the exact conditions surrounding such match or contest and make a written report of the same in the manner and form prescribed by the commission. The commission may appoint, and at pleasure remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and perform such other duties as the commission may prescribe. The commission may employ such clerical employees as may be actually necessary and fix their salaries within the amount appropriated therefor by the legislature. The secretary of the commission shall receive an annual salary of not to exceed three thousand dollars. The necessary traveling and other necessary expenses of the members of the commission, and the salary of its deputies and secretary, shall be paid monthly by the State Treasurer on the warrant of the State Controller and the certificate of the chairman of the commission out of the money appropriated to be used therefor. Such boxing, sparring or wrestling matches or contests may be held in any building for which the committee in its discretion may issue a license. Where such match or contest is authorized to be held in state or city owned armory the provisions of the military law in respect thereto must be complied with. But no such match or contest shall be held in a building wholly or partly used for religious services. The commission shall annually make to the legislature a full report of its proceedings for the year ending with the first day of the preceding December and may submit, with such report, such recommendations pertaining to its affairs as to it shall seem desirable.

Sec. 3. Boxing, sparring and wrestling matches or exhibitions for prizes or purses, or where an admission fee is received, are hereby allowed except on Sundays. The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing, sparring and wrestling matches or exhibition to be conducted, held or given within the State of California, and no such boxing, sparring or wrestling match or exhibition shall be conducted, held or given within the state except in accordance with the provisions of this act. The commission shall issue under its hand and seal, annual permits in writing for holding such boxing, sparring or wrestling matches, but only to corporations thereunto duly licensed, as hereinafter provided, which said permits may be revoked upon violation of any of the provisions hereof, or any rule, regulation or order of the commission.

Sec. 4. The governor shall appoint and at pleasure remove a license committee, consisting of three persons, who shall hold office until their successors are appointed. Each member of the committee shall serve without compensation. The committee may appoint, and at pleasure remove, a secretary to the license committee, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the committee and generally to perform such other duties as the committee may prescribe. The secretary of the license committee shall receive an annual salary of not to exceed three thousand dollars, which shall be paid in like manner as the salaries and expenses of the commission. Such committee shall appoint such clerical employees as may be actually necessary and fix their salaries within the amount appropriated therefor by the legislature.

Sec. 5. The committee shall maintain a general office in the city of Sacramento, for the transaction of its business. The members of this license committee shall at their first meeting after their appointment, elect one of their number chairman of the committee, shall adopt a seal for the committee and make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient, and they may hereafter amend or abrogate such rules. A majority of the members of the committee shall constitute a quorum to do business, and the concurrence of a majority of such quorum shall be necessary to render a determination by the license committee.

Sec. 6. The license committee is hereby given the sole control, authority and jurisdiction over all licenses to hold boxing, sparring or wrestling matches or exhibitions for prizes or purses or where an admission fee is received, and over all licenses to any and all persons who participate in such boxing, sparring or wrestling matches or exhibitions, as hereinafter provided.

Sec 7. The license committee may, in its discretion, issue a license to conduct, hold or give boxing, sparring or wrestling matches or exhibitions, subject to the provisions hereof, to any corporation duly incorporated under the laws of the State of California, but not otherwise. Such corporation must hold a lease of a term of at least one year of the premises in which such match or exhibition is to be held, except that where such match or exhibition is to be given in an armory the lease thereof need not be for such term.

Sec 8. All corporations, physicians, referees, judges, timekeepers, professional boxers, professional wrestlers, their managers, trainers and seconds shall be licensed by the said license committee, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any such boxing, sparring or wrestling match or exhibition, or the holding thereof, unless such corporation or persons shall have first procured a license from the said license committee. For the purposes of this article, a professional boxer or professional wrestler is deemed to be one who competes for a money prize or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain, and any contest conforming to the rules, regulations and requirements of this act shall be deemed to be a boxing match and not a prize fight.

Sec. 9 Every application for a license shall be in writing, shall be addressed to the license committee, shall be verified by the applicant, and shall set forth such facts as the provisions hereof and the rules and regulations of the committee may require. The license committee shall furnish the commission with the names and addresses of all persons and corporations receiving licenses.

Sec 10. The commission shall have authority to issue, under the hand of its chairman, and the seal of the commission, subpoenas for the attendance of witnesses before the commission, to the same effect as if they were issued in an action in the superior court, and it may, by any member, administer oaths and affirmations and it may examine witnesses in all matters pertaining to the administration of the affairs of the commission, and disobedience of such subpoenas and false swearing before such commission shall be attended with the same consequences and be subject to the same penalties as if such disobedience or false swearing occurred in an action in the superior court. Like authority is hereby given to the license committee

Sec. 11. All buildings or structures used or intended to be used for holding or giving such boxing, sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city or town where situated.

Sec 12. No boxing or sparring match or exhibition shall be of more than ten rounds in length, such rounds to be not more than three minutes each; and no boxer shall be allowed to participate in more than ten rounds within twelve consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of ten rounds. At each boxing or sparring match or exhibition there shall be in attendance a duly licensed referee, who shall direct and control the same Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The referee shall have power in his discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, if in his judgment such contestant or contestants are not honestly competing. There shall also be in attendance two duly licensed judges who shall at the termination of each boxing or sparring match or exhibition render their decision If they are unable to agree, the decision shall be rendered by the referee. Each contestant shall wear, during such contest, gloves weighing not less than five ounces, if such contestant be a light weight or in a class of less weight, and six ounces if such contestant be in a class heavier than the light weight class The provisions of this section shall apply to a wrestling contest except that the commission shall by rule and regulation prescribe the length or duration of such contest, the manner in which the contestants shall engage in such contest and such further safeguards and conditions as shall insure fair, sportsmanlike and scientific wrestling contests

Sec. 13. It shall be the duty of every corporation or person holding an exhibition license at its own expense, to have in attendance at every boxing, sparring or wrestling match or exhibition, a licensed physician who has had not less than three years' medical practice, whose duty it shall be to observe the physical condition of the boxers and wrestlers, and advise the referee or judges with regard thereto.

Sec. 14 No person under the age of eighteen years shall participate in any boxing, sparring or wrestling match or exhibition, and no person under sixteen years of age shall be permitted to attend as a spectator

Sec 15. No corporation or person shall have, either directly or indirectly, any financial interest in a boxer or wrestler competing on premises owned or leased by the corporation or person, or in which such corporation or person is otherwise interested

Sec 16 Every such corporation and the officers thereof, and any such physician, referee, judge, timekeeper, boxer, wrestler, manager, trainer, second or person, who

shall conduct, give or participate in any sham or collusive boxing, sparring or wrestling match or exhibition, shall be deprived of his license by the commission

Sec. 17. Any license herein provided for may be revoked or suspended by the license committee for the reason therein stated, that the licensee has, in the judgment of the said committee, been guilty of an act detrimental to the interests of boxing or wrestling

Sec. 18. Before a license shall be granted to a corporation or person, such corporation or person shall execute and file with the secretary of state a bond in the sum of five thousand dollars, to be approved as to form and sufficiency of sureties thereon by the Attorney General, conditioned for the faithful performance by said corporation or person of the provisions of this act and the rules and regulations of the commission, and upon the filing and approval of said bond the Secretary of State shall issue to said applicant a certificate of such filing and approval, which shall be by said applicant filed in the office of the license committee with its application for license, and no such license shall be issued until such certificate shall be filed. In case of default in such performance, the commission may impose upon the delinquent a penalty in the sum of not more than one thousand dollars for each offense, which may be recovered by the Attorney General in the name of the people of the State of California in the same manner as other penalties are recovered by law; any amount so recovered shall be paid to the State Treasurer, as provided in section 29 of this act.

Sec. 19. Each applicant for a license shall, before a license is issued by the license committee, and annually thereafter during the life of such license, pay to the license committee, a license fee as follows: corporations or persons, in cities of the first class, seven hundred fifty dollars, in cities of the first and one-half class, five hundred dollars; elsewhere, three hundred dollars, physicians, twenty-five dollars, referees, twenty-five dollars, judges, twenty-five dollars, timekeepers, five dollars, professional boxers, five dollars, professional wrestlers, five dollars, managers, twenty-five dollars; trainers, five dollars, seconds, five dollars.

Sec. 20. The weights and classes of boxers and the rules and regulations of boxing shall be the same as the weights and classes and rules and regulations adopted by the Army, Navy, and Civilian Board of Boxing Control, Incorporated, and the International Sporting Club of New York, Incorporated.

Sec. 21. No contest shall be allowed in which the difference in weight of the respective contestants shall exceed eighteen pounds This provision shall not apply to boxers in the heavy and light-heavyweight classes or wrestlers.

Sec. 22. No contestant shall be paid for services before the contest, and should it be determined by the judges and referee that such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

Sec. 23 All boxers and wrestlers must be examined by a licensed physician within three hours of their entering the ring.

Sec. 24. Every corporation or person holding an exhibition license shall file, with the commission a report of medical examinations not later than twenty-four hours after the termination of a contest.

Sec. 25 Every corporation or person holding any boxing, sparring or wrestling match or exhibition under this act, for which an admission is charged and received, shall pay to the State Treasurer five per centum of the total gross receipts exclusive of any federal taxes paid thereon. Such payment shall be made within seventy-two hours after the holding of the contest.

Sec. 26. All tickets of admission to any such boxing, sparring or wrestling match or exhibition shall bear clearly upon the face thereof the purchase price of same, and no such tickets shall be sold for more than such price as printed thereon. It shall be unlawful for any such corporation or person to admit to such contest a number of people greater than the seating capacity of the place where such contest is held.

Sec 27. Any corporation or person who directly or indirectly holds any such boxing, sparring or wrestling match or contest except where all contestants are amateurs, without first having procured a license as hereinbefore prescribed shall be guilty of a misdemeanor.

Sec. 27*a*. No provisions of this act shall be construed to apply to any sparring, boxing or wrestling contest conducted under the supervision or the control of the California State National Guard or Naval Militia where all of the contestants are members of the active militia.

Sec. 28. The provisions of section four hundred twelve of the Penal Code shall not apply to any boxing, sparring or wrestling match or exhibition, conducted, held or given, pursuant to the provisions of this act, nor to any boxing, sparring or wrestling match or exhibition in which all the contestants are amateurs.

Sec. 29. All receipts of the license committee shall be paid over to the State Treasurer, within one week after receipt of same. All such moneys to the amount of twenty-five thousand dollars are hereby appropriated to the expenses of the commission.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 865 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, Miller, Moore, Morris, Morrison, Mueller, Noyes, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stow, West, Whitacre, Woodbridge, and Mr. Speaker—58.

NOES—Mitchell, A G.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3*b* thereof, relating to consent of commission for expenditure of funds.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 580 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fulwider, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, McPherson, Miller, Mitchell, T. A., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—53

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 571 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McPherson, Mitchell, T A, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor,

Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*b*, relating to the creation of an irrigation district bond security fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 579 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Broughton, Burns, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Mathews, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Roberts, Saylor, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 723 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bromley, Burns, Christian, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fulwider, Hawes, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 697 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 586 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bromley, Broughton, Carter, Christian, Clarke, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emine, Erb, Foster, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Pomeroy, Reindollar, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 506—An act to amend sections 7, 8*a*, and 8*c*, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Williams moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4, line 14, of the printed bill, after the word "section" insert the figure "5".

AMENDMENT NUMBER TWO.

On page 5, commencing at the end of line 17 of the printed bill, after the word "disposed" strike out the words "of as" and strike out all of lines 18 and 19 and insert in lieu thereof the words "as herein described, twenty-five (25%) per cent shall go into the treasury of county or city and county where conviction obtained. Seventy-five (75%) per cent to the state treasurer."

AMENDMENT NUMBER THREE.

On page 5, line 47, of the printed bill, after the word "section" insert the figure "2".

AMENDMENT NUMBER FOUR

On page 6, line 3, of the printed bill, after the word "section" strike out the figure "4" and insert in lieu thereof the figure "2".

Motion carried.

The Speaker appointed Mr. Williams as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 506, with instructions, reports that the instructions of the Assembly have been carried out.

WILLIAMS, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 429 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Ball, Broughton, Clarke, Cleary, Cleveland, Connolly, Coombs, Crotet, Davis, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G.; Moore, Morrison, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 256—An act to amend section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended May 26, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 256 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 677—An act to amend section 653*sb* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 677 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bromley, Burns, Carter, Christian, Clarke, Cleary, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Miller, Mitchell, A. G., Moore, Morris, Mueller, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, and Mr. Speaker—50.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

KLINE, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 20—Relative to the reception of Hon. Henry C. Wallace, Secretary of Agriculture of the United States.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to engrossment.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with Assembly Concurrent Resolution No. 20 the Speaker appointed Messrs. Stow and McMillan, and Mrs. Woodbridge, as such Select Committee.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 675—An act to add a new section, to be numbered 2768, to the Civil Code, relating to life insurance;

Also Assembly Bill No. 895—An act to amend section 9 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for the continuation of compensation payments during the period of rehabilitation and vocational reeducation of an employee permanently disabled in industry in this State and by providing for the payment of tuition fees and the furnishing of such text books and equipment as may be necessary for instruction in the vocational education and rehabilitation of such disabled persons;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended;

Also Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attack property of employer where the employer has failed to secure the payment of compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, EDWIN, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 278—An act to amend section 27 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1031—An act to amend an act entitled "An act providing for the sale of State railroads and other franchises in counties and municipalities, providing conditions for granting such franchises by legislative or other government bodies and repealing conflicting acts," approved March 22, 1905, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof;

and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work;

Also: Assembly Bill No. 401—An act to amend sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work, for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

STEVENOT, Vice Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6, article IV thereof, relating to senatorial and assembly districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of said State,

by amending section 17 of article VI, relating to the salaries of the justices of the Supreme Court and the justices of the district courts of appeal and judges of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XI thereof to be designated section 20, authorizing the State, or any county, city and county, or municipal corporation, taking or appropriating property for public use in laying out, opening, widening, or extending any public street, highway, or other public way, to take and appropriate, under the power of eminent domain, adjacent property in addition to that actually to be devoted to such public use—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California to amend section 13 of article XIV of the constitution of said State, relating to basis of taxation for State purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 34 of article IV thereof, relating to the State budget—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23*a* of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article IX thereof, relating to the regents of the University of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257*a*, relating to the prohibiting of publication of indebtedness—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Also: Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment, commitment, form of;

Also: Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools;

Also: Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto;

Also: Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties. And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities;

Also: Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

STEVENOT, Vice Chairman.

The above reported bills ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR SPEAKER Your Committee on Insurance, to which was referred Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, EDWIN, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR SPEAKER Your Committee on Agriculture, to which was referred Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653*aa* to 653*xx* inclusive, and relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1923.

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921;

Also: Senate Bill No 342—An act to add a new section to the Political Code to be numbered 1610*a*, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost;

Also: Senate Bill No 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 590 read first time, and referred to Committee on Universities.

Senate Bill No. 342 read first time, and referred to Committee on Education.

Senate Bill No. 494 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March 27 passed Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1780, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 138 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 105—An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 106—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 290?

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the words "peace officer" and insert in lieu thereof the following: "probation officer or district attorney".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "hospital" insert the following: "Whenever such petition is filed by a probation officer or district attorney, the court shall require such notice of the hearing of said petition to be given to any parent, guardian, or other person charged with the support of said imbecile, or feeble-minded person, or idiot, or epileptic mentioned in said petition, as the court may deem proper."

The roll was called, and Senate amendments to Assembly Bill No. 290 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carter, Clarke, Coombs, Crittenden, Davis, Dawson, Dean, Duval, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pedrotti, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage

works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly recede from Assembly amendments to Senate Bill No. 19?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No 19 by the following vote:

AYES—Erb—1.

NOES—Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carter, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly recede from Assembly amendments to Senate Bill No. 269?

The roll was called and the Assembly refused to recede from Assembly amendments to Senate Bill No 269 by the following vote:

AYES—Erb—1.

NOES—Badham, Baker, C C, Baker, Edwin, Ball, Bernard, Broughton, Burns, Clarke, Davis, Dawson, Dean, Dorris, Duval, Fellom, Foster, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Mitchell, T. A, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—49.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922.

Senate Concurrent Resolution No. 16 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 16 finally adopted by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T A, Moore, Morrison, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 16 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 16—Approving a certain amendment to the charter of the city of San Bernardino, State of California, ratified by the qualified electors of said city, at a special municipal election held therein, on the seventh day of November, 1922.

Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923.

Senate Concurrent Resolution No 20 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 finally adopted by the following vote:

AYES—Badham, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pomeroy, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 20 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 20—Approving certain amendments to the charter of the city of Eureka, in the county of Humboldt, State of California, voted for and ratified by the electors of said city of Eureka at a special municipal election held for that purpose on the twenty-sixth day of February, 1923.

Senate Bill No 598—An act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 598 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McPherson, Mitchell, A G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

Strike out all of lines 8 and 9, and the word "barbers" and comma of line 10.

Motion carried.

The Speaker appointed Mr. Lyman as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Senate Bill No 82, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bromley, Broughton, Burns, Clarke, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger Hornblower, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A G, Mitchell, T. A, Moore, Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Whitacre, Williams, and Mr Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 517—An act to amend section 5 and section 7 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 517 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Williams, Wright, and Mr. Speaker—53

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 400—An act authorizing the regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 400 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Croter, Davis, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, McDowell, Miller, Mitchell, A. G., Morrison, Pomeroy, Reindollar, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At two o'clock and twenty-five minutes p.m., the Speaker declared the Assembly at recess for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION.

At two o'clock and thirty minutes p.m., the Senate and Assembly met in Joint Convention pursuant to Assembly Concurrent Resolution No. 19.

ASSEMBLY CONCURRENT RESOLUTION No 20.

Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

WHEREAS, The Legislature of the State of California has been advised that the Honorable Henry C. Wallace, Secretary of Agriculture of the United States, will visit the city of Sacramento on Wednesday, April 11, 1923; and,

WHEREAS, This Legislature deems it an extreme honor to be able to receive this eminent gentleman; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That a committee from the Legislature, composed of three members of the Senate, to be appointed by the Lieutenant Governor, and a like number from the Assembly, to be appointed by the Speaker, are hereby authorized to meet the Honorable Henry C Wallace upon his arrival in Sacramento, and to escort him to the Assembly Chamber; and, be it further

Resolved, That the Senate and Assembly meet jointly in the Assembly Chamber at 2·30 p.m. to receive the Honorable Henry C. Wallace, Secretary of Agriculture.

Lieutenant Governor C. C. Young, President of the Senate, and Hon. Frank F. Merriam, Speaker of the Assembly, presiding.

The President of the Senate declared a quorum of the Senate present.

The Speaker of the Assembly declared a quorum of the Assembly present.

REPORT OF SELECT COMMITTEE.

Senators Rush, Boggs, and Godsil, and Assemblymen Stow, Woodbridge, and McMillan appeared at the bar of the House, and announced to the Speaker of the Assembly the presence of Honorable Henry C. Wallace, Secretary of Agriculture of the United States, and His Excellency, Friend Wm. Richardson, Governor of the State of California.

At the invitation of Hon. Frank F. Merriam, Speaker of the Assembly, the Secretary of Agriculture of the United States and the Governor of California were escorted to the platform by the following committee: Senators Rush, Boggs, and Godsil, and Assemblymen Stow, Woodbridge, and McMillan.

ADDRESS BY GOVERNOR RICHARDSON.

On invitation of Hon. Frank F Merriam, Speaker of the Assembly, Governor Friend Wm Richardson addressed the Joint Convention.

ADDRESS BY UNITED STATES SECRETARY OF AGRICULTURE WALLACE.

On invitation of Governor Richardson, Hon. Henry C. Wallace, Secretary of Agriculture of the United States, addressed the Joint Convention.

ADDRESS BY LIEUTENANT GOVERNOR C. C. YOUNG.

On invitation of Hon. Frank F. Merriam, Speaker of the Assembly, Hon. C. C. Young, Lieutenant Governor of California, expressed appreciation of the visit by United States Secretary of Agriculture Wallace, and Governor Richardson to the Joint Convention.

ADJOURNMENT.

There being no further business, at three o'clock and ten minutes p.m., the President of the Senate adjourned the Joint Convention, sine die.

IN ASSEMBLY.

REASSEMBLED.

At three o'clock and fifteen minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

ANNOUNCEMENT.

Mr. Bernard announced that the committee in charge had extended an invitation for the Assembly to visit the University Agricultural Farm at Davis on Friday, April 13, 1923, at three o'clock p.m.

MOTION.

Mr. Graves moved that the Assembly accept the invitation with thanks

Motion unanimously adopted.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 152—An act to amend section 172 of the Code of Civil Procedure, relating to judicial officers having partners practicing law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 152 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Kline, Mathews, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, and Whitacre—47.

NOES—Carter, Graves, and Mr. Speaker—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 156—An act to add a new section to the Code of Civil Procedure, to be numbered 2036*a*, relating to foreign depositions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 156 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 693—An act to amend section 4218 of the Political Code relating to the making of maps and assessment block books.

Bill read third time.

The question being on the passage of the bill .

The roll was called, and Senate Bill No 693 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McPherson, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Saylor, Schmidt, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—50

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Messrs. Prendergast and Weller: Assembly Constitutional Amendment No 53 Proposed amendment to article IV of the constitution, relative to legislative apportionment.

Introduced, and referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 430—An act to prevent the propagation by seed of certain plants hereby

declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Ball:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to regulate the use of American histories and other text books in institutions of learning in this State.

Referred to Committee on Introduction of Bills.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608d, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district;

Also: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class;

Also: Senate Bill No. 227—An act to amend an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33;

Also: Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools;

Also: Senate Bill No. 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 345 read first time, and referred to Committee on Education.

Senate Bill No. 706 read first time, and referred to Committee on Education.

Senate Bill No. 227 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 102 read first time, and referred to Committee on Education.

Senate Bill No. 562 read first time, and referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 283 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 18—Relative to needy Indians within the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 18 read and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on on this day adopted Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 2½, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 29 read and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on on this day respectfully concurs in Assembly amendments to Senate Bill No. 154—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act" by amending sections 19, 21*a*, 24*a*, 37, 46, 61, 62, 65, 70, 80, 123 and 139 thereof and by adding new sections thereto to be numbered sections 35*a* and 49*a* and repealing section 36 thereof, all relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 352—An act to amend section 3453 of the Political Code, providing for the election of trustees, the office of said district; and of proceedings to determine legality of district;

Also: Senate Bill No. 169—An act to amend section 602 of the Civil Code, relating to corporations sole.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

ADJOURNMENT.

At three o'clock and forty-three minutes p.m., on motion of Mr. Spence, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, April 12, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 12, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris,

Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Pomeroy, Mr. Roberts was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Dr. Walter J. Taylor of Sacramento was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. West, Mr. and Mrs. Thos Davis of Butte, Montana, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Lyman, Dr. Dudley Smith of Oakland was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. McDowell, Mr. G R. Lovejoy, District Attorney of Fresno County, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Smith, Judge H. W. Pulcifer, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Johnston, Miss L. A Rieff and Miss M. Strachan, teachers, and the following pupils of the William Land School of Sacramento, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

May Wims, Alexander McCormick, Chandler Stanley, Paul Markison, Carroll P. Tilton, James Petralli, William E List, Joe Silva, John A. Minard Jr., Richard N. Greer, Lawrence Segurson, Edwin Brounefoy, Charles Clark, Lloyd Cox, Irene Mackey, Emma Grolla, Louise Taylor, Agnes Haug, Edna Torkelson, Louise E. Brant, Georgia Herbert, Clarice Pollock, Doris Johnson, Marguerite Hostetler, Madeline Clark, Bernice Hereford, Lelah Boyd, Kathryn Anderson, Madeline Luce, Idella Hansen, Caroline Maltby, Beatrice Johnson, William Lugg, John Williamson, Dolores Hutcheson, Hailey Brown, Marjorie Hughes, Alice Bellmer, Josephine Hanlon, Dorothy Lewis, Vincent Angell, Thelma Goodwin, Hilda Machado, Mary Bacigalupi, Edith Jones, Ruth Oki, Kathrine McNamara, Laura Esola, Marguerite Sofge, Irma Eades, Henry Carney, Earnest Martindale, Vernal Du Frene, Beatrice Case, Benita Gillett, Fern Mathis, Ralpha Sharp, Viola Leech, Ella Elfrink, Thelma Miller, Dollie Brown, Reola Linn, William Cotter, Lorne Meers and Frederick Beauchamp.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. West, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

Resolved, That it is the sense of the council of the city of San Jacinto that in case a law be enacted to impose a tax on gasoline, one-third of the revenue there-

from should be distributed to the municipalities and the other two-thirds between the counties and the State; also that the motor vehicle funds to be used in all cases exclusively for improving and repairing main streets or highways forming part of the State or county system;

Resolved, That a copy of these resolutions be sent to the press and another copy to our Senator and Assemblyman at Sacramento

Also:

Resolved, By the board of trustees of the city of San Jacinto that our representatives in the Legislature be, and they are hereby requested to oppose the passage of Assembly Bills Nos. 529 and 649, and any other bills designed to limit or prohibit the imposition of licenses by municipalities.

Resolved, That a copy of these resolutions be sent to the press and another copy to our Senator and Assemblyman at Sacramento.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason, providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof,

Also: Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Also. Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Also. Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers;

Also: Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor;

Also Assembly Bill No 392—An act to amend section 4305 of the Political Code, relating to salary fund;

Also: Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913;

Also Assembly Bill No 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness;

Also: Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates;

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

Also. Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359a, relating to the time within which actions must be commenced against directors and stockholders of corporation;

Also: Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations,

Also Assembly Bill No. 1302—An act to amend section 4236a of the Political Code, relating to jurors' fees in counties of the seventh class

Also: Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same;

Also: Assembly Bill No. 576—An act to amend section 1241 of the Code of Civil Procedure, relating to eminent domain;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WILLIAMS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District, prescribing its boundaries and providing for the government and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 595—An act to amend section 15c of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 29—An act authorizing the establishment and government of municipal port districts; providing for the acquirement, construction, maintenance,

operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1c, relating to acquisition of rights by appropriation to the use of water, and 1d, relating to matters prerequisite to the issuance of a permit to appropriate water;

Also: Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1a, relating to hearings upon applications for a permit to appropriate water, and 1b, relating to actions for review and to priority of right;

Also: Senate Bill No 91—An act to add a new section to be numbered 19a to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

WILLIAMS, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1923

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said state upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR SPEAKER Your Committee on Rules, to which was referred Assembly Concurrent Resolution No 12—Relative to adjournment sine die—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

CARTER, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

By Mr Bernard: An act levying an excise or license tax upon the production of petroleum, or other crude oil, or mineral oil, and of natural gas, providing for the

collection and disposition of such excise taxes, providing penalties for violation of the provisions of said act, and repealing all acts or parts of acts inconsistent herewith.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

The roll was called

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. West moved a call of the House.

Motion carried.

Time nine o'clock and fifty-three minutes, a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Carlson, Carter, Cleary, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT.

Mr Pomeroy asked for and was granted unanimous consent to take up Assembly Bill No 1269, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SIXTY-NINE.

Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Pomeroy moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, following line 45, add the following:

SEC. 10. Nothing herein contained shall apply to the development, production, gathering, transportation, refining or marketing of petroleum or its products, with the exception of the retail marketing of refined petroleum products, or to the mining of metallic or non-metallic products.

Motion carried.

The Speaker appointed Mr. Pomeroy as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1269, with instructions, reports that the instructions of the Assembly have been carried out.

POMEROY, Select Committee

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 67—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "two new sections", and insert in lieu thereof the words "a new section"

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill strike out the words "one thousand two hundred eighty *a* and one thousand two hundred eighty *b*, relating to justification of bail.", and insert in lieu thereof the following "one thousand two hundred eighty-two, relating to fees for furnishing bail"

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out the words "one thousand two hundred eighty *a*, and", and insert in lieu thereof the words "one thousand two hundred eighty-two,".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill strike out lines 4 to 27, both inclusive, and on page 2 of the printed bill strike out lines 1 to 9, both inclusive, and insert in lieu thereof the following

"1282 Any surety upon a bail-bond, or upon any undertaking to secure the appearance of any person in court to answer to a criminal charge or accusation, who makes any charge for furnishing such bail in excess of ten per cent of the amount of bail required by the court, shall be guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 675—An act to add a new section, to be numbered 2768, to the Civil Code, relating to life insurance.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill line 4, after the period insert the following "No policy of life insurance shall be issued or delivered in the State of California, or issued by a life insurance company or association organized under the laws of the State of California unless the same provide the following

(*a*) All forms of investment policies (those which carry a cash and loan value) shall provide for the payment of all or that proportionate part of the cash value in excess of the term rate, in addition to the full amount of insurance at the time of the death of the policy holder

(*b*) That in the event that the policy holder desires to withdraw the investment element of the policy so issued to him, he shall have the privilege of so doing, without paying a surrender charge or interest penalty.

(c) That the policy shall show the amount of the premium paid; it also shall show that portion of the premium which is used for conducting the business of the insurance company or association, the amount which is collected for mortuary purposes and the amount collected for the investment element."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 895—An act to amend section 9 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for the continuation of compensation payments during the period of rehabilitation and vocational reeducation of an employee permanently disabled in industry in this State, and by providing for the payment of tuition fees and the furnishing of such text books and equipment as may be necessary for instruction in the vocational education and rehabilitation of such disabled persons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following:

"An act to amend section 9 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917", approved May 23, 1917, as amended, by providing for the inclusion of advisement, education and training of persons disabled in industry as a part of compensation benefits."

AMENDMENT NUMBER TWO

On page 1, line 1 of the printed bill, after the words "Section 1," insert the following: "Section nine of an act entitled "The Workmen's Compensation, Insurance and Safety Act of 1917", approved May 23, 1917, as amended is hereby amended to read as follows:

Sec. 9. Where liability for compensation under this act exists, such compensation shall be furnished or paid by the employer and be as provided in the following schedule:

(a) Such medical, surgical and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches and apparatus, including artificial members, and such advisement, education and training, as may reasonably be required to cure and relieve from the effects of the injury, and to readjust the beneficiary in a profitable occupation, the same to be provided by the employer, and in case of his neglect or refusal seasonably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same: *provided*, that if the employee so requests, the employer shall tender him one change of physicians and shall nominate at least three additional practicing physicians competent to treat the particular case, or as many as may be available if three can not reasonably be named, from whom the employee may choose, the employee shall also be entitled, in any serious case, upon request, to the services of a consulting physician to be provided by the employer, all of said treatment to be at the expense of the employer. If the employee so requests, the employer must procure certification by the Commission or a Commissioner of the competency for the particular case of the consulting or additional physicians: *provided, further*, that the foregoing provisions regarding a change of physicians shall not apply to those cases where the employer maintains, for his own employees, a hospital and hospital staff, the adequacy and competency of which have been approved by the Commission. Nothing contained in this section shall be construed to limit the right of the employee to provide, in any case, at his own expense, a consulting physician or any attending physicians whom he may desire. Controversies between employer and employee, arising under this section, shall be determined by the commission, upon the request of either party.

(b) If the injury causes temporary disability, a disability payment which shall be payable for one week in advance as wages on the eighth day after the injured employee leaves work as a result of the injury. If the injury causes permanent disability, a disability payment which shall be payable for one week in advance as wages on the eighth day after the injury. Such indemnity shall thereafter be payable on the employer's regular pay day, but not less frequently than twice in each

calendar month, unless otherwise ordered by the commission, subject, however, to the following limitations

(1) If the period of disability does not last longer than seven days from the day the employee leaves work as the result of the injury, no disability payment whatever shall be recoverable.

(2) If the period of disability lasts longer than seven days from the day the employee leaves work as the result of the injury, no disability payment shall be recoverable for the first seven days of disability suffered

(1) If the injury causes temporary total disability, sixty-five per cent of the average weekly earnings during the period of such disability, consideration being given to the ability of the injured employee to compete in an open labor market:

(2) If the injury causes temporary partial disability, sixty-five per cent of the weekly loss in wages during the period of such disability:

(3) If the temporary disability caused by the injury is at times total and at times partial the weekly disability payment during the period of each such total or partial disability shall be in accordance with paragraphs one and two of this subdivision respectively:

(4) Paragraphs one, two, and three of this subdivision shall be limited as follows: Aggregate disability payments for a single injury causing temporary disability shall not exceed three times the average annual earnings of the employee, nor shall the aggregate disability period for such temporary disability in any event extend beyond two hundred forty weeks from the date of the injury.

(5) If the injury causes permanent disability, the percentage of disability to total disability shall be determined and the disability payment computed and allowed as follows: For a one per cent disability, sixty-five per cent of the average weekly earnings for a period of four weeks, for a ten per cent disability, sixty-five per cent of the average weekly earnings for a period of forty weeks, for a twenty per cent disability, sixty-five per cent of the average weekly earnings for a period of eighty weeks, for a thirty per cent disability, sixty-five per cent of the average weekly earnings for a period of one hundred twenty weeks, for a forty per cent disability, sixty-five per cent of the average weekly earnings for a period of one hundred sixty weeks, for a fifty per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred weeks, for a sixty per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks, for a seventy per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks, and thereafter ten per cent of such weekly earnings during the remainder of life; for an eighty per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks and thereafter twenty per cent of such weekly earnings during the remainder of life; for a ninety per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks and thereafter thirty per cent of such weekly earnings during the remainder of life, for a hundred per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks and thereafter forty per cent of such weekly earnings during the remainder of life.

(6) The payment for permanent disabilities intermediate to those fixed by the foregoing schedule shall be computed and allowed as follows: If under seventy per cent, sixty-five per cent of the average weekly earnings for four weeks for each one per cent of disability; if seventy per cent or over, sixty-five per cent of the average weekly earnings for two hundred forty weeks and thereafter one per cent of such weekly earnings for each one per cent of disability in excess of sixty per cent to be paid during the remainder of life.

(7) In determining the percentages of permanent disability, account shall be taken of the nature of the physical injury or disfigurement, the occupation of the injured employee, and his age at the time of such injury, consideration being given to the diminished ability of such injured employee to compete in an open labor market.

(8) Where an injury causes both temporary and permanent disability, the injured employee shall not be entitled to both a temporary and permanent disability payment, but only to the greater of the two.

(9) The following permanent disabilities shall be conclusively presumed to be total in character Loss of both eyes or the sight thereof; loss of both hands or the use thereof; an injury resulting in a practically total paralysis; an injury to the brain resulting in incurable imbecility or insanity In all other cases, permanent total disability shall be determined in accordance with the fact.

(10) The percentage of permanent disability caused by any injury shall be so computed as to cover the permanent disability caused by that particular injury without reference to any injury previously suffered or any permanent disability caused thereby.

(11) The commission may prepare, adopt, and from time to time amend, a schedule for the determination of the percentages of permanent disabilities, such table to be based upon the proper combinations of the factors indicated in subdivision seven above. Such schedule shall be available for public inspection and without formal introduction in evidence shall be prima facie evidence of the percentage of permanent disability to be attributed to each injury covered by said schedule.

3. The death of an injured employee shall not affect the liability of the employer under subsections (*a*) and (*b*) of this section, so far as such liability has accrued and become payable at the date of the death, and any accrued and unpaid compensation shall be paid to the dependents, if any, or, if there are no dependents, to the personal representative of the deceased employee or heirs or other persons entitled thereto, without administration, but such death shall be deemed to be the termination of the disability.

(*c*) If the injury causes death, either with or without disability, the burial expense of the deceased employee as hereinafter limited and a death benefit which shall be payable in installments equal to sixty-five per cent of the average weekly earnings of the deceased employee, upon the employer's regular pay day, but not less frequently than twice in each calendar month, unless otherwise ordered by the commission, which death benefit shall be as follows:

(1) In case the deceased employee leaves a person or persons wholly dependent upon him for support, such dependents shall be allowed the reasonable expense of his burial, not exceeding one hundred dollars, and a death benefit, which shall be a sum sufficient, when added to the disability indemnity which at the time of death has accrued and become payable, under the provisions of subsection (*b*) hereof, and the said burial expense, to make the total disability indemnity, cost of burial and death benefit equal to three times his average annual earnings, such average annual earnings to be taken at not less than three hundred thirty-three dollars and thirty-three cents nor more than one thousand six hundred sixty-six dollars and sixty-six cents

(2) In case the deceased employee leaves no person wholly dependent upon him for support, but one or more persons partially dependent therefor, the said dependents shall be allowed the reasonable expense of his burial, not to exceed one hundred dollars, and, in addition thereto, a death benefit which shall amount to three times the annual amount devoted by the deceased to the support of the person or persons so partially dependent: *provided*, that the death benefit shall not be greater than a sum sufficient, when added to the disability indemnity which, at the time of the death, has accrued and become payable under the provisions of subsection (*b*) hereof, together with the cost of the burial of such deceased employee, to make the total disability indemnity, cost of burial and death benefit equal to three times his average annual earnings, such average annual earnings to be taken at not less than three hundred thirty-three dollars and thirty-three cents nor more than one thousand six hundred sixty-six dollars and sixty-six cents.

(3) If the deceased employee leaves no person dependent upon him for support, the death benefit shall consist of the reasonable expense of his burial, not exceeding one hundred dollars and such other benefit as may be provided by law.

(*d*) Payment of compensation in accordance with the order and direction of the commission shall discharge the employer from all claims therefor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attack property of employer where the employer has failed to secure the payment of compensation

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the word "attack" following the word "to" in line 4 of the title and insert in lieu thereof the word "attach".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Strike out all of the printed bill after the enacting clause and insert in lieu thereof the following:

"SECTION 1 Every railroad corporation or company operating any railroad or branch thereof within the limits of this state, which injures or kills any animal of the equine, bovine or ovine species by running any engine or engines, car or cars, over or against any such animal negligently shall be liable to the owner of such animal for the damages sustained by such owner by reason thereof, unless on the trial of any action instituted for the recovery of such damages as provided in section two of this act, it appears that the owner or custodian of such animal or animals directly or indirectly contributed to such injury or killing, *provided* that the mere straying of such animal or animals upon or along the track or tracks concerned where such track or tracks are unfenced shall not be held upon such trial to be any evidence of contributory negligence on the part of the owner of such animal or animals, nor shall the grazing of the same unattended by a herder be so considered; *and provided further* that the killing or injury by engines or cars in such actions shall be prima facie evidence of negligence on the part of such railroad, corporation or company in all cases where such corporation or company has failed to provide good and sufficient fences as required by statute.

SEC. 2 In case any railroad corporation or company, or owner or operator of a railroad fails within ninety days after receipt of a written claim to effect settlement of claims received for damages arising from the injury or killing of live stock upon its track or right of way by the running of engines or cars over or against such animals in this state as provided herein, then the owner of such animals injured or killed may sue to recover damages for such injury or killing from any such railway company or corporation, or the owner or operator of such railroad in any court of competent jurisdiction in the county in which said animal or animals was or were killed or injured, together with seven per cent interest per annum on the value of the animal or animals so injured or killed, as established in such action from the date such claim was presented until paid, *provided* that if final judgment is not had for more than the amount offered in settlement no interest shall be allowed, *and provided further* that the owner of such animal or animals shall not have contributed to such delay in effecting settlement of his claim.

SEC 3 Any person having a claim arising under the provisions of this act may assign same in writing to any person for value who shall thereupon have all the rights and remedies of the assignor.

SEC 4. Any person falsely making an affidavit of ownership of any animal killed or injured under the terms of this act shall upon conviction thereof be liable to a fine of not more than five hundred dollars or imprisonment in the penitentiary for not more than one year.

SEC. 5. If the owner or owners of such animals heretofore mentioned shall drive the same upon the track of any such railroad corporation or company with intent thereby to injure or kill it or them, such owner or owners shall be liable for all injury or damage occasioned by reason of such act and shall be guilty of a felony

SEC 6 Openings in railroad fences for the passage of stock from one side of the right of way to the other shall be provided as ordered by the railroad commission upon application filed and after due hearing thereon Responsibility for measures toward prevention of unnecessary loss or injury to live stock upon railroad tracks or rights of way through construction and proper maintenance of suitable barriers such as right of way fences and live stock or cattle guards at all openings or crossings through the right of way or track fences or at each end of open cuts, shall lie with the owners of such railroads

SEC 7 Every engineer who has personal knowledge that the engine or train operated by him has killed or injured any live stock as described in section one and every section foreman who has personal knowledge that any live stock as described in section one has been killed or injured on the section under his charge shall promptly report the same in writing to his superior officer of the railroad by which he is employed.

SEC. 8. Every person as described in the preceding section who shall fail or neglect to comply with the provisions of the preceding section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than ten dollars and not more than one hundred dollars or be imprisoned in the county jail not less than ten days nor more than thirty days or by both such fine and imprisonment.

SEC. 9. Every owner or operator of a railroad in this state who shall injure or kill any live stock as hereinbefore described in section one by the running of any engine or cars over or against any such live stock shall within ten days thereafter post for a period of at least thirty days at the section house of the section on which such injuring or killing occurred notices in writing in some conspicuous place on the outside of such section houses, which notice shall contain the number and kind of the animals so injured or killed with a full description of the same, including brands and marks and sex, giving the time and place, as near as may be, of such injury or killing, and said notice shall be dated and signed by the section foreman or some officer or agent of such owner or operator of the railroad concerned.

SEC. 10. Every corporation, company, receiver, association, or person, which shall fail, neglect or refuse to comply with the provisions of the preceding section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than twenty-five dollars and not more than two hundred dollars.

SEC. 11. Any person or persons who, with intent to defraud the owner of live stock of his right to recover damages under the provisions of this act, shall attempt to conceal the evidence of the killing or injury of any animals described herein by any railroad train, engine or cars or any railroad in this state, or shall destroy or cover up the evidence that may lead to the identification of any animals so killed or injured shall upon conviction be fined in any sum not exceeding two hundred dollars for each offense or may be imprisoned in the county jail for not to exceed thirty days, or by both such fine and imprisonment: *provided, however*, that when notices have been posted as provided in section nine, nothing herein shall be construed as forbidding the burial of the carcasses of any animals killed or otherwise disposing of the remains in the interests of health or as forbidding repairs to fences, gates, cattleguards, etc., through or over which such animals may have entered the right of way.

SEC. 12. All acts or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 278—An act to amend section 27 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the words "twenty-seven", and insert in lieu thereof the following: "thirty-two".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill strike out the words "twenty-seven", and insert in lieu thereof the following: "thirty-two".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 14 to 18, both inclusive, and all of lines 1 to 35, both inclusive, on page 2, and insert in lieu thereof the following:

"SEC. 32. (*a*) Whenever the commission, after a hearing had upon its own motion or upon complaint, shall find that the rates, fares, tolls, rentals, charges or

classifications, or any of them, demanded, observed, charged or collected by any public utility for any service or product or commodity, or in connection therewith, including the rates or fares for excursion or commutation tickets, or that the rules, regulations, practices or contracts, or any of them, affecting such rates, fares tolls, rentals, charges or classifications, or any of them, are unjust, unreasonable, discriminatory or preferential or in anywise in violation of any provision of law, or that such rates, fares, tolls, rentals, charges or classifications are insufficient, the commission shall determine the just, reasonable or sufficient rates, fares, tolls, rentals, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force and shall fix the same by order as hereinafter provided.

(b) The commission shall have power, upon a hearing had upon its own motion or upon complaint to investigate a single rate, fare, toll, rental charge, classification, rule, regulation, contract or practice, or any number thereof, or the entire schedule or schedules of rates, fares, tolls, rentals, charges, classifications, rules, regulations, contracts and practices, or any thereof, of any public utility, and to establish new rates, fares, tolls, rentals, charges, classifications, rules, regulations, contracts or practices, or schedule or schedules, in lieu thereof

(c) The commission shall have power, upon a hearing, and upon its own motion or upon complaint, to establish a special rate to be charged by a street or interurban railroad corporation for the transportation of students in actual attendance upon any public or private school not higher in grade than a public high school, which special rate may be less than and discriminatory as to the rate charged other passengers but shall entitle such students to equal rights and privileges."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1031—An act to amend an act entitled "An act providing for the sale of State railroads and other franchises in counties and municipalities, providing conditions for granting such franchises by legislative or other government bodies and repealing conflicting acts," approved March 22, 1905, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 2 of the title, strike out the words "state railroads" and in lieu thereof insert the words "street railroad".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1 and in lieu thereof insert the following:

"SECTION 1. Section one of an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts", approved March 22, 1905, as amended, is hereby amended to read as follows:

Section 1. Every franchise or privilege to erect or lay telegraph or telephone wires, to construct or operate street or interurban railroads upon any public street or highway, to lay gas pipes for the purpose of carrying gas for light, heat or power, to erect poles or wires for transmitting electricity for light, heat or power, along or upon any public street or highway, or to exercise any other privilege whatever, including renewals of franchises for piers, chutes or wharves, hereafter proposed to be granted by boards of supervisors, boards of trustees or common councils, or other governing or legislative bodies of any county, city and county, city or town within this state, except steam railroads and except telegraph or telephone lines doing an interstate business, and renewals of franchises for piers, chutes or wharves shall be granted upon the conditions in this act provided, and not otherwise. The grantor may, however, in such franchise impose such other and additional terms and conditions not in conflict herewith, whether governmental or contractual in character, as in the judgment of the legislative body thereof, are to the public interest."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the railroad commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, after the word property, insert the word "or".

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word and, insert the word "county" in lieu of the word country.

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, after the word the, insert the word "term" in lieu of the word terms.

AMENDMENT NUMBER FOUR

On page 2, line 20, of the printed bill, after the word operated, insert the words "by a transportation company".

(f) Nothing in this act contained shall apply to or affect the transportation of perishable or semi-perishable agricultural, horticultural and viticultural products or implements of husbandry including empty carriers from and to, and to and from farms, packing houses, canneries receiving and assembling points, shipping points, warehouses and storage plants during any part of the harvest or shipping period in any year

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed here-

under and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill strike out lines 15 to 23, inclusive, and insert in lieu thereof the following "ters under this act *provided* that the board of supervisors may, in its resolution of intention to order the work or improvement done, appoint any competent county officer, without compensation, other than the county surveyor, as the officer to perform all or a portion of the duties conferred upon the street superintendent or city engineer in said improvement act."

AMENDMENT NUMBER TWO.

On page 6 of the printed bill strike out lines 37 to 48, inclusive, and insert in lieu thereof the following

"Sec. 7. Whenever any work or improvement is done or made under the provisions of this act, whether said work or improvement be in, under or upon any highway, street, avenue, lane, court or place in the unincorporated territory of counties, or property or rights of way owned by counties, or any highway, street avenue, lane, court or place forming the exterior boundaries of a municipality, whether partly or wholly within or without the boundaries of such municipality, or in, under or upon any combination or all of the foregoing, the district declared to be the district benefited by said work or improvement and to be assessed to pay the costs and expenses thereof, and the maintenance district, and the lands to be assessed for the construction of such work or improvement or for the maintenance or operation thereof, or both, may include lands lying within the boundaries of such municipality benefited thereby, and such lands may be assessed and taxed therefor under the procedure prescribed in this act, the same as though such lands were situated in the unincorporated territory of the county, and with the same effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 401—An act to amend sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment district established for the purpose; and for county aid in such work," approved March 21, 1907, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of printed bill, in line 1 of title to printed bill, insert the following after the word "amend" "the title and".

AMENDMENT NUMBER TWO.

On page 1 of printed bill, in line 12 of title to printed bill, strike out the period after the word "amended" and insert in lieu thereof a comma and after the comma add the following "and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof and upon streets, avenues, boulevards lanes, alleys courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county whether partly or wholly within or without the boundaries

of such municipality, and to add a new section to said act to be known as section three and one-half.'

AMENDMENT NUMBER THREE.

On page 1 of printed bill, strike out the semicolon at the end of line 14 and insert in lieu thereof a comma and add the following "for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property inside of incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and for work upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality,".

AMENDMENT NUMBER FOUR.

On page 2 of printed bill, strike out lines 7 to 51, inclusive, and insert in lieu thereof the following:

"Section 1. Power is hereby vested in the board of supervisors of every county in this state, by and under the procedure prescribed in this act, to order the construction or reconstruction in the whole or any part, either in length or width, of any one or more or all of the roads, streets, avenues, boulevards, lanes and alleys of said county, so far as not within any incorporated city or town, and to order the construction or reconstruction in the whole or any part, either in length or width, of any one or more or all of the streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, so far as by dedication or otherwise public and open to public use, and in any and all property and rights of way owned by said county, of any and all of the following work

(*a*) Grading or regrading, paving or repaving, planking or replanking, macadamizing or remacadamizing, graveling or regraveling, oiling or reoiling.

(*b*) The construction or reconstruction of sidewalks, crosswalks, steps, parks and park ways, culverts, bridges, curbs, gutters, tunnels, subways and viaducts.

(*c*) Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, tunnels, conduits, channels and other appurtenances.

(*d*) Drains, tunnels, sewers, conduits and channels for drainage purposes, with necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks disposal plants, connecting sewers, ditches, drains conduits, channels and appurtenances.

(*e*) Poles, posts, wires, pipes, conduits, lamps and other suitable or necessary appliances for the purpose of lighting said streets, avenues, lanes, alleys, courts, places or public ways;

(*f*) Pipes, hydrants and appliances for fire protection

(*g*) Breakwaters, levees, bulkheads and walls of rock or other material to protect any of said roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways and other property from overflow by water;

(*h*) Instrumentalities for domestic water supply or distribution, including wells, pumps, tanks reservoirs stump tanks, channels tunnels, conduits, pipes, hydrants, meters and other appurtenances

(*i*) Retaining walls, embankments and other structures, necessary or suitable in connection with any of the work mentioned in this section.

(*j*) Any other work, improvement or structure deemed by them necessary or proper for the improvement or for the safe or convenient use of any of said roads, streets, avenues, boulevards, lanes, alleys, courts, places property or rights of way, or incidental to any other work being done

(*k*) All other work auxiliary to any of the above or which may be required to carry out the same."

AMENDMENT NUMBER FOUR *a*

On page 4 of the printed bill, insert at line 29:

"SEC 3½. A new section is hereby added to said act to be known as section three and one-half and to read as follows

SEC 3½ Whenever the word "specifications" is used in this act it shall refer to and include plans, profiles and cross sections as well as specifications."

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, strike out lines 3 and 4 and insert in lieu thereof the following

"If upon said hearing it appears that a majority of the owners of land within the district to be assessed as

AMENDMENT NUMBER SIX

On page 7 line 11 of the printed bill strike out the following words: "the owners of a majority in area of the land" and insert in lieu thereof the following "a majority of the owners of land".

AMENDMENT NUMBER SEVEN.

On page 7, line 20, of the printed bill, strike out the following words: "the owners of a majority in area of the land" and insert in lieu thereof the following "a majority of the owners of land".

AMENDMENT NUMBER EIGHT.

On page 10, line 30, of the printed bill, insert the following after the word "thereon": "at the same rate proposed for the new bond issue".

AMENDMENT NUMBER NINE.

On page 11, line 50, of the printed bill, insert the following after the word "thereon", "at the same rate adopted for the new bond issue".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention.

MOTION TO AMEND.

During the second reading of the bill the following amendment was offered by Mr Rosenshine:

AMENDMENT NUMBER ONE

On page 2, line 21, of the printed bill, strike out the word "and" and insert in lieu thereof the word "in".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the parenthesis after the word "pauciflorus)" strike out the comma and the following words, "water grass (echinochlea crusgalli)".

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the following, "tumbling mustard (Sisymbrium altissimum),".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the following, "wild heliotrope (Heliotropium curassa)" and also all of line 9

AMENDMENT NUMBER FOUR

On page 1, line 10, of the printed bill, strike out "(Convolvulus arvensis)" and at the end of the line strike out the word "yellow." Also strike out all of line 11 and the following on line 12 "tauren calcitrapa).".

AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the word "coast" at the end of the line, and also strike out the following on line 15 "dandelion (Hypochaeris radicata).",

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, after the word "misdemeanor" add two new sections to read as follows

"SEC. 6. That certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as Sorghum halepense, otherwise known as Johnson Grass" approved March 20, 1903, is hereby repealed.

SEC. 7. The provisions of this act shall be enforced by the county horticultural commissioner of each county in his discretion."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the words "two hundred forty-two thousand four hundred eighty dollars."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 17 and 18, and insert in lieu thereof the words "For support of supreme court, twenty-two thousand eight hundred dollars.

AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, strike out the word "fifty."

AMENDMENT NUMBER FOUR.

On page 2, line 38, of the printed bill, strike out the word "seventy" and insert in lieu thereof the word "eighty".

AMENDMENT NUMBER FIVE.

On page 2, lines 40 and 41, of the printed bill, strike out the words "two thousand four hundred dollars" and insert in lieu thereof the words "five thousand dollars."

AMENDMENT NUMBER SIX.

On page 2, lines 42 and 43, of the printed bill, strike out the words "five thousand eight hundred" and insert in lieu thereof the words "nine thousand".

AMENDMENT NUMBER SEVEN.

On page 3, line 14, of the printed bill, strike out the word "three" and insert in lieu thereof the word "eighteen".

AMENDMENT NUMBER EIGHT.

On page 3, lines 16 and 17, of the printed bill, strike out the words "four hundred sixteen thousand three hundred fifty dollars" and insert in lieu thereof the words "one hundred twenty-one thousand six hundred fifty dollars."

AMENDMENT NUMBER NINE.

On page 3, line 32, of the printed bill, strike out the words "thirty thousand two hundred forty" and insert in lieu thereof the words "fifty-two thousand four hundred."

AMENDMENT NUMBER TEN.

On page 3, line 33, of the printed bill, strike out the word "fourteen" and insert in lieu thereof the word "sixteen".

AMENDMENT NUMBER ELEVEN.

On page 3, line 34, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six."

AMENDMENT NUMBER TWELVE.

On page 3, line 39, of the printed bill, strike out the words "twenty thousand four" and insert in lieu thereof the words "twenty-three thousand eight".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 48, of the printed bill, strike out the words "eighty-seven thousand three" and insert in lieu thereof the words "ninety-one thousand five."

AMENDMENT NUMBER FOURTEEN.

On page 4, line 7, of the printed bill, strike out the word "five" and insert in lieu thereof the word "ten."

AMENDMENT NUMBER FIFTEEN.

On page 4, line 17, of the printed bill, strike out the word "five" and insert in lieu thereof the word "eight."

AMENDMENT NUMBER SIXTEEN.

On page 4, line 18, of the printed bill, strike out the words "thirty-four" and insert in lieu thereof the words "forty-one".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 25, of the printed bill, strike out the word "three" and insert in lieu thereof the word "six".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 26, of the printed bill, strike out the word "two" and insert in lieu thereof the word "six".

AMENDMENT NUMBER NINETEEN.

On page 4, line 36, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER TWENTY.

On page 4, line 37, of the printed bill, strike out the word "one" and insert in lieu thereof the word "three".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 41, of the printed bill, strike out the words "one thousand three" and insert in lieu thereof the words "nine thousand nine".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 42, of the printed bill, strike out the words "forty-seven" and insert in lieu thereof the words "thirty-eight".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 43, of the printed bill, strike out the word "three" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 2, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "forty".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 3, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "thirteen".

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 15, of the printed bill, strike out the word "four" after the word "million" and insert in lieu thereof the word "five".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 20, of the printed bill, strike out the words "two hundred forty" and insert in lieu thereof the words "twenty-nine".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 35, of the printed bill, strike out the word "two" and insert in lieu thereof the word "eighteen".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 37, of the printed bill, strike out the word "forty-one" and insert in lieu thereof the word "forty-five"

AMENDMENT NUMBER THIRTY.

On page 6, line 2, of the printed bill, strike out the words "one thousand two hundred" and insert in lieu thereof the words "two thousand forty".

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 6, of the printed bill, strike out the words "seventy-five thousand nine" and insert in lieu thereof the words "seventy-seven thousand four".

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 9, of the printed bill, strike out the words and figures "and 80/100".

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 43, of the printed bill, strike out the words "two thousand two hundred" and insert in lieu thereof the words "twenty thousand".

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 48, of the printed bill, strike out the word "six" and insert in lieu thereof the word "nine".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 50, of the printed bill strike out the word "two" and insert in lieu thereof the word "five".

AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 4, of the printed bill, strike out the word "twenty-eight" and insert in lieu thereof the word "thirty-one".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7 of the printed bill, between lines 5 and 6, insert the following paragraph "For repairs, Preston School of Industry, ten thousand dollars".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 7, of the printed bill, strike out the word "nineteen" and insert in lieu thereof the word "twenty-four".

AMENDMENT NUMBER THIRTY-NINE.

On page 7, line 13, of the printed bill, strike out the word "fifty-one" and insert in lieu thereof the word "sixty-seven".

AMENDMENT NUMBER FORTY.

On page 7 of the printed bill, between lines 20 and 21, insert the following paragraph "*For repairs, Whittier State School, ten thousand dollars*".

AMENDMENT NUMBER FORTY-ONE.

On page 7, line 38, of the printed bill, strike out the word "thirty-eight" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 4, of the printed bill, strike out the word "forty-five" and insert in lieu thereof the word "sixty-three".

AMENDMENT NUMBER FORTY-THREE.

On page 8, line 15, of the printed bill, strike out the word "forty-two" and insert in lieu thereof the words "one hundred nine".

AMENDMENT NUMBER FORTY-FOUR.

On page 8, line 16, of the printed bill, strike out the words "thousand dollars" and insert in lieu thereof the words "thousand five hundred dollars".

AMENDMENT NUMBER FORTY-FIVE.

On page 8 of the printed bill, strike out all of lines 39, 40 and 41, and insert in lieu thereof the following "for salaries and support of officers and employees of the California Industrial Farm for Women, four thousand dollars".

AMENDMENT NUMBER FORTY-SIX.

On page 8 of the printed bill, strike out all of lines 42 and 43.

AMENDMENT NUMBER FORTY-SEVEN.

On page 9, line 16, of the printed bill, strike out the word "thirty-two" and insert in lieu thereof the word "forty-two".

AMENDMENT NUMBER FORTY-EIGHT.

On page 9, line 19, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six".

AMENDMENT NUMBER FORTY-NINE.

On page 9 of the printed bill, between lines 24 and 25, insert the following: "For advisory pardon board, five thousand dollars".

AMENDMENT NUMBER FIFTY.

On page 9, line 29, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "forty".

AMENDMENT NUMBER FIFTY-ONE.

On page 9 of the printed bill, strike out line 34, and insert in lieu thereof the following "commission, eighteen thousand seven hundred sixty dollars."

AMENDMENT NUMBER FIFTY-TWO

On page 9, line 35, of the printed bill, strike out the words "two thousand three" and insert in lieu thereof the words "six thousand eight".

AMENDMENT NUMBER FIFTY-THREE.

On page 9 of the printed bill, between the lines 36 and 37, insert the following:
"For support, Humboldt Redwood Park, five thousand dollars.
For support, state nursery, five thousand dollars."

AMENDMENT NUMBER FIFTY-FOUR.

On page 9, line 46, of the printed bill, strike out the words "thirty-six thousand nine hundred" and insert in lieu thereof the words "fifty thousand seven hundred".

AMENDMENT NUMBER FIFTY-FIVE.

On page 9 of the printed bill, strike out all of lines 51 and 52 and insert in lieu thereof the following: "ment of agriculture, nine hundred twenty-eight thousand three hundred forty dollars."

AMENDMENT NUMBER FIFTY-SIX.

On page 10 of the printed bill, strike out line 2 and insert in lieu thereof "sixty-seven thousand three hundred sixty-four dollars".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 10 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof, "For new equipment, state department of agriculture, eight thousand three hundred twenty-five dollars."

AMENDMENT NUMBER FIFTY-EIGHT.

On page 10, line 8, of the printed bill, strike out the words "six thousand" and insert in lieu thereof the words "seven thousand five hundred".

AMENDMENT NUMBER FIFTY-NINE

On page 10, line 35, of the printed bill, strike out the word "eighty-one" and insert in lieu thereof the word "thirty-one".

AMENDMENT NUMBER SIXTY

On page 10, line 38, of the printed bill, strike out the words "twenty-six thousand eight" and insert in lieu thereof the words "twenty thousand three".

AMENDMENT NUMBER SIXTY-ONE.

On page 11, line 23, of the printed bill, strike out the word "thirty-eight" and insert in lieu thereof the word "fifty-eight".

AMENDMENT NUMBER SIXTY-TWO.

On page 11, line 25, of the printed bill, strike out the word "thirty-five" and insert in lieu thereof the word "forty-two".

AMENDMENT NUMBER SIXTY-THREE.

On page 11, line 26, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six".

AMENDMENT NUMBER SIXTY-FOUR.

On page 11, line 27, of the printed bill, after the word "improvements" insert the words "and repairs".

AMENDMENT NUMBER SIXTY-FIVE.

On page 11, line 28, of the printed bill, strike out the words "seven thousand five hundred" and insert in lieu thereof the words "ten thousand".

AMENDMENT NUMBER SIXTY-SIX.

On page 11, line 32, of the printed bill, strike out the word "thirty-four" and insert in lieu thereof the word "sixty-nine".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 11 of the printed bill, between lines 37 and 38, insert the following:
"For repairs, Fresno State Teachers College, five thousand dollars.
For paving, Fresno State Teachers College, ten thousand dollars."

AMENDMENT NUMBER SIXTY-EIGHT.

On page 11, line 39, of the printed bill, strike out the words "one hundred eighty-seven" and insert in lieu thereof the words "two hundred seventeen."

AMENDMENT NUMBER SIXTY-NINE

On page 11, line 41, of the printed bill, strike out the word "twenty-four" and insert in lieu thereof the word "thirty-four".

AMENDMENT NUMBER SEVENTY.

On page 11 of the printed bill, between lines 42 and 43, insert the following: "For repairs, San Diego State Teachers College, fifteen thousand dollars.

For purchase of land, San Diego State Teachers College, sixteen thousand dollars."

AMENDMENT NUMBER SEVENTY-ONE.

On page 11, line 48, of the printed bill, strike out the word "sixty-five" and insert in lieu thereof the word "eighty-two."

AMENDMENT NUMBER SEVENTY-TWO.

On page 11, line 50, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "eleven".

AMENDMENT NUMBER SEVENTY-THREE.

On page 12, line 1, of the printed bill, before the word "six" insert the words "one thousand".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 12 of the printed bill, between lines 2 and 3, insert the following: "For purchase of land, Humboldt State Teachers College, one thousand two hundred seventy-five dollars".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 12, line 4, of the printed bill, strike out the words "three hundred thirty-six" and insert in lieu thereof the words "three hundred eighty-one".

AMENDMENT NUMBER SEVENTY-SIX.

On page 12, line 6, of the printed bill, strike out the word "thirty-seven" and insert in lieu thereof the word "forty-two"

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 12, line 10, of the printed bill, after the word "improvements" insert the words "and repairs".

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 12, line 11, of the printed bill, strike out the word "three" and insert in lieu thereof the word "thirteen".

AMENDMENT NUMBER SEVENTY-NINE.

On page 12, line 13, of the printed bill, strike out the word "thirty-three" and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER EIGHTY.

On page 12, line 15, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "nine".

AMENDMENT NUMBER EIGHTY-ONE.

On page 12, line 18, of the printed bill, strike out the word "one" and insert in lieu thereof the word "two".

AMENDMENT NUMBER EIGHTY-TWO

On page 12, line 19, of the printed bill, after the word "improvements" add the words "and repairs".

AMENDMENT NUMBER EIGHTY-THREE.

On page 12, line 20, of the printed bill, strike out the word "five" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER EIGHTY-FOUR.

On page 12, line 22 of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "forty-nine".

AMENDMENT NUMBER EIGHTY-FIVE.

On page 12, lines 24 and 25, of the printed bill, strike out the word "twenty-six" and insert in lieu thereof the word "thirty-two".

AMENDMENT NUMBER EIGHTY-SIX.

On page 12 of the printed bill, between lines 27 and 28, insert the following: "For repairs, San Francisco State Teachers College, ten thousand dollars".

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 12, line 30, of the printed bill, strike out the word "thirteen" and insert in lieu thereof the word "twenty-three"

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 12, line 34, of the printed bill, after the word "equipment" add the words "and books".

AMENDMENT NUMBER EIGHTY-NINE.

On page 12 of the printed bill, strike out line 39, and insert in lieu thereof the following "fourteen thousand five hundred fifty dollars

For new building, California School for the Deaf and the California School for the Blind, ninety thousand dollars"

AMENDMENT NUMBER NINETY.

On page 13, line 3, of the printed bill, after the word "equipment" insert the words "and books".

AMENDMENT NUMBER NINETY-ONE.

On page 13, line 4, of the printed bill, strike out the word "twenty-two" and insert in lieu thereof the word "forty-two".

AMENDMENT NUMBER NINETY-TWO.

On page 13, line 11, of the printed bill, strike out the words "two hundred ninety-five" and insert in lieu thereof the words "three hundred".

AMENDMENT NUMBER NINETY-THREE.

On page 8, line 6, of the printed bill, strike out the word "ninety-six" and insert in lieu thereof the word "eighty".

AMENDMENT NUMBER NINETY-FOUR.

On page 4, line 14, of the printed bill, between the words "hundred eight" insert the word "forty".

AMENDMENT NUMBER NINETY-FIVE.

On page 6, line 11, of the printed bill, strike out the word "ninety-six" and insert in lieu thereof the words "one hundred forty-six"

AMENDMENT NUMBER NINETY-SIX.

On page 6, line 12, of the printed bill, strike out the word "fifty-three" and insert in lieu thereof the word "eighty-three"

AMENDMENT NUMBER NINETY-SEVEN.

On page 10, line 40, of the printed bill, strike out the words "three hundred seventy-eight" and insert in lieu thereof the words "four hundred thirty-eight"

AMENDMENT NUMBER NINETY-EIGHT

On page 10, line 43, of the printed bill, strike out the word "eleven" and insert in lieu thereof the word "seventy-one".

AMENDMENT NUMBER NINETY-NINE.

On page 4, line 21, of the printed bill, strike out the words "seven thousand eight" and insert in lieu thereof the words "eight thousand three."

AMENDMENT NUMBER ONE HUNDRED.

On page 4, line 22, of the printed bill, strike out the word "four" and insert in lieu thereof the word "six"

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 4, line 23, of the printed bill, strike out the words "five hundred."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and sixteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Kline.

The roll of absentees was called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Bernard: Assembly Bill No. 1328—An act levying an excise or license tax upon the production of petroleum, or other crude oil, or mineral oil, and of natural gas, providing for the collection and disposition of such excise taxes, providing penalties for violation of the provisions of said act, and repealing all acts or parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bromley asked for and was granted unanimous consent to take up Senate Bill No. 157, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FIFTY-SEVEN.

Senate Bill No 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Bromley moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, after the word "session" insert the word "laws".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "any" insert the words "of the states".

Motion carried.

The Speaker appointed Mr Bromley as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Senate Bill No 157, with instructions, reports that the instructions of the Assembly have been carried out

BROMLEY, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage

SECOND READING OF SENATE BILLS.

Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities.

Bill read second time, and ordered on file for third reading

Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires.

Bill read second time, and ordered on file for third reading.

Senate Bill No 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area.

Bill read second time, and ordered on file for third reading

Senate Bill No 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653*aa* to 653*x* inclusive, and relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 5 of the title, after the word "stock", strike out the word "for", also strike out all of line 6 of the title, and in line 7 strike out the word "cooperation".

AMENDMENT NUMBER TWO.

On page 4, line 18, of the printed bill, strike out the word "addresses" and insert in lieu thereof the word "residence".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, at the end of line 41, insert the words "directors and".

AMENDMENT NUMBER FOUR

On page 4, line 42, of the printed bill, strike out the words "by one of them", and insert in lieu thereof "by each".

AMENDMENT NUMBER FIVE.

On page 8, line 24, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER SIX

On page 9, line 47, of the printed bill, strike out all of lines 47, 48, 49, 50 and 51, and on page 10 of the printed bill strike out all of lines 1, 2 and 3.

AMENDMENT NUMBER SEVEN.

On page 10, line 29, of the printed bill, after the word "cooperative" insert the words "or other".

AMENDMENT NUMBER EIGHT.

On page 10, line 44, of the printed bill, strike out the words "in duplicate".

AMENDMENT NUMBER NINE

On page 10, line 49, of the printed bill, strike out all after the period, and, also, all of lines 50 and 51, and on page 11 all of lines 1 and 2 and insert in lieu thereof "said statement shall be attached to the amended articles of incorporation".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER NINETEEN.

Assembly Concurrent Resolution No. 19—Relative to the amendment of the Joint Rules.

Assembly Concurrent Resolution No. 19 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

NOES—Graves, and Heisinger—2

Title read and approved.

Assembly Concurrent Resolution No. 19 ordered to print and to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 19.

Relative to the amendment of the joint rules.

Resolved by the Assembly, the Senate concurring, That the joint rules for the government of joint actions for Senate and Assembly during the forty-fifth session be amended as follows:

Strike out all of the printed matter in Rule 46, and insert in lieu thereof the following:

"Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both Houses at least fourteen days before the date of such adjournment."

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Carter moved that the vote whereby Assembly Bill No. 143 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Badham, Baker, C. C., Bromley, Carter, Christian, Cleveland, Coombs, Davis, Dozier, Duval, Foster, Fulwider, Graves, Heisinger, Lyman, McDowell, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Snyder, Spalding, Stow, and Mr. Speaker—26

NOES—Anderson, Badaracco, Baker, Edwin, Ball, Broughton, Burns, Carlson, Clarke, Cleary, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Hawes, Hornblower, Johnston, Jones, Mathews, McMillan, Miller, Mitchell, T. A., Morrison, Noyes, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Wright—43.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 892 was passed, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No 23 was refused adoption, be continued until the next legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to escapes and attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 939 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore Mueller, Pomeroy Prendergast, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52

NOES—Broughton, Burns, Dorris Dozier, Erb, Fellom, Hornblower, McDowell, Mitchell, T. A., Morrison, Reindollar Rock, and Schmidt—13

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 2 of article IX of the constitution of the State of California, relating to the election of a Superintendent of Public Instruction.

Assembly Constitutional Amendment No. 17 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 17 refused adoption by the following vote:

AYES—Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Graves, Hawes Johnson, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T A., Moore, Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, and Wright—39.

NOES—Anderson, Badham, Baker, C C., Baker, Edwin; Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Foster, Fulwider, Heisinger, Hornblower, Johnston, Kline, Mathews, McMillan, Morris, Noyes, Pedrotti, Pomeroy, Prendergast Rock, Smith, Stow, Weller, West, and Mr. Speaker—32

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED AND SIXTY-ONE.

Assembly Bill No. 761—An act to amend sections 366c and 366d, of the Political Code, relating to the Department of Institutions.

MOTION TO RECONSIDER.

In compliance with his notice given on a previous day, Mr Carter moved that the vote whereby Assembly Bill No. 761 was passed be reconsidered.

RECESS.

At twelve o'clock noon, on motion of Mr. Eksward, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p m., the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Powers reading.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Conference on Senate Bill No 19, Senators Powers Handy, and Boggs, and respectfully requests that a like committee from the Assembly be appointed.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker announced the appointment of Messrs. Bernard, Crittenden and Erb, as a Committee on Conference to meet with a like committee from the Senate to consider Assembly amendments to Senate Bill No. 19.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Conference on Senate Bill No 269, Senators Carr, Inman, and Johnson, M. B., and respectfully requests that a like committee from the Assembly be appointed.

J A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker announced the appointment of Messrs. Noyes, Dean and Erb as a Committee on Conference to meet with a like committee from the Senate to consider Assembly amendments to Senate Bill No. 269.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on April 10 passed Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 184 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, relating to riparian lands under lease.

Also: Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff;

Also: Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases;

Also: Assembly Bill No. 322—An act providing for the creation of revolving funds in the counties of the State.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 711—An act to add a new section to the Penal Code to be numbered 207*a*, relating to punishment for kidnaping when committed by the use of an automobile—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER ASSEMBLY BILL NUMBER SEVEN HUNDRED SIXTY-ONE—(RESUMED).

Assembly Bill No. 761—An act to amend sections 366*c* and 366*d*, of the Political Code, relating to the Department of Institutions.

The question being on the motion by Mr. Carter to reconsider the vote whereby Assembly Bill No 761 was passed.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Badaracco, Badham Baker, C C, Baker, Edwin Bernard, Bromley, Burns, Carlson, Carter, Christian, Cleveland Connolly, Davis, Donohue, Dozier, Duval, Eksward, Erb, Foster Fox, Fulwider, Hawes, Johnston, Kline, Lyman, McDowell, McPherson, Mitchell, A G, Mitchell, T. A, Morris, Noyes, Pedrotti, Pomeroy, Prendergast Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—42

NOES—Ball, Broughton, Clarke Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Graves, Heisinger, Johnson, Jones, Mathews, Miller, Moore Mueller, Reindollar, Rosenshine, Saylor, Schmidt Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—30

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED SIXTY-ONE

Assembly Bill No. 761—An act to amend sections 366*c* and 366*d*, of the Political Code, relating to the Department of Institutions.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 761 refused passage by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton Carlson, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Emme, Fellom, Graves, Hawes, Heisinger, Johnson, Mathews, Miller, Moore, Morrison, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—35.

NOES—Anderson Badham, Baker, C C, Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A G, Mitchell, T A., Morris Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr Speaker—40.

MOTION TO RE-REFER.

Miss Miller moved that Assembly Bill No. 762 be withdrawn from the file, and ordered re-referred to Committee on Education.

REQUEST FOR ROLL CALL

On request of Miss Miller, Mrs Dorris and Messrs Eksward, West and Bernard the Speaker ordered a roll call taken on the motion to re-refer.

The question being on the motion to re-refer

The roll was called, and the motion to re-refer carried by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Lyman, Mathews, Miller, Moore Morrison, Mueller, Noyes, Reindollar, Rosenshine Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, and Wright—38

NOES—Badham, Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dozier, Duval, Eksward Erb, Foster, Fulwider, Graves, Johnston, Kline, McDowell, Pomeroy, Prendergast, Rock, Scott, Smith Stow, Weller, Whitacre, and Mr Speaker—28

Assembly Bill No. 762 ordered re-referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT

Mr. Baker, Edwin, asked for and was granted unanimous consent to take up Assembly Bill No. 592, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-TWO.

Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Baker, Edwin, moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 20 to 31, inclusive, and insert in lieu thereof "(3) That the applicant intends to engage in business as an insurance or surety agent to do an insurance or surety business with the general public and is not actuated principally in applying for a license by the prospect of insuring the health, life, interest or property of himself or that of relatives or employers, or of a single person or corporation, or procuring surety bonds thereon or therefor, nor for the procuring of surety bonds or the insuring of property other than any vehicle required by law to be registered with the state authorities as a condition precedent to its operation on the public highway, or interests therein of which he is himself or through his employer, or employers, as agent, vendor, custodian, bailee, trustee, payee, or otherwise interested or able to control the obtaining or placing of insurance or surety bonds therefor in whole or in part".

Motion carried.

The Speaker appointed Mr. Baker, Edwin, as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 592, with instructions, reports that the instructions of the Assembly have been carried out.

BAKER, EDWIN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Assembly Bill No. 683, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED EIGHTY-THREE.

Assembly Bill No. 683—An act to amend sections 12, 14 and 27 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill in line 4 of the title after the word "sections" insert the word "one,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill in line 4 of the title strike out the comma after the number "1917" and in lieu thereof insert the words ", as amended,".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill immediately preceding line 1 insert the following:

"SECTION 1. Section one of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, is hereby amended to read as follows

Section 1. A joint highway district, to be composed of two or more counties and *including either unincorporated or both incorporated and unincorporated territory* may be created, organized and governed for the purpose of constructing public highways therein as in this act provided The word "county" as used in this act shall include any "city and county" but such city and county is here regarded solely as a political subdivision of the state and not as a municipality."

AMENDMENT NUMBER FOUR

On page 1, line 1, of the printed bill, strike out the following "Section 1." and in lieu thereof insert the following "SEC 2"

AMENDMENT NUMBER FIVE.

On page 1, line 2, of the printed bill, after the comma insert the words "as amended,".

AMENDMENT NUMBER SIX.

On page 1, line 17, of the printed bill, strike out the number "2" and in lieu thereof insert the number "3"

AMENDMENT NUMBER SEVEN.

On page 1, line 18, of the printed bill, after the comma insert the words "as amended,".

AMENDMENT NUMBER EIGHT.

On page 2, line 10, of the printed bill, preceding the word "Section" insert the following: "SEC. 4"

AMENDMENT NUMBER NINE.

On page 2, line 11, of the printed bill, immediately preceding the word "is" insert the words "as amended,".

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, after line 46 add the following

"SEC 5 Section fifteen of said act approved April 5, 1917, as amended, is hereby amended to read as follows "

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill strike out lines 18 and 19 and in lieu thereof insert the following:

"SEC. 6. Section twenty-two of said act approved April 5, 1917, as amended, is hereby amended to read as follows "

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill strike out lines 15 and 16 and in lieu thereof insert the following

"SEC. 7. A new section is hereby added to said act approved April 5, 1917, as amended, to be numbered forty-three, and to read as follows "

AMENDMENT NUMBER THIRTEEN.

On page 4, line 17, of the printed bill, preceding the word "Where" insert the words "SEC 43."

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 683, with instructions, reports that the instructions of the Assembly have been carried out

DONOHUE, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Assembly Bill No. 1270, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SEVENTY.

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633*e*, concerning the appointment by insurance companies of agents for the soliciting of applications for fire or automobile insurance and the licensing of such agents, and providing license fees therefor.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Weller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4 of the title, strike out the words "or automobile".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 15 to 24, both inclusive.

AMENDMENT NUMBER THREE

On page 2, line 10, of the printed bill, strike out the words "or automobile".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 12, 13 and 14, and insert in lieu thereof the following:

"The term 'fire insurance', as used herein, is as defined in section five hundred ninety-four of the Political Code".

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, strike out the words "or automobile".

AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, strike out the word "county".

Motion carried

The Speaker appointed Mr. Weller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1270, with instructions, reports that the instructions of the Assembly have been carried out.

WELLER, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER SET.

On motion of Mr. Baker, Edwin, the consideration of Assembly Bill No. 739 was made a special order for Thursday, April 19, 1923, at eleven o'clock a m

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 478—An act to promote the better education of practitioners of radiography, to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by

the State Board of Health, and to provide penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 478 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Graves, Hawes, Heisinger Hornblower, Johnson, Jones Lyman Lyons, Mitchell, A. G., Moore, Morris, Morrison, Mueller Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Snyder, Spalding, Spence, Whitacre Williams, Wright and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Bill read third time.

SPECIAL ORDER SET.

On motion of Mr. Carlson the consideration of Assembly Bill No. 417 was made a special order for Friday, April 13, 1923, at eleven o'clock a.m.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923

MR SPEAKER: Your Committee on Conference concerning Senate Bill No 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—reports that we have met a like committee of the Senate, consisting of Senators Powers, Handy, and Boggs, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

BERNARD,
ERB,
CRITTENDEN,
Assembly Committee on Conference

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Prendergast, Snyder and Spalding as a Committee on Free Conference to meet with a like committee from the Senate to consider Senate Bill No. 19.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said code to be numbered 301, relating to admission to the practice of law—reports that we have met a like committee of the Senate, consisting of Senators Carr, Inman, and Johnson, M. B., and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

NOYES,
DEAN,
ERB,
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Badham, Morrison and Mathews as a Committee on Free Conference, to meet with a like committee from the Senate, to consider Senate Bill No. 269.

MOTION TO RE-REFER.

Mr. Smith moved that Senate Bill No. 45 be withdrawn from the file, and ordered re-referred to Committee on County Government.

Motion carried.

Senate Bill No. 45 re-referred to Committee on County Government.

REQUEST FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Mr. West:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations and prescribing penalties for violations thereof.

Referred to Committee on Introduction of Bills.

By Mrs. Woodbridge:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title to which reads as follows:

An act providing for the collection of money advanced in payment of taxes on real property by co-owners.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 795—An act to amend section 1587 of the Penal Code relating to the treatment of prisoners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEDROTTI, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149e and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737zzz, relating to the salaries of superior court judges—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

MORRIS, Chairman

The above reported bill ordered re-referred to Committee on Ways and Means.

ON PRISONS AND REFORMATORIES

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PEDROTTI, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 263—An act to control the possession, sale, and use of pistols and revolvers, to provide penalties, and for other purposes;

Also Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California, to be numbered 1350*a* and 1350*b* respectively, relating to the competency of executors of estates,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923

MR SPEAKER Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 309—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to Committee on Ways and Means

(Signed out)

WOODBRIDGE, Chairman.
SCHMIDT
MORRISON
SAYLOR
LYMAN.
CRITTENDEN.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 1261—An act to add a new section to the Political Code, to be numbered 4259*a*, relating to fees and mileage of jurors in counties of the thirtieth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 13—A resolution to propose to the

people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 817—An act to provide for the formation, management, and dissolution of county fire protection districts and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 17 of article VI, relating to the salaries of the justices of the Supreme Court and the justices of the district courts of appeal and judges of the superior court;

Also: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XI thereof to be designated section 20, authorizing the State, or any county, city and county, or municipal corporation, taking or appropriating property for public use in laying out, opening, widening, or extending any public street, highway, or other public way, to take and appropriate, under the power of eminent domain, adjacent property in addition to that actually to be devoted to such public use;

Also: Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 34 of article IV thereof, relating to the State budget;

Also: Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation;

Also: Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23*a* of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 371—An act to add a new section to the Political Code to be numbered 4221*a*, relating to the right of the county surveyor to enter upon private property in the performance of his duties;

Also: Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein;

Also: Assembly Bill No. 963—An act to amend section 851 of the Code of Civil Procedure, relating to pleadings in justices' courts;

Also: Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale;

Also: Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances;

Also: Assembly Bill No. 775—An act to amend section 1664, relating to procedure in probate matters;

Also: Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry;

Also: Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk;

Also: Assembly Bill No. 1249—An act to amend sections 852, 855, 857*a*, and 858, and to repeal section 857 of the Code of Civil Procedure relating to justices' courts;

Also: Assembly Bill No. 296—An act to amend sections 1327, 1328, and 1333 of the Code of Civil Procedure, relating to will contests;

Also: Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeitures for noncompletion of work within period fixed by contract, and manner of payments; and repealing all acts and parts of acts inconsistent therewith;

Also: Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17, of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof, and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24*a*, relating to the powers and duties of the Commissioner of Corporations.

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1922.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication;

Also: Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of nonresidents;

Also: Senate Bill No. 408—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 9, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a*, to an act, entitled "An act to define real estate brokers and salesmen, to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ADJOURNMENT.

At three o'clock and eighteen minutes p.m., on motion of Mr. McPherson, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, April 13, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 13, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Christian, Mr. Fox was granted leave of absence for the day.

On motion of Mr. Graves, Mr. Baker, Edwin, was granted leave of absence for the day.

On motion of Mr. Pedrotti, Mr. Lyons was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Baker, C. C., Mr. Geo. S. Gould, Jr., of Salinas, and Mr. B. F. Wright, mayor of Monterey, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Mitchell, A. G., Hon. Ira A. Lee, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Dozier, Hon. C. C. McCray and Hon. Albert F. Ross, former members of the Assembly, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Hon. Bismarck Bruck, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Carlson, its further reading was dispensed with.

ASSISTANT CLERK POWERS READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. McPherson:

[TELEGRAM.]

RIO VISTA, April 12, 1923

Senator Robert McPherson,
State Capitol, Sacramento, California

In behalf of the supervisors of the State of California I vigorously protest to you and through you the passage of Assembly Bill No. 727, taking from the Supervisors the power to grant franchises for, and to fix toll on, toll bridges across navigable streams located in counties. Public welfare demands that present law be not changed.

THOMAS McCORMACK,
President Supervisors Association Rio Vista.

By Mr. Kline:

Hon. Chester M. Kline,
Sacramento, California.

DEAR SIR: At the meeting of the mayor and common council of this city held on the 27th inst., the following resolutions were adopted:

WHEREAS, There is now pending in the Legislature of the State of California, Assembly Constitutional Amendments numbered 10 and 27, the adoption of either of which would deprive municipalities of the State from acquiring any profit or revenue over cost, and expressly inhibiting the merger of any revenue from the operation of public utilities with the general funds, and

WHEREAS, By reason of the inadequacy of the revenues that can be derived from a limited rate of taxation, many of the towns and cities of the State derive and employ the profits of their publicly owned utilities for the benefit of their general funds; now, therefore, be it

Resolved, That it is the opinion of the common council of the city of Riverside, that Assembly Constitutional Amendments Nos. 10 and 27 ought not to pass, and be it further

Resolved, That a copy of this resolution be sent to our Assemblyman at Sacramento.

Yours truly,

C. B. BURNS, City Clerk.

Also:

WHEREAS, It has recently come to the attention of the Riverside County Chamber of Commerce that the Park to Park Highway Association have published and are distributing highway maps that do not give any consideration to the highways of Riverside County, California, and

WHEREAS, The Palm Canyon National Monument in Riverside County is accessible and reached by a State highway running the entire length of Riverside County and is not shown upon said map, therefore be it

Resolved, That the Riverside County Chamber of Commerce, in meeting assembled, this 20th day of March, 1923, petition said Park to Park Highway Association to at once rectify their said map and withhold the present ones from further distribution until it represents the highway facts as they actually exist

Also:

WHEREAS, The Palo Verde Valley, situated in the eastern part of this county, is completely isolated from the rest of the State of California, not being connected by highway with any other part of the State, and

WHEREAS, The Palo Verde Valley is a rapidly growing farming community producing millions of dollars in crop value each year, and

WHEREAS, This development is assuming greatly increased proportions and the farm crops thus produced are necessary and vital to the entire State, therefore be it

Resolved, By the Riverside County Chamber of Commerce, assembled in regular meeting this 20th day of March, 1923, that the representatives of this county in the State Legislature be requested to use every endeavor to the end that an appropriation of $300,000 at this session of the Legislature be secured for the improvement of a road from the State highway at or near Mecca to the Colorado River at or near Blythe.

By Mr. Anderson:

WHEREAS, The promotion of thrift among individuals, groups and associations is of fundamental benefit to the entire State, be it

Resolved, That the Oakland Chamber of Commerce favor the passage of Assembly Bill No. 887, which provides for the formation and incorporation of rural credit unions or co-operative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for protective purposes moderate loans of money for short periods and at reasonable rates of interest, and urge its support by our representatives in the State Legislature.

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT,
Secretary and Managing Director.

Also:

Resolved, That the Oakland Chamber of Commerce favor the passage of Assembly Bill No. 507, which provides that the State Highway Commission may acquire by donation, lease or purchase land or trees along public highways beyond the limit of 300 feet, established by the act of 1915, and we urge its support by our representatives in the Legislature

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT,
Secretary and Managing Director.

Also:

Be it resolved, That the Oakland Chamber of Commerce favor, and urge upon its representatives in the State Legislature that a provision be made in the State Motor Vehicle Act which will give to Oakland its just share of the registration fees and fines collected by its courts which are supported by general tax rates

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT,
Secretary and Managing Director.

Also:

Be it resolved, That the Oakland Chamber of Commerce urge upon His Excellency, the Governor of California, to make an appropriation sufficient for the acquisition of the toll road that has been constructed from the valley to the top of Mt. Diablo and that the tolls on said road be abolished and that this road be maintained by the State, all of which is in accordance with the first biennial report of the Mt. Diablo State Park Commission on file in the executive offices

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT,
Secretary and Managing Director.

Also:

Resolved, That the Oakland Chamber of Commerce urge upon its representatives in the State Legislature their opposition to Senate Bill No. 691.

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President
By ROSCOE D. WYATT,
Secretary and Managing Director.

Also:

WHEREAS, It is a known fact that serious losses have been sustained by growers, shippers and canners of field and orchard products, and

WHEREAS, This loss has occurred as a result of restrictions placed upon the method of securing transportation permits; therefore, be it

Resolved, By the Oakland Chamber of Commerce that they urge upon their representatives in the Legislature the enactment of Assembly Bill No. 1051, which provides for an elasticity in the securing of permits for the immediate and expeditious transportation of field and orchard products during the peak seasons.

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT,
Secretary and Managing Director

Also:

Be it resolved, That it is the sense of the Oakland Chamber of Commerce that the California State Legislature should obey the constitutional mandate and should reapportion the State senatorial and assembly districts.

OAKLAND CHAMBER OF COMMERCE.
By HARRISON S. ROBINSON, President.
By ROSCOE D. WYATT,
Secretary and Managing Director.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1285—An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Also: Assembly Bill No. 653—An act to add a new section to be numbered section 15*a* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers.

Also: Assembly Bill No. 1056—An act to amend section 303 of the Civil Code, relating to corporations.

Also: Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D, and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito.

Also: Assembly Bill No. 727—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor and the length of term thereof.

Also: Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the state and on account of veterans' exemption—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to the Committee on Ways and Means.

BAKER, C. C., Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 481—An act to amend section 1609 of the Political Code, relating to the powers and duties of boards of school trustees, and city, and city and county boards of education.

Also: Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the superintendent of schools;

Also: Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress, assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State.

Also: Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts;

Also: Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Also: Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.
Has had the same under consideration and respectfully reports the same back and recommends that they do pass as amended.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923

MR SPEAKER Your Committee on Live Stock and Dairies, to which was referred Senate Bill No 689—An act to be known as the "Pure Milk Law" of California, to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products, to provide for milk scoring contests to classify and grade milk to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service, to authorize the Department of Agriculture of the State of California to approve milk inspection service, to provide for the enforcement of this act, to prescribe penalties for violation of the provisions hereof, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MOORE, Chairman

The above reported bill ordered on file for second reading.

ON IRRIGATION

ASSEMBLY CHAMBER SACRAMENTO, April 13, 1923.

MR SPEAKER Your Committee on Irrigation, to which was referred Senate Bill No 216—*An act to amend an act entitled "An act providing for the organization,* operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution, and for the acquisition of lands or rights therein and the acquisition, construction operation, and maintenance of works to carry into effect the provisions of this act, and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers, and repealing the California Irrigation Act approved June 4 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19 24 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

WILLIAMS, Chairman

The above reported bill ordered on file for second reading.

ON HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CLARKE, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No 269 the following Senators, Jones, Lyon, and Nelson, to meet with a like committee from your honorable body.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No 19 the following Senators: Eden, Harris, and Handy, to meet with a like committee from your honorable body

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 598—An

act to provide for the inspection by boards of health or other duly constituted authorities, of food served in drug stores and department stores;

Also Senate Bill No. 400—An act authorizing the Regents of the University of California to collect and import parasitic and predaceous insects from foreign countries and providing for the employment of collectors and the payment of their subsistence, traveling and other expenses.

Also Senate Bill No. 443—An act to add a new section to the Political Code, to be numbered section 1532*a*, relating to the apportionment of State school funds

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No 378—An act to amend section 1734*b* of the Political Code, relating to high school districts.

Also: Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof, and providing for the keeping of such plans, specifications and certificates as public records.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 378 read first time, and referred to Committee on Education

Senate Bill No. 580 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI therein, relating to deposits of public moneys.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 9 passed Assembly Bill No 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the state or from the county in which he, or they, may be a qualified elector or electors, to provide the method or methods of carrying out such provision or provisions, to provide the method of counting and tallying the votes of such qualified elector or electors to require all election officers, county clerks, registrar of voters and other persons

charged with any duties hereunder to perform such duties as may be required in connection therewith.

Also Assembly Bill No. 205—An act to amend section 1739a of the Political Code relating to high school districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1277—An act to amend section 2872 of the Political Code, relating to toll bridges—and respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1277?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, commencing with the word validating in line 1 of the title, strike out all down to and including the period after the word California in line 3 of the title, and in lieu thereof insert the following "to amend section two thousand eight hundred seventy-two of the Political Code, relating to toll-bridges."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, commencing with the word all, strike out all down to and including the period after the word valid, in line 10, and in lieu thereof insert the following. Section two thousand eight hundred seventy-two of the Political Code is hereby amended to read as follows:

"2872 If the board are of the opinion that the public interests will be promoted thereby, it may, by the assent of a majority of all the members of the board, grant the application by an order entered in its minutes, and particularly describing the bridge. The applicant must cause a certified copy of the order, with a copy of the application, to be recorded in the office of the clerk of the county before proceeding under it. All licenses and franchises granted subsequent to the fourteenth day of March A.D. one thousand eight hundred eighty-one for the construction of any such bridges across the Sacramento or San Joaquin rivers, the Suisun Bay, or Carquinez Straits, the Petaluma, Napa or Sonoma creeks, whether above or below the head of navigation of said waters or streams, are hereby ratified, approved, confirmed and made valid for all purposes; *provided, however*, that nothing herein contained shall be construed to extend the term of any such license or franchise beyond the period fixed in the order granting the same, or to revive any license or franchise which has lapsed for non-user, or to restore any license or franchise which has been forfeited."

The roll was called and Senate amendments to Assembly Bill No. 1277 was concurred in by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Carlson, Carter, Clarke, Coombs, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented.

By Mr. Mitchell, T. A.:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Referred to Committee on Introduction of Bills.

By Mr. Mathews:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Messrs. Burns, Mitchell, T. A., and Hornblower: Assembly Joint Resolution No. 26—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

Introduced, and referred to Committee on Federal Relations.

RE-REFERENCE OF BILL.

On motion of Mr. Wright, Senate Bill No. 108 was recalled from the Committee on Education and re-referred to Committee on Elections.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their names be stricken from the roll to date from and including the following dates respectively:

Effective April 8, 1923.
E. C. Stevens, Assistant Minute Clerk $7 00
Effective April 10, 1923.
Azalia Peterson, Committee Clerk 4 00
Effective April 11, 1923.
Reynald A. Waestman, Assistant Engrossing and Enrolling Clerk 5 00
Adelyn B. Stafford, Committee Clerk 4 00
Effective April 12, 1923.
Walter J. Hicks, Assistant Clerk 7 00

The committee further reports that the following named persons be, and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said employment to date from and be effective as follows:

Effective April 11, 1923.
Ella M. Dobbins, Committee Clerk $4 00
Effective April 12, 1923.
Adelyn B. Stafford, Assistant Minute Clerk 7 00
Reynald A. Waestman, Assistant Clerk 7 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named persons upon the appropriations for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Badham, Ball, Bernard, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellows, Foster, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor,

Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—54

NOES—None.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed, be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption, be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 576—An act to amend section 1241 of the Code of Civil Procedure, relating to eminent domain.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "South" and insert in lieu thereof the word "North".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 595—An act to amend section 15c of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of

works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On line 1 of the title of the printed bill, strike out the words "section fifteen *c*" and in lieu thereof insert the following "sections five, fifteen *c*, nineteen, twenty-two *b*, twenty-six and fifty-seven".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "fifteen *c*" and insert in lieu thereof the word "five"

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 8 to 28, both inclusive, and in lieu thereof insert the following

"SEC 5. If, on said final hearing, the boundaries of the proposed district are defined and established, said board shall make an order dividing said district into five divisions, as nearly equal in size as may be practicable, which shall be numbered first, second, third, fourth and fifth, and one director shall be elected for each division by the electors thereof *provided*, that if so requested in said petition, the board may order that there shall be only three divisions in said district, and that only three directors be elected, and that the directors may be elected by the district at large, or by divisions, as such petition shall provide, but in any event such directors shall be elected to represent separate divisions and shall be residents of the respective divisions they are elected to represent, *provided*, that in irrigation districts containing five hundred thousand acres or more divisions are hereby abolished, and five directors shall be elected by the district at large

SEC 2 Section fifteen *c* of said act approved March 31, 1897, as amended is hereby amended to read as follows

SEC. 15*c*. It shall be the duty of the board of directors of any irrigation district to establish equitable by-laws, rules and regulations for the distribution and use of water among the owners of said lands, which must be printed in convenient form for distribution in the district, and in those districts where rates of toll and charges for irrigation and other public uses declared by this act are levied and collected as provided by section fifty-five of this act, the board of directors may by uniform and equitable rules provide for declaring unpaid tolls and charges delinquent and for the discontinuance of water deliveries to any land or any assessment payer so long as any toll or charge on said land or against said assessment payer shall remain delinquent and unpaid The board of directors may also in addition to the rules hereinabove provided provide uniform and reasonable penalties to be assessed for tampering with delivery gates or checks or violating any other of the rules provided for by this section and in addition to the manner provided by law may prescribe reasonable methods for enforcing said penalties Said board shall have power generally to perform all such acts as shall be necessary to fully carry out the purposes of this act

SEC. 3. Section nineteen of said act approved March 31, 1897, as amended is hereby amended to read as follows:

SEC 19 An election, which shall be known as the general irrigation district election, shall be held in each irrigation district on the first Wednesday in February in each odd numbered year, at which a successor shall be chosen to each officer whose term shall expire in March next thereafter The person receiving the highest number of votes for each office to be filled at such election shall be elected thereto. The elective officers of an irrigation district shall be as many directors as there are divisions in the district, and an assessor, a collector and a treasurer, *provided*, that in irrigation districts containing five hundred thousand acres or more there shall be five directors, and an assessor, a collector and a treasurer: *provided*, that if any two or more offices shall have been consolidated as provided in section seven or section twenty-seven hereof, only one person shall be elected to fill such consolidated offices The term of office of each elective officer of an irrigation district elected at or after the general irrigation district election in one thousand nine hundred nineteen shall be four years, or until his successor is elected and has qualified

SEC. 4. Section twenty-two *b* of said act approved March 31, 1897, as amended is hereby amended to read as follows:

SEC 22*b*. Not less than ten days before the election, any ten or more electors in the district may file with the board of directors, a petition, requesting that certain persons, specified in such petition be placed on the ballot as candidates for the

office named in the petition. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which electors may write other names if they so desire. The petitions shall be preserved in the office of the secretary of the district; *provided*, in irrigation districts containing five hundred thousand acres or more, not less than twenty days before the election any twenty or more electors in the district may file with the board of directors a petition requesting that certain persons specified in such petitions be placed on the ballot as candidates for the office named in the petitions. The names proposed by the various petitions so filed and no other, shall be printed on the ballot but there shall be sufficient blank space left in which electors may write other names if they so desire. The petitions shall be preserved in the office of the secretary of the district.

SEC. 5. Section twenty-six of said act approved March 31, 1897, as amended is hereby amended to read as follows:

Sec. 26 A director shall be a resident and freeholder of the irrigation district and a resident of the division which he is elected to represent; *provided*, that in irrigation districts containing five hundred thousand acres or more the director shall be a resident and freeholder of the irrigation district.

SEC. 6. Section fifty-seven of said act approved March 31, 1897, as amended is hereby amended to read as follows:

Sec. 57. The directors when sitting as a board or acting under the orders of the board, shall each receive not to exceed six dollars per day and fifteen cents per mile for each mile actually traveled from his place of residence to the office of the board, and actual and necessary expenses paid while engaged in official business under the order of the board; *provided*, that in irrigation districts containing five hundred thousand acres or more the directors, in lieu of said per diem, shall each receive a salary of two hundred dollars per month. The board shall fix the compensation to be paid to all officers named in this act, to be paid out of the treasury of the district; *provided*, that said board shall, upon the petition of at least fifty freeholders within such district therefor, submit to the electors at any general election a schedule of salaries and fees to be paid hereunder, which may include the salary or per diem to be paid to the directors. Such petition must be presented to the board not less than twenty days nor more than forty days prior to a general election, and the result of such election shall be determined and declared in all respects as other elections are determined and declared under this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 29—An act authorizing the establishment and government of municipal port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On lines 1 and 2 of the title of said act, strike out the word "municipal".

AMENDMENT NUMBER TWO.

On page 2, lines 10 and 11, of the printed bill, strike out the word "insufficiency" and insert in lieu thereof the word "sufficiency".

AMENDMENT NUMBER THREE.

On page 3, line 16, of the printed bill, after the word "thereto" insert the word "and".

AMENDMENT NUMBER FOUR.

On page 4, line 51, of the printed bill, after the word "shall" insert the following: "enter upon their duties forthwith and".

AMENDMENT NUMBER FIVE.

On page 5, lines 38 and 39, of the printed bill, strike out the words "and so far as and to the full extent that this state can it hereby does grant the same".

AMENDMENT NUMBER SIX.

On page 6, line 6, of the printed bill, strike out the word "votes" and insert in lieu thereof the word "voters".

AMENDMENT NUMBER SEVEN

On page 6, line 6, of the printed bill, after the word "thereon" insert a period and strike out the following words: "*provided*, that the" and insert in lieu thereof the following: "Sec 5. The" and make a separate paragraph of the said Sec. 5.

AMENDMENT NUMBER EIGHT.

On page 7, line 27, of the printed bill, strike out the word "five" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER NINE.

On page 8, line 9, of the printed bill, strike out the word "of" and insert in lieu thereof the word "on".

AMENDMENT NUMBER TEN.

On page 8, lines 37 and 38, of the printed bill, strike out the words "if operated" and insert in lieu thereof the following: "until, if it is proposed to operate same".

AMENDMENT NUMBER ELEVEN.

On page 8, lines 45, 46 and 47, of the printed bill, strike out the words "*provided*, that no general bonds of such district shall be issued for a longer period than forty years".

AMENDMENT NUMBER TWELVE.

On page 8, line 48, of the printed bill, at the beginning of the paragraph, insert the following: "Sec. 6".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 3, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 37, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "7".

AMENDMENT NUMBER FIFTEEN

On page 11, line 40, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER SIXTEEN.

On page 12, line 8, of the printed bill, strike out the words "Sec. 7. Improvement to follow plans adopted."

AMENDMENT NUMBER SEVENTEEN.

On page 12, line 18, of the printed bill, strike out the figure "8" and insert in lieu thereof the figure "9".

AMENDMENT NUMBER EIGHTEEN

On page 12, line 29, of the printed bill, strike out the figure "9" and insert in lieu thereof the figure "10".

AMENDMENT NUMBER NINETEEN.

On page 12, lines 47 to 52, and page 13, lines 1 to 43, of the printed bill, strike out the whole of Sec. 10.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 711—An act to add a new section to the Penal Code, to be numbered 207*a*, relating to punishment for kidnaping when committed by the use of an automobile.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "act", all of lines 2 and 3 and insert in lieu thereof the following "to amend section two hundred eight of the Penal Code and to add a new section to said code to be numbered two hundred seven *a*, relating to kidnapping".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of line 1 following the period, all of lines 2 and 3 and insert in lieu thereof the following: "Section two hundred eight of the Penal Code is hereby amended to read as follows:

Sec. 208. Every person guilty of kidnapping in the first degree is punishable by imprisonment in the state prison not less than five years, and every person guilty of kidnapping in the second degree is punishable by imprisonment in the state prison not less than one nor more than ten years."

Sec. 2. A new section is hereby added to the Penal Code, to be numbered two hundred seven *a*, and to read as follows:"

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 7 and insert in lieu thereof the following: "of the first degree; and all other kinds of kidnapping are of the second degree. Kidnapping of the first degree".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 24, of the printed bill, after the word "Fifth—" strike out the remainder of the bill, and insert in lieu thereof the following:

"Each convict when he leaves the prison, shall be supplied with the money taken from him when he entered, and which he has not disposed of, together with any sum which may have been earned and allowed to him by the state for especially diligent labor and meritorious conduct, in accordance with rules, regulations and earning plan for governing the conduct and developing the industry of prisoners which the state board of prison directors are hereby authorized to provide and empowered to change as occasion may require, but in case the prisoner has not earned or been allowed any sum or the aggregate of his earnings and allowance under the plan provided by the state board of prison directors does not amount to five dollars then he shall be allowed five dollars in money, in addition to his earnings or allowance above referred to each convict leaving the prison shall be supplied with a suit of clothes, and his fare by cheapest route to the place where sentenced from, if the prisoner desires to return there, or to any other place of the same cost for transportation, and * * *

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "must" and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 1, line 5, insert after the word "officer" "who shall serve at the pleasure of the board and".

AMENDMENT NUMBER THREE.

On page 1, lines 5, 6 and 7, beginning with the word "to" in line 5 strike out balance of line 5 and all of lines 6 and 7.

AMENDMENT NUMBER FOUR.

On page 1, line 8, strike out the word "shall" and insert in lieu thereof the word "who"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 263—An act to control the possession, sale, and use of pistols and revolvers, to provide penalties, and for other purposes

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, commencing with the words "to control" strike out all down to and including the period after the word purposes in line 2 of the title, and, in lieu thereof, insert the following: "to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person, to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this state; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons, to prescribe penalties for violations of this act and increased penalties for repeated violations hereof, to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person, to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter one hundred forty-five of California statutes of 1917, relating to the same subject."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, commencing with the word "Pistol", strike out all down to and including the period after the word "length" in line 3, and in lieu thereof insert the following: "On and after the date upon which this act takes effect, every person who within the State of California manufactures or causes to be manufactured, or who imports into the state, or who keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, or metal knuckles, or who carries concealed upon his person any explosive substance, other than fixed ammunition, or who carries concealed upon his person any dirk or dagger, shall be guilty of a felony and upon a conviction thereof shall be punishable by imprisonment in a state prison for not less than one year nor for more than five years."

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, commencing with the word "if", strike out all down to and including the period after the word years in line 8, and, in lieu thereof, insert the following:

"On and after the date upon which this act takes effect, no unnaturalized foreign born person and no person who has been convicted of a felony against the person or property of another or against the government of the United States or of the State of California or of any political subdivision thereof shall own or have in his possession or under his custody or control any pistol, revolver or other firearm capable of being concealed upon the person. The terms 'pistol,' "revolver," and "firearms capable of being concealed upon the person" as used in this act shall be construed to apply to and include all firearms having a barrel less than twelve inches in length. Any person who shall violate the provisions of this section shall be guilty of a felony and upon conviction thereof shall be punishable by imprisonment in a state prison for not less than one year nor for more than five years."

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, commencing with the words "The judge", strike out all down to and including the period after the word felony in line 18, and, in lieu thereof, insert the following:

"If any person shall commit or attempt to commit any felony within this state while armed with any of the weapons mentioned in section one hereof or while

armed with any pistol, revolver or other firearm capable of being concealed upon the person without having a license or permit to carry such firearm as hereinafter provided, upon conviction of such felony or of an attempt to commit such felony, he shall in addition to the punishment prescribed for the crime of which he has been convicted, be punishable by imprisonment in a state prison for not less than five nor for more than ten years. Such additional period of imprisonment shall commence upon the expiration or other termination of the sentence imposed for the crime of which he stands convicted and shall not run concurrently with such sentence. Upon a second conviction under like circumstances such additional period of imprisonment shall be for not less than ten years nor for more than fifteen years, and upon a third conviction under like circumstances such additional period of imprisonment shall be for not less than fifteen nor for more than twenty-five years, such terms of additional imprisonment to run consecutively as before. Upon a fourth or subsequent conviction under like circumstances the person so convicted may be imprisoned for life or for a term of years not less than twenty-five, within the discretion of the court wherein such fourth or subsequent conviction was had.

"In the trial of a person charged with committing or attempting to commit a felony against the person of another while armed with any of the weapons mentioned in section one hereof, or while armed with any pistol, revolver or other firearm capable of being concealed upon the person, without having a license or permit to carry such firearm as hereinafter provided, the fact that he was so armed shall be prima facie evidence of his intent to commit such felony."

AMENDMENT NUMBER FIVE.

Insert a new section four as follows:

"SEC. 4. In no case shall any person punishable under the preceding sections of this act be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court."

AMENDMENT NUMBER SIX.

Strike out section six, and, in lieu thereof, insert the following:

"SEC. 5. Except as otherwise provided in this act, it shall be unlawful for any person within this state to carry concealed upon his person or within any vehicle which is under his control or direction any pistol, revolver or other firearm capable of being concealed upon the person without having a license to carry such firearm as hereinafter provided in section eight hereof. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and if he has been convicted previously of any felony, or of any crime made punishable by this act, he is guilty of a felony.

This section shall not be construed to prohibit any citizen of the United States, over the age of eighteen years, who resides or is temporarily sojourning within this state, and who is not within the excepted classes prescribed by section two hereof, from owning, possessing or keeping within his place of residence or place of business any pistol, revolver or other firearm capable of being concealed upon the person, and no permit or license to purchase, own, possess or keep any such firearm at his place of residence or place of business shall be required of any such citizen. Firearms carried openly in belt holsters shall not be deemed to be concealed within the meaning of this section, nor shall knives which are carried openly in sheaths suspended from the waist of the wearer."

AMENDMENT NUMBER SEVEN.

Strike out section 7, and, in lieu thereof, insert the following:

"SEC. 6. Nothing in the preceding section shall be construed to apply to or affect sheriffs, constables, marshals, policemen, whether active or honorably retired or other duly appointed peace officers, nor to any person summoned by any such officers to assist in making arrests or preserving the peace while said person so summoned is actually engaged in assisting such officer, nor to the possession or transportation by any merchant or unloaded firearms as merchandise, nor to members of the army, navy, or marine corps of the United States, or the national guard, when on duty, or to organizations which are by law authorized to purchase or receive such weapons from the United States, or from this state, nor to duly authorize military or civil organizations while parading, nor to the members thereof when going to and from the places of meeting of their respective organizations, nor to members of any club or organization now existing, or hereafter organized, for the purpose of practicing shooting at targets upon the established target ranges, whether public or private, while such members are using any of the firearms referred to in this act upon such target ranges, or while going to and from such ranges, or to licensed hunters or fishermen while engaged in hunting or fishing, or while going to or returning from such hunting or fishing expedition."

AMENDMENT NUMBER EIGHT.

Strike out section eight, and, in lieu thereof, insert the following:

"SEC. 7. The unlawful concealed carrying upon the person or within the vehicle of the carrier of any dirk, dagger, pistol, revolver, or other firearm capable of being

concealed upon the person, is a nuisance. Any such weapons taken from the person or vehicle of any person unlawfully carrying the same are hereby declared to be nuisances, and shall be surrendered to the magistrate before whom said person shall be taken, except that in any city, city and county, town or other municipal corporation the same shall be surrendered to the head of the police force or police department thereof. The officers to whom the same may be so surrendered, except upon the certificate of a judge of a court of record, or of the district attorney of the county, that the preservation thereof is necessary or proper to the ends of justice, shall annually, between the first and tenth days of July, in each year, destroy or cause to be destroyed such weapons to such extent that the same shall become and be wholly and entirely ineffective and useless for the purpose for which it was manufactured; *provided, however*, that in the event any such weapon has been stolen and is thereafter recovered from the thief or his transferee, the same shall not be destroyed but shall be restored to the lawful owner thereof, as soon as its use as evidence has been served, upon his identification of the weapon and proof of ownership thereof. Blackjacks, slungshots, billys, sandclubs, sandbags and metal knuckles are hereby declared to be nuisances and shall be subject to confiscation and summary destruction whenever found within the state, *provided*, that upon the certificate of a judge or of the district attorney that the ends of justice will be subserved thereby, such weapon shall be preserved until the necessity for its use ceases."

AMENDMENT NUMBER NINE.

Strike out section nine, and, in lieu thereof, insert the following:

"SEC. 8. It shall be lawful for a judge of the superior court, the sheriff of a county, and the board of police commissioners, chief of police, city marshal, town marshal, or other head of the police department of any city, city and county, town, or other municipal corporation of this state, upon proof before said board, chief, marshal or other police head, that the person applying therefor is of good moral character, and that good cause exists for the issuance thereof, to issue to such person a license to carry concealed a pistol, revolver or other firearm for a period of one year from the date of such license. All applications for such licenses shall be filed in writing, signed by the applicant, and shall state the name, occupation, residence and business address of the applicant, his age, height, weight, color of eyes and hair, and reason for desiring a license to carry such weapon. Any license issued upon such application shall set forth the foregoing data and shall, in addition, contain a description of the weapon authorized to be carried, giving the name of the manufacturer, the serial number and the calibre thereof. When such licenses are issued by a superior judge or by a sheriff a record thereof shall be kept in the office of the county clerk; when issued by police authority such record shall be maintained in the office of the authority by whom issued. Such applications and licenses shall be uniform throughout the state, upon forms to be prescribed by the attorney general."

AMENDMENT NUMBER TEN.

Strike out section 10, and, in lieu thereof, insert the following:

"SEC. 9. Every person in the business of selling, leasing or otherwise transferring a pistol, revolver or other firearm, of a size capable of being concealed upon the person, whether such seller, lessor or transferrer is a retail dealer, pawnbroker or otherwise, except as hereinafter provided, shall keep a register in which shall be entered the time of sale, the date of sale, the name of the salesman making the sale, the place where sold, the make, model, manufacturer's number, caliber or other marks of identification on such pistol, revolver or other firearm. Such register shall be prepared by and obtained from the state printer and shall be furnished by the state printer to said dealers on application at a cost of three dollars per one hundred leaves in duplicate and shall be in the form hereinafter provided. The purchaser of any firearm, capable of being concealed upon the person shall sign, and the dealer shall require him to sign his name and affix his address to said register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signatures of the purchaser. Any person signing a fictitious name or address is guilty of a misdemeanor. The duplicate sheet of such register shall on the evening of the day of sale, be placed in the mail, postage prepaid and properly addressed to the board of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the city, city and county, town or other municipal corporation wherein the sale was made; *provided*, that where the sale is made in a district where there is no municipal police department, said duplicate sheet shall be mailed to the county clerk of the county wherein the sale is made. A violation of any of the provisions of this section by any person engaged in the business of selling, leasing or otherwise transferring such firearms is a misdemeanor. This section shall not apply to wholesale dealers in their business intercourse with retail dealers, nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms as merchandise by mail, express or other mode of shipment, to points outside of the city, city and county, town or municipal corporation wherein they are situated. The register provided for in this act shall be substantially in the following form:

Form of Register.

Series No. _____
Sheet No. _____

ORIGINAL.

DEALERS' RECORD OF SALE OF REVOLVER OR PISTOL

STATE OF CALIFORNIA.

Notice to Dealers. This original is for your files. If spoiled in making out, do not destroy. Keep in books. Fill out in duplicate.

Carbon duplicate must be mailed on the evening of the day of sale, to head of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the municipal corporations wherein the sale is made, or to the county clerk of your county if the sale is made in a district where there is no *municipal police department. Violation of this law is a misdemeanor. Use carbon* paper for duplicate. Use indelible pencil.

Sold by_____ Salesman_____
City, town or township_____
Description of arm (state whether revolver or pistol)_____
Maker_____ number_____ caliber_____
Name of purchaser_____age_____years.
Permanent residence (state name of city, town or township, street and number of dwelling) _____
_____
Height_____feet_____inches. Occupation_____
Color_____ skin_____ eyes_____ hair_____
If traveling or in locality temporarily, give local address_____
_____
Signature of purchaser_____
(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)
Witness_____, salesman.
(To be signed in duplicate.)

Series No. _____
Sheet No. _____

DUPLICATE.

DEALERS' RECORD OF SALE OF REVOLVER OR PISTOL

STATE OF CALIFORNIA.

Notice to dealers. This carbon duplicate must be mailed on the evening of the day of sale as set forth in the original of this register page. Violation of this law is a misdemeanor.

Sold by_____ Salesman_____
City, town or township_____
Description of arm (state whether revolver or pistol)_____
Maker_____ number_____ caliber_____
Name of purchaser_____age_____years.
Permanent address (state name of city, town or township, street and number of dwelling) _____
_____
Height_____feet_____inches. Occupation_____
Color_____ skin_____ eyes_____ hair_____
If traveling or in locality temporarily, give local address_____
_____
Signature of purchaser_____
(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)
Witness_____, salesman.
(To be signed in duplicate.)"

AMENDMENT NUMBER ELEVEN.

Strike out section eleven, and, in lieu thereof, insert the following:

"SEC. 10. No person shall sell, deliver or otherwise transfer any pistol, revolver or other firearm capable of being concealed upon the person to any person whom he has cause to believe to be within any of the classes prohibited by section two hereof from owning or possessing such firearms, nor to any minor under the age of eighteen years. In no event shall any such firearm be delivered to the purchaser upon the day of the application for the purchase thereof, and when delivered such firearm shall be securely wrapped and shall be unloaded. Where neither party to the transaction holds a dealer's license, no person shall sell or otherwise transfer any such firearm to any other person within this state who is not personally known to the vendor. Any violation of the provisions of this section shall be a misdemeanor."

AMENDMENT NUMBER TWELVE.

Strike out section twelve, and, in lieu thereof, insert the following:

"SEC. 12. The duly constituted licensing authorities of any county, city and county, city, town or other municipality within this state, may, grant licenses in

form prescribed by the attorney general, effective for not more than one year from date of issue, permitting the licensee to sell at retail within the said county, city and county, city, town or other municipality pistols, revolvers, and other firearms capable of being concealed upon the person, subject to the following conditions, for breach of any of which the license shall be subject to forfeiture

1. The business shall be carried on only in the building designated in the license.

2 The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read

3. No pistol or revolver shall be delivered

(a) On the day of the application for the purchase, and when delivered shall be unloaded and securely wrapped nor

(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity

4 No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of said premises where it can readily be seen from the outside"

AMENDMENT NUMBER THIRTEEN

Strike out section thirteen, and, in lieu thereof, insert the following

"SEC 13. Any person who, without being licensed as above provided, engages in the business of selling or otherwise transferring, or who advertises for sale, or offers or exposes for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person is guilty of a misdemeanor."

AMENDMENT NUMBER FOURTEEN.

Strike out section seventeen, and, in lieu thereof, insert the following:

"SEC. 17. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional"

AMENDMENT NUMBER FIFTEEN

Add a new section, to be numbered section eighteen, as follows

"SEC 18. That certain act entitled, 'An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person, prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this state, providing for the registering of the sales of firearms, prohibiting the carrying or possesion of concealed weapons in municipal corporations, providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another," approved May 4, 1917, is hereby repealed'

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California, to be numbered 1350*a* and 1350*b* respectively, relating to the competency of executors of estates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the "period" and insert in lieu thereof a "semicolon" Insert after the semicolon the following words, "*Provided* that this section shall not apply to any will bearing date prior to the taking effect hereof".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after the word "corporation" insert a "period" On page 1, line 13, of the printed bill, strike out the words "and any arrangement under." Strike out lines 14 to 17, inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, after the word "corporations" insert the following, "or any person employed by such corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259*a*, relating to the fees and mileage of jurors in counties of the thirtieth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*c*, relating to acquisition of rights by appropriation to the use of water, and 1*d*, relating to matters prerequisite to the issuance of a permit to appropriate water.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*a*, relating to hearings upon applications for a permit to appropriate water, and 1*b*, relating to actions for review and to priority of right.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 91—An act to add a new section to be numbered 19*a* to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said state upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication.

Bill read second time, and ordered on file for third reading.

Senate Bill No 426—An act to amend section 2191 of the Political Code, relating to the deportation of non-residents.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 9, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a*, to an act, entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 2 of the title of the printed bill strike out the word "nine,".

AMENDMENT NUMBER TWO.

Strike out all of page 3 of the printed bill after line 20, and all of pages 4, 5, 6 and 7, and in lieu thereof insert the following

"SEC 3. Section nine of said act approved May 27 1919, as amended, is hereby amended to read as follows

Sec. 9 *Application for license as real estate broker shall be made in writing to* the real estate commissioner, which application shall be accompanied by the recommendation of two real estate owners of the county in which such applicant resides or has his place of business, certifying that the applicant is honest, truthful and of good reputation, and recommending that a license be granted the applicant. If the applicant shall have resided, or shall have engaged in business for less than one year in the county from which the application is made, the same shall also be accompanied by the recommendation of two real estate owners of each of the counties where he has formerly resided or engaged in business during said period of one year prior to the filing of said application, certifying that the applicant is honest, truthful and of good reputation and recommending that a license be granted the applicant Where the applicant for a real estate broker's license maintains more than one place of business within the state he shall be required to apply for and procure a duplicate license for each branch office so maintained by him Such duplicate license shall be issued without additional charge Every such application shall state the name of the person, copartnership or corporation, and the location of the place or places of business for which such license is desired

Application for license as real estate salesman shall be made in writing to the real estate commissioner, signed by the applicant, setting forth the period of time during which he has been engaged in the business, stating the name of his last employer and the name and place of business of the person, copartnership or corporation then employing him, or in whose employ he is to enter The application shall be accompanied by the recommendation of his employer, if employed, certifying that the applicant is honest, truthful and of good reputation, and recommending that the license be granted to the applicant.

The real estate commissioner may require such other proof as he may deem advisable of the honesty, truthfulness and good reputation of any applicant for a license, or of the officers of any corporation, or of the members of any copartnership

making such application before authorizing the issuance of a license. In addition to proof of honesty, truthfulness and good reputation, the real estate commissioner may also require proof that the applicant has a fair knowledge of the English language, including reading, writing, spelling, elementary arithmetic, a fair understanding of the rudimentary principles of real estate conveyancing, the general purposes and general legal effect of deeds, mortgages, land contracts of sale, and leases, and a general and fair understanding of the obligations between principal and agent as well as of the provisions of the California real estate act.

SEC. 4. A new section is hereby added to said act approved May 27, 1919, as amended, to be numbered nine *a* and to read as follows:

SEC. 9*a*. All applicants for broker's license shall, in addition to such recommendations, file with the said real estate commissioner a satisfactory bond to the people of the State of California, duly executed by a sufficient surety, or sureties, to be approved by said commissioner, in the amount of two thousand dollars conditioned for the faithful performance by such broker of any undertaking as a licensed real estate broker under this act. Any person injured by the failure of a real estate broker to perform his duties, or comply with the provisions of this act, shall have the right in his own name to commence such an action against said real estate broker and his sureties for the recovery of any damage sustained by the failure or omission of said real estate broker to perform his duties or either of them, or to comply with the provisions of this act or any of them. It shall be the duty of the real estate commissioner to see that such bond remains and is kept good.

SEC. 5. Section eleven *a* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

SEC. 11*a*. Each individual, firm or corporation licensed as a broker under the provisions of this act shall erect and maintain a sign in a conspicuous place on the premises to indicate that he or it is a licensed real estate broker and the name of said individual, firm or corporation shall be clearly shown thereon. The size of such sign shall conform to regulations that may be adopted by the real estate commissioner.

SEC. 6. Section twelve of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

SEC. 12. The real estate commissioner may upon his own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any person, copartnership or corporation engaged in the business or acting in the capacity of a real estate broker, or a real estate salesman, within this state, and shall have the power to temporarily suspend or permanently revoke licenses issued under the provisions of this act, at any time where the holder thereof in performing, or attempting to perform any of the acts mentioned herein is guilty of—

(1) Making any substantial misrepresentation, or

(2) Making any false promises of a character likely to influence, persuade or induce, or

(3) A continued and flagrant course of misrepresentation or making of false promises through agents or salesmen, or

(4) Acting for more than one party in a transaction without the knowledge or consent of all parties thereto, or

(5) Any other conduct whether of the same or a different character than hereinabove specified, which constitutes dishonest dealing.

Before denying, suspending or revoking any license the said commissioner shall notify, in writing, the applicant or holder of such license of the charges against him and afford an opportunity to be heard in person or by counsel in reference thereto. The decision of the said commissioner in denying, suspending or revoking any license under this act shall be subject to review in accordance with the provisions of chapter one of title one of part three of the Code of Civil Procedure; and any party aggrieved by such decision of the commissioner may within ten days from the date of said decision appeal therefrom to the superior court of the State of California, in and for the county in which the person affected by such decision resides or has his place of business under the terms of this act, by serving upon the commissioner a notice of such appeal and a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such decision and all the evidence taken on the hearing and paying ten cents for each folio of the transcript and one dollar for the certification thereof. Thereupon the commissioner shall, within thirty days, make and certify such transcript, and the appellant shall, within five days after receiving the same file the same and the notice of appeal with the clerk of said court. Upon the hearing of such appeal, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner from which the appeal is taken, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such decision. In suspending or revoking any license the decision of the commissioner shall not take effect until ten days after its date. In the event of said appeal from said decision to the superior court of the State of California, the decision of the commissioner shall remain in effect pending the determination of such appeal unless the party appealing and aggrieved by such decision of the commissioner shall file with the judge of the superior court a bond in a sum to be fixed by said court, which bond shall be in favor

of the people of the State of California and be conditioned upon the faithful performance of all the obligations of such appellant or aggrieved person as a real estate broker. Said bond shall be for the benefit of any person having real estate dealings with such appellant or aggrieved person, and any such person so dealing with the same shall have the right to commence a suit thereon in his own name against said broker and his sureties

SEC. 7 Section nineteen of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 19. For a violation of any of the provisions of sections eleven, eleven *a*, fourteen and eighteen of this act the real estate commissioner may temporarily suspend or permanently revoke the license of such holder in accordance with the proceedings set forth in section twelve of this act.

SEC 8. Section twenty *a* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 20*a*. The state real estate commissioner, upon his own initiative may investigate, or upon written application of the owner of any agricultural lands being offered for sale, or proposed to be offered for sale, for colonization purposes or for farm acreage subdivision or for rural settlement, shall investigate said colonization or farm acreage subdivision or rural settlement, enterprise and shall make a public report thereon, and, in his discretion, shall issue a certificate of approval thereof. The application of the owner shall contain such information as shall be required by the commissioner; and, from time to time after the issuance of said certificate, the owner shall furnish to the commissioner any other information concerning the project which the commissioner may require. The certificate of approval may be qualified or unqualified and shall be revocable at any time and its terms may be changed from time to time Among other things which said commissioner may deem appropriate the certificate shall state the name and location of the project; the names of the owner and sales agents whether or not the project in whole or in part is irrigable or depends upon irrigation; the source or sources of water and the nature and condition of water rights; the total area of the project and the unit size of parcels for sale; the proposed average selling price per acre; the terms of sale; the amount of any outstanding liens or bonded debts which affect the project; the proven and the probable adaptabilities of the soil of the projects, and the character of the soils thereof; available transportation facilities, and roads and community improvements; drainage conditions and systems; the condition of title to the lands of the project; and the methods of sale being used or proposed to be used in effecting the sale thereof. The public report of said commissioner on any project shall contain as nearly as possible all the information required to be inserted in said certificate of approval. The real estate commissioner shall be empowered to prepare a questionnaire and to employ such expert and technical assistants as may be necessary to a proper examination of the projects submitted, the cost of such examinations to be borne by the applicants on the basis of actual cost to the department.

SEC. 9. Section twenty *b* of said act approved May 27, 1919, as amended, is hereby amended to read as follows:

Sec. 20*b*. Every officer, agent or employee of any company and every other person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circularization of any false written statement or representation concerning any land or subdivision thereof offered for sale, and every person who, with knowledge that any advertisement, pamphlet, prospectus or letter concerning any said land or subdivision contains any written statement that is false or fraudulent, issues, circulates, publishes or distributes the same, or shall cause the same to be issued, circulated, published or distributed, or who, in any other respect, wilfully violates or fails to comply with any of the provisions of this act, or who in any other respect wilfully violates or fails, omits or neglects to obey, observe or comply with any order, permit, decision, demand or requirement of the commissioner in this act, is guilty of a public offense, and shall be punished by imprisonment in the state prison or the county jail for a term not to exceed two years, or by a fine of not to exceed two thousand dollars. It shall be the duty of the district attorney of each county in this state to prosecute all violations of the provisions of this section and of this act in the respective counties in which said violations occur, such prosecutions to be instituted, however, only upon the written request or demand of the real estate commissioner."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6, article IV thereof, relating to senatorial and assembly districts

Assembly Constitutional Amendment No. 37 read.

COMMITTEE AMENDMENTS

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 2 of the title following the word "to", all of lines 3, 4 and 5 thereof, and insert in lieu thereof the following, "the people of the State of California that sections four, five and six of article four of the constitution of the State of California, relating to the number and election of senators and establishing senatorial districts, be amended."

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the word "section" and insert in lieu thereof the following "sections four, five and".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 9 to 11, both inclusive, and insert in lieu thereof the following:

"Sec. 4. Senators shall be chosen for the term of four years, and each election shall be on the first Tuesday after the first Monday in November, unless otherwise ordered by the legislature, and no person shall be a member of the senate or assembly who has not been a citizen and inhabitant of the state three years, and of the district for which he shall be chosen one year, next before his election.

Sec. 5. The senate shall consist of twenty-nine members, and the assembly of eighty members, to be elected by districts established and numbered as hereinafter provided. The seats of the fourteen senators elected from the even-numbered districts in the year one thousand nine hundred and twenty-six shall be vacated at the expiration of the second year thereafter, so that the senators from even numbered and odd numbered districts shall alternate every two years, and the seats of all senators elected under previous law in the year nineteen hundred and twenty-two shall be vacated at the expiration of the second year thereafter, but this provision shall not prevent the standing for election of such senator to represent one of the senatorial districts herein named.

Sec. 6. For the purpose of choosing members of the legislature the state shall be divided into eighty assembly districts, as nearly equal in population as may be, and composed of contiguous territory, to be called assembly districts, and the state is hereby divided into the following senatorial districts, each of which districts is composed of two contiguous counties, to be called senatorial districts and to be composed and numbered as follows:

Senatorial District Number	Composed of the Counties of
One	Del Norte and Humboldt;
Two	Modoc and Siskiyou;
Three	Shasta and Trinity;
Four	Lassen and Plumas;
Five	Glenn and Tehama;
Six	Butte and Colusa;
Seven	Sutter and Yuba;
Eight	Nevada and Sierra;
Nine	Amador and Calaveras;
Ten	Sacramento and Solano;
Eleven	El Dorado and Placer;
Twelve	Marin and Sonoma;
Thirteen	Napa and Yolo;
Fourteen	Lake and Mendocino;
Fifteen	Alameda and Contra Costa;
Sixteen	San Francisco and San Mateo;
Seventeen	Santa Clara and Santa Cruz;
Eighteen	Alpine and Mono;
Nineteen	San Joaquin and Stanislaus;
Twenty	Mariposa and Tuolumne;
Twenty-one	Merced and San Benito;
Twenty-two	Inyo and Tulare;
Twenty-three	Kern and Kings;
Twenty-four	Santa Barbara and Ventura;
Twenty-five	Orange and Los Angeles;
Twenty-six	Imperial and San Diego;
Twenty-seven	Madera and Fresno;
Twenty-eight	Riverside and San Bernardino;
Twenty-nine	Monterey and San Luis Obispo.

Each senatorial district shall choose one senator whose residence shall be such that each county of each senatorial district named herein is the residence of the senator from that district alternately every four years, and each assembly district

shall choose one member of the assembly. The senatorial districts shall be numbered from one to twenty-nine, inclusive, in numerical order as hereinbefore stated. The assembly districts shall be numbered from one to eighty, inclusive, in numerical order, commencing at the northern boundary of the state and ending at the southern boundary thereof. In the formation of assembly districts, no county or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, nor shall a part of any county, or of any city and county, be united with any other county or any city and county, in forming any assembly district. A census taken under the direction of the congress of the United States in the year one thousand nine hundred and twenty, and every ten years thereafter, shall be the basis of fixing and adjusting the assembly districts, and the legislature shall, at its first session after each census or any session thereafter adjust such assembly districts and reapportion the representation from such assembly districts so as to preserve them as near equal in population as may be. But in making such adjustment no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any assembly district. Until such districting as herein provided for shall be made, assemblymen shall be elected by the assembly districts according to the apportionment now provided for by law."

Amendments adopted.

Assembly Constitutional Amendment No. 37 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section 9 of article IX thereof, relating to the regents of the University of California.

Assembly Constitutional Amendment No. 14 read.

COMMITTEE AMENDMENTS

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill after the word "university" insert the following: "and the acting presidents of the university"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 7 to 12, both inclusive, and all of line 13 preceding the word "Said".

Amendments adopted.

Assembly Constitutional Amendment No. 14 ordered to reprint, engrossment, and on file for adoption.

Assembly Concurrent Resolution No. 12—Relative to adjournment sine die.

Assembly Concurrent Resolution No. 12 read.

COMMITTEE AMENDMENT.

During reading of the concurrent resolution, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words and figures "April 26" and insert in lieu thereof the word and figures "May 11".

Amendment adopted.

Assembly Concurrent Resolution No. 12 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 331—An act to add a new section to the Political Code to be numbered 1608*d* to authorize the governing boards of school

districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 331 passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, McDowell, McMillan, McPherson, Miller, Moore, Morris, Mueller, Noyes, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Anderson, Badham, Bromley, Carter, Cleveland, Connolly, Dawson, Dozier, Duval, Graves, Jones, Kline, Mitchell, A. G., Pomeroy, Prendergast, and Stow—16.

Title read and approved.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT.

Mr. Coombs announced that the Assembly had been invited by the Napa Chamber of Commerce to be their guests for an auto trip through Napa Valley, on Saturday, April 21, 1923 Leaving Sacramento at 8 o'clock a m., the trip to include a visit to former Assemblyman Bismarck Bruck's residence, the geysers at Calistoga, and the State Farm where luncheon will be served, returning to Sacramento in time for dinner Saturday evening.

MOTION.

Mr. Graves moved that in order to accept the invitation extended by Mr. Coombs, that when the Assembly adjourns on Friday, April 20, 1923, they adjourn until Monday, April 23, 1923, and that the Assembly accept the invitation with thanks.

Motion unanimously carried.

SPECIAL ORDER.

The hour of eleven o'clock a m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED SEVENTEEN.

Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

AYES—Anderson, Badaracco, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Croter, Dean, Donohue, Duval, Eksward, Erb, Fellom, Foster, Fulwider, Hawes, Hornblower, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Stevenot, and West—46.

NOES—Baker, C. C., Ball, Broughton, Cleary, Crittenden, Davis, Dorris, Dozier, Heisinger, Miller, Moore, Saylor, Spence, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—18

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1246 passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Johnson, Johnston, Jones, Lyman, McPherson, Miller, Mitchell, A. G., Moore, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1244 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Eksward, Emme, Fellom, Foster, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1245 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—52

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1248 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Carter, Clarke, Cleary, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Hawes, Heisinger, Johnson, Jones, McDowell, McPherson, Mitchell, A. G., Morris, Morrison, Noyes, Prendergast, Remdollar, Roberts, Saylor, Schmidt, Scott, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1076 passed by the following vote:

AYES—Anderson, Badham, Ball, Broughton, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, McPherson, Mitchell, A. G., Morris, Noyes, Prendergast, Remdollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192*a*, relating to commitment of imbeciles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1276 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Broughton, Carlson, Carter, Clarke, Croter, Dean, Donohue, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Eksward the consideration of Assembly Bill No. 534 was made a special order for Tuesday, April 17, 1923, at eleven o'clock a.m.

SPECIAL ORDER SET.

On motion of Mr. Carter the consideration of Senate Constitutional Amendment No. 18 was made a special order for Wednesday, April 18, 1923, at eleven o'clock a.m.

MOTION TO RE-REFER.

Mr. Hawes moved that Assembly Bill No. 154 be withdrawn from the file, and ordered re-referred to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 154 re-referred to Committee on Labor and Capital.

MOTION TO RE-REFER.

Mr. Badaracco moved that Assembly Bill No. 710 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 710 re-referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation proposed March 1, 1887," by adding a new section thereto to be numbered section 64.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 893 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Carter, Christian, Clarke, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fulwider, Graves, Hawes, Hornblower, Jones, Kline, McDowell, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Snyder—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 412 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Eksward, Emme, Foster, Fox, Fulwider, Hawes, Johnson, Jones, Kline, Lyman, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Hon. Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No 166—An act to amend section 632 of the Code of Civil Procedure, relating to decision upon trial by court.

Bill read third time.

RECESS.

At twelve o'clock noon, on motion of Mr. Eksward, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p m, the Assembly reconvened. Speaker Merriam in the chair

Assistant Clerk Waestman reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No 420—An act to add a new section, to be numbered section 80, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BALL, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors,

Also, Assembly Bill No. 1202—An act to amend sections 1 to 27, both inclusive, of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts" approved June 10, 1913, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1262—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also, Assembly Bill No 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman

The above reported bills ordered on file for second reading.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 528—An act requiring the labeling of articles of household furniture offered for sale within the State of California, and manufactured in state penitentiaries, reform schools, or other institutions, supported at public expense, and requiring that notice that such articles of household furniture are on sale, shall be conspicuously posted in places where such articles of household furniture are offered for sale—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ERB, Chairman

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 194—An act making an appropriation for the improvement of the State highway between Coalinga, Fresno County, and San Lucas, Monterey County—

has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

STEVENOT, Vice Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts, the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads, defining the term county toll road; providing for the establishment of grades and routes of such toll roads, for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act, and to provide for a special fund derived in part from the county road fund and in part by special assessment upon a district and for the establishment of such districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STEVENOT, Vice Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 649—An act to amend section 862 of an act entitled "An act to provide for the organization and incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the powers of boards of trustees in cities of the sixth class—has had the same under consideration, and respectfully reports the same back without recommendation.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities;

Also: Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district;

Also: Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1112—An act to repeal an act entitled "An act to add a new section to the Political Code to be numbered 3664*e*, providing for the collection of data and the determination of valuations by the State Board of Equalization for purposes of taxation and providing an appropriation therefor," approved May 25, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COOMBS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 56—An act to amend section 3756 of the Political Code, relating to the time at which taxes become delinquent;

Also: Assembly Bill No. 556—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

COOMBS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 366—An act to repeal sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a* and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Education.

COOMBS, Chairman.

The above reported bill ordered re-referred to Committee on Education.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Constitutional Amendments.

COOMBS, Chairman.

The above reported constitutional amendment ordered re-referred to Committee on Constitutional Amendments.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and

measures; to provide penalties for the violation of the provisions of this act: for the admission in evidence of copies of the state's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Also Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies;

Also: Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof;

Also: Assembly Bill No. 980—An act relating to boards and commissions holding under apointment of the Governor

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr. Heisinger: Assembly Constitutional Amendment No. 54—Proposed amendment to article IV of the Constitution, relative to reapportionment.

Introduced, and referred to Committee on Constitutional Amendments.

Also: Assembly Constitutional Amendment No. 55—Proposed amendment to article IV of the constitution, relative to reapportionments.

Introduced, and referred to Committee on Constitutional Amendments.

ASSISTANT CLERK POWERS READING.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Bill No. 1166, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED SIXTY-SIX

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Carter moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, following the word "sale", insert the following: "real property". Also on page 1, line 8, of the printed bill, strike out the

period following the word "execution" and insert in lieu thereof a semicolon, and the following: "*provided however* that the time for final redemption from such sale shall in no case exceed six months from date of sale."

Motion carried.

The Speaker appointed Mr Carter as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1166, with instructions, reports that the instructions of the Assembly have been carried out.

CARTER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Coombs asked for and was granted unanimous consent to take up Assembly Bill No. 1288, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED EIGHTY-EIGHT.

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Coombs moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "herein provided," and insert in lieu thereof the following: "follows: the several boards of supervisors of said counties, or parts of counties, shall adopt an ordinance to the effect that such county, or part of county, declare the intention to form such district by uniting with other counties adopting like ordinances; said district to embrace contiguous territory. Such ordinance may be passed by the electors of the county under the provisions applicable to the passage of ordinances by the initiative. In such ordinance it shall be directed that a petition be circulated therefor, and the board shall, by resolution, name and appoint persons to circulate and secure signatures for the same."

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the letter "A" immediately following the figure "3", and insert in lieu thereof the word "Such".

AMENDMENT NUMBER THREE

On page 1, line 16, of the printed bill, after the period after the word "petition" insert the following: "The board of supervisors of any county may, in lieu of proceeding by petition, call an election, as provided for the calling of special elections and the laws pertaining thereto, to be held in conformity therewith, where and when the same may be determined by a majority vote of the electors voting thereat."

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, after the word "therein", insert the following: "as having been determined by said ordinance".

AMENDMENT NUMBER FIVE.

On page 2, line 10, of the printed bill, after the period after the word "act" strike out the remainder of line 10 and all of lines 11, 12, 13, 14, 15, 16, 17, and part of line 18 to and including the word "county," and insert in lieu thereof the following: "Attached to each of the petitions shall be a copy of the said ordinance."

AMENDMENT NUMBER SIX.

On page 2, line 42, of the printed bill, after the word "certificate" strike out the period and in lieu thereof insert a comma and add the following "either by the same persons theretofore appointed to secure signatures, or by other persons appointed by the board of supervisors for that purpose."

AMENDMENT NUMBER SEVEN.

On page 5, of the printed bill, strike out all of lines 2, 3, 4, 5, 6, 7, 8, 9, to and including the word "directors," in line 10 immediately following the words "board of" and insert in lieu thereof the following: "each of the boards of supervisors shall appoint persons to act as a board of directors of the district, each being a resident of the county where appointed as follows: one for counties with a population of forty thousand and less, two for a county having a population over forty thousand and not more than one hundred thousand; three for counties having a population of more than one hundred thousand and less than five hundred thousand, and five for counties having a population of five hundred thousand and over."

AMENDMENT NUMBER EIGHT.

On page 5, line 20, of the printed bill, strike out the period after the word "successors" and insert the words "for a full term of four years."

AMENDMENT NUMBER NINE.

On page 5, line 48, of the printed bill, after the word "meeting" as it appears in that line for the first time, strike out the comma and insert in lieu thereof a period. Also strike out the remainder of line 48, and all of lines 49, 50, and the words "the district" at the beginning of line 51.

AMENDMENT NUMBER TEN.

On page 6, line 25, of the printed bill, after the word "full" strike out the remainder of the line, and also strike out line 26 to and including the word "full."

AMENDMENT NUMBER ELEVEN.

On page 6, line 35, of the printed bill, after the word "shall" strike out the remainder of said line. Also strike out all of line 36, and line 37 to and including the word "shall" in said line 37.

AMENDMENT NUMBER TWELVE.

On page 6 of the printed bill strike out all of section 8 and insert a new section to be numbered 8 and to read as follows:

"SEC. 8. The board of directors shall appoint an attorney and all subordinate officers not provided to be appointed by the general manager and shall fix their salaries; such subordinate officers to serve at the pleasure of the board."

AMENDMENT NUMBER THIRTEEN.

On page 7, line 49, of the printed bill, after the period after the word "California" insert the following: "In the case of condemnation of property by the district, the district may take possession and use said property as provided by section one thousand two hundred fifty-four of the Code of Civil Procedure."

AMENDMENT NUMBER FOURTEEN.

On page 8, line 44, of the printed bill, strike out the comma after the word "attorney", and also strike out the remainder of line 44 and to and including the word "manager" in line 45.

AMENDMENT NUMBER FIFTEEN.

On page 13, line 33, after the word "known", add the following: "Districts formed in pursuance of the foregoing provisions may purchase, or condemn any of the works contemplated by the provisions of this act which have already been completed or partly completed, and may conduct and manage the same as herein provided."

Motion carried.

The Speaker appointed Mr. Coombs as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1288, with instructions, reports that the instructions of the Assembly have been carried out.

COOMBS, Select Committee.

Report of Select Committee of One and amendments adopted.
Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Senate Bill No. 534, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTY-FOUR.

Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917.
Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Weller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of lines 40, 41 and 42 and insert in lieu thereof the following

"Unless it shall have been first permitted or authorized so to do by the commissioner of corporations, no such corporation shall declare or pay any dividend which shall reduce the amount"

Motion carried.
The Speaker appointed Mr. Weller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Senate Bill No. 534, with instructions, reports that the instructions of the Assembly have been carried out.

WELLER, Select Committee

Report of Select Committee of One and amendment adopted.
Bill ordered to reprint, and on file for passage.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-SIX—(RESUMED).

Assembly Bill No 166—An act to amend section 632 of the Code of Civil Procedure relating to decision upon trial by court.
Bill read third time.

SPECIAL ORDER SET.

On motion of Mr. Coombs the consideration of Assembly Bill No. 166 was made a special order for Tuesday, April 17, 1923, at eleven o'clock a.m

SPECIAL ORDER SET.

On motion of Mr Coombs the consideration of Assembly Bills Nos. 167, 170, 171, 168 and 169 were made a special order for Tuesday, April 17, 1923, at eleven o'clock a.m.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Ball asked for and was granted unanimous consent to take up Senate Bill No. 101, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED ONE.

Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Ball moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 6, of the printed bill as amended March 30, 1923, after line "26" insert the following

"16. The county traffic officer, three thousand dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer five deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer, and shall receive a salary of two thousand eight hundred and twenty dollars per annum each, which shall be paid by said county in monthly installments, at the same time, in the same manner, and out of the same funds as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law.

AMENDMENT NUMBER TWO.

On page 6, line 27, of the amended printed bill, strike out the figures "16" and insert in lieu thereof the figures "17".

AMENDMENT NUMBER THREE.

On page 6, line 30, of the amended printed bill, strike out the figures "17" and insert in lieu thereof the figures "18".

AMENDMENT NUMBER FOUR.

On page 6, line 39, of the amended printed bill, strike out the figures "18" and insert in lieu thereof the figures "19".

AMENDMENT NUMBER FIVE.

On page 7, line 3, of the amended printed bill, strike out the figures "19" and insert in lieu thereof the figures "20".

Motion carried.

The Speaker appointed Mr. Ball as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 101, with instructions, reports that the instructions of the Assembly have been carried out.

BALL, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit.

Senate Constitutional Amendment No. 20 read.

The question being on the adoption of the amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Fulwider moved a call of the House.

Motion carried.

Time, two o'clock and twenty-nine minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Duval, Eksward, Erb, Fellom, Fox, Fulwider, Graves, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 223—An act to amend section 1761 of the Code of Civil Procedure relating to notices to relatives of persons under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 223 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Carlson, Christian, Croter, Davis, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Graves, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 224—An act to amend section 1275 of the Civil Code, relating to those who may take by will.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 224 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Graves, Hornblower, Johnston, Kline, Lyman, McMillan, McPherson, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practi-

tioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the comma after the word "persons" strike out all of lines 8 to 17 inclusive and insert in lieu thereof the following: "At least two of whom shall be journeymen barbers who have for at least five years prior to their appointment followed said occupation and have been residents of this State for a period of three years, is hereby created to carry out the purposes and enforce the provisions of this act. Said board shall be appointed by the Governor and each member thereof shall serve for a term of four years and until his successor is appointed and qualified except in the case of the members of the first board who shall serve two, three and four years respectively."

REQUEST FOR ROLL CALL.

On request of Messrs. Lyman, Cleveland, West, Noyes and Christian the Speaker ordered a roll call taken on the motion to appoint Select Committtee of One

The question being on the motion to appoint Select Committee of One.

The roll was called, and the motion to appoint Select Committee of One carried by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Broughton, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Moore, Morris, Morrison, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Cleveland, and Graves—2.

The Speaker appointed Mr. Lyman as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 82, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee.

Report of Select Committee of One and amendment adopted

Bill ordered to reprint, and on file for passage.

Senate Bill No. 331—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 331 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Hornblower, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At two o'clock and fifty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Fulwider.

The roll of absentees was called, and Senate Constitutional Amendment No. 20 finally adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—Anderson, Carter, and Graves—3.

Title read and approved.

Senate Constitutional Amendment No. 20 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No 20

A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California relating to the giving or lending of public credit

The Legislature of the State of California, at its regular session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of the members elected to each of the two Houses of the Legislature voting in favor thereof, hereby propose an amendment to section 31 of article IV of the constitution of the State of California to read as follows:

SEC. 31. *The Legislature shall have no power to give or to lend, or to authorize* the giving or lending, of the credit of the State, or of any county, city and county, city, township, or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever, nor shall it have power to make any gift, or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; *provided*, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever, *provided, further*, that irrigation districts for the purpose of acquiring the control of an entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country; *and provided, still further*, that notwithstanding the restrictions contained in this section, the treasurer of any city, county, or city and county shall have power and it shall be his duty to make such temporary transfers from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in his custody and are paid out solely through his office. Such temporary transfer of funds to any political subdivision shall not exceed eighty-five per cent of the taxes accruing to such political subdivision, shall not be made prior to the first day of the fiscal year nor after the

last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such political subdivision before any other obligation of such political subdivision is met from such taxes.

ADJOURNMENT.

At three o'clock p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Saturday, April 14, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 14, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Smith, Messrs. Anderson and Fox were granted leave of absence for the day.

On motion of Mr. Schmidt, Messrs. Badaracco, Hawes, and Mitchell, T. A., were granted leave of absence for the day.

On motion of Mr. Clarke, Messrs. Carlson and Reindollar were granted leave of absence for the day.

On motion of Mr. Graves, Messrs. Lyons and Baker, Edwin, were granted leave of absence for the day.

On motion of Mr. McPherson, Mr Coombs was granted leave of absence for the day.

On motion of Mr. Christian, Mr. Dozier was granted leave of absence for the day.

On motion of Mr. McDowell, Mr. Heisinger was granted leave of absence for the day.

On motion of Mr. Cleary, Mr. Johnson was granted leave of absence for the day.

On motion of Mr. Eksward, Mr. Mathews was granted leave of absence for the day.

On motion of Miss Miller, Mrs Saylor was granted leave of absence for the day.

On motion of Mr. Williams, Mr. Snyder was granted leave of absence for the day.

On motion of Mr. Wright, Mr. Spalding was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cleary, Mr. Albert B. Snyder, principal of the Strathmore High School, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Connolly, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 2—Relative to pensions for federal employees who have been in service thirty years or more;

Also: Senate Joint Resolution No. 3—Relative to the compensation of laborers in the United States customs service;

Also: Senate Joint Resolution No. 18—Relative to needy Indians within the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

DAVIS, Chairman.

The above reported joint resolutions ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 10—Relating to protection of forests from fire,

Also: Assembly Joint Resolution No. 11—Relating to national parks,

Also: Assembly Joint Resolution No. 3—Relative to the indorsement of H. R. 13298 and Senate Bill 4142; to amend the war risk insurance and the vocational rehabilitation act so as to include disabled veterans, of all the wars of the United States, and their dependents,

Also: Assembly Joint Resolution No. 25—Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in compliance with the provisions of the act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

DAVIS, Chairman.

The above reported joint resolutions ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed, providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes, providing for the payment of the debts thereof by a tax levied on the lands embraced therein, providing for the issuance and sale of bonds thereby, providing that said bonds may be investigated by an appointive board of three hydraulic engineers, providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to

another, and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 7 and 13 thereof, relating to the organization of such districts, the powers of the board of directors and the issuance of bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 779—An act to amend section 1 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921;

Also: Assembly Bill No. 781—An act to amend section 1 of an act entitled, "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921;

Also: Assembly Bill No. 787—An act to amend section 2 of an act entitled "An act providing for farm and home aid for veterans defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MUELLER, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended;

Also: Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases;

Also: Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Military Affairs, to which was referred Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California;

Also: Senate Bill No. 510—An act creating the California Military Reserve, providing for the appointment of officers therein, and when said reserve may be called into active service;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WELLER, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class:

Also Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.
Has has the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

Also.

MR SPEAKER Your Committee on County Government, to which was referred Senate Bill No 315—*An act to amend the Political Code, by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956 3957, 3958*, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the reestablishment and redefinition of the boundaries of the counties of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR SPEAKER Your Committee on Military Affairs, to which was referred Assembly Bill No 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California.

Also Assembly Bill No 1122—An act to amend section 2107 of the Political Code, *relating to the National Guard of the State of California*

Also Assembly Bill No. 1123—An act to amend section 2079 of the Political Code, relating to the National Guard of the State of California;

Also Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WELLER, Chairman.

The above reported bills ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of offices in counties of the twenty-ninth class.

Referred to Committee on Introduction of Bills.

By Mr Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Referred to Committee on Introduction of Bills.

ASSISTANT CLERK POWERS READING.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. McMillan: Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School.

Introduced, and referred to Committee on Education.

MOTION TO RE-REFER.

Mr. Cleveland moved that Assembly Bill No. 1285 be withdrawn from the file, and ordered re-referred to Committee on Education.

Motion carried.

Assembly Bill No. 1285 re-referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Stow asked for and was granted unanimous consent to take up Senate Bill No. 85, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER EIGHTY-FIVE.

Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653*aa* to 653*rx* inclusive, and relating to non-profit cooperative associations with or without capital stock for the purpose of marketing agricultural products through cooperation.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stow moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 5, line 43, of the printed bill, after the word "annum", insert the following: "and which dividends shall be in the nature of interest and shall not affect the non-profit character of any association organized hereunder."

Motion carried.

The Speaker appointed Mr. Stow as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 85, with instructions, reports that the instructions of the Assembly have been carried out.

STOW, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage, be continued until the next legislative day.

Motion carried.

ASSISTANT CLERK WAESTMAN READING.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1202—An act to amend sections 1 to 27 both inclusive, of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the words "one to twenty-seven both inclusive," and in lieu thereof insert the following: "twelve, fifteen, twenty-one and twenty-two".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period insert the following:

"Section twelve of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, is hereby amended to read as follows:

Section 12. Any county water district incorporated as herein provided, shall have power.

1. To have perpetual succession;

2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction;

3. To adopt a seal and alter it at pleasure;

4 To take by grant, purchase, gift, devise, or lease; to hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the district, necessary to the full exercise of its powers;

5. To construct, purchase, lease or otherwise acquire waterworks and other works and machinery, canals, conduits and reservoirs, and to purchase, lease or otherwise acquire water rights, storage sites, water sheds, lands, rights and privileges, useful or necessary to convey, supply, store or otherwise make use of water for irrigation, power or other useful purposes, and to operate and maintain such water rights, waterworks, canals, conduits, reservoirs, storage sites, water sheds, works, machinery, lands, rights and privileges for the uses aforesaid for the benefit of the district;

6. To store water for the benefit of the district; to conserve water for future use; to appropriate, acquire and conserve water and water rights for any useful purpose, to commence, maintain, intervene in and compromise in the name of the district, and to assume the costs of any action or proceeding involving or affecting the ownership or use of waters or water rights within the district used or useful for any purpose of the district or a benefit to any land situated therein; to commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or natural subterranean supply of waters used or useful for any purpose of the district or a common benefit to the lands within the district or its inhabitants; and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger the inhabitants or lands of the district;

7. To lease of and from any person, firm, or public or private corporation, with the privilege of purchase, or otherwise, existing water rights, waterworks, canals, or reservoir systems and to carry on and maintain the same, also to sell water, or the use thereof, for irrigation, power, or other useful purposes, and whenever there is a surplus, sell, or otherwise, dispose of the same, to municipalities, or towns, or to consumers, located within or without the boundaries of the district;

8. To have and exercise the right of eminent domain in the manner provided by law for the condemnation of private property for public use, to take any property necessary to supply the district or any portion thereof with water, whether such property be already devoted to the same use or otherwise, and may condemn any existing water rights, canals, reservoirs, storage sites, watersheds, waterworks or systems, or any portion thereof owned by any person, firm or corporation; *provided*, that property and water rights of municipal corporations shall not be subject to the provisions of this section. In proceedings relative to the exercise of such right, the district shall have the same rights, powers and privileges as a municipal corporation;

9. To cooperate and contract with the United States, under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto, or any other Act of Congress heretofore or hereafter enacted, authorizing or permitting such cooperation or contract for purposes of construction of works, whether for irrigation, drainage, flood control or for the development of electric or other power, or for the acquisition, purchase, extension, operation or maintenance of such works, or for a water supply, or for the assumption as principal or guarantor of indebtedness to the United States, and to carry out and perform the terms or any contracts so made;

10. To borrow money and incur indebtedness and to issue bonds or other evidences of such indebtedness; also to refund or retire any indebtedness or lien that may exist against the district or property thereof;

11. To cause taxes to be levied for the purpose of paying any obligation of the district and to accomplish the purposes of this act in the manner herein provided;

12 To make contracts, to employ labor and to do all acts necessary for the full exercise of the foregoing powers.

SEC. 2 Section fifteen of said act approved June 10, 1913, as amended, is hereby amended to read as follows:

Sec 15. Whenever the board of directors deem it necessary for the district to incur a bonded indebtedness, it shall by a resolution so declare and state the purpose for which the proposed debt is to be incurred, the land within the district to be benefited thereby, the amount of debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed forty years, and the maximum rate of interest to be paid, which shall not exceed seven per cent per annum, and the proposition to be submitted to the electors. The board of directors shall fix a date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred. It shall be the duty of the board of directors to provide for holding such special election on the day so fixed, in accordance with the general election laws of the state, so far as the same shall be applicable, except as herein otherwise provided. Such board of directors shall give notice of the holding of such election, which notice shall contain the resolution adopted by the board of directors of the water district, boundaries of voting precincts, which shall include therein only the lands to be benefited, as stated in such resolution, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct Such notice shall be published for two weeks in at least one newspaper and not more than three newspapers published in such water district, which newspaper or newspapers shall be designated by the board of directors; and if there is no newspaper printed in such water district, then by posting such notice in three public places therein Every qualified elector residing within such voting precincts but no others, shall be entitled to vote at such election. All the expenses of holding such election shall be borne by the district. The returns of such election shall be made to and the votes canvassed by said board of directors on the first Monday following said election, and the results thereof ascertained and declared in accordance with the general election laws of the state, so far as they may be applicable, except as herein otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted. In all respects not otherwise provided for herein, said election shall be called, managed and directed as is by law provided for general elections in this state applicable thereto, except as herein otherwise provided.

SEC. 3. Section twenty-one of said act approved June 10, 1913, as amended, is hereby amended to read as follows

Sec 21. If, from any cause, the revenues of the district shall be inadequate to pay the interest or principal of any bonded debt as it becomes due or any other expenses or claims against the district, then the board of directors must, at least

fifteen days before the first day of the month in which the board of supervisors of the county or city and county in which such water district is located is required by law to levy the amount of taxes required for county or city and county purposes, furnish to the board of supervisors and to the auditor, respectively, an estimate in writing of the minimum amount of money required by the district for the payment of the principal or interest on any bonded debt as it becomes due, together with a description of the lands benefited thereby, as stated by the board of directors in the resolution declaring the necessity to incur such bonded indebtedness, and also of the minimum amount of money required by the district for any other purpose in this section set forth, and the board of supervisors of such county or city and county must annually, at the time and in the manner of levying other county or city and county taxes and until any such bonded debt is fully paid, levy upon the lands so benefited and cause to be collected, a tax sufficient for the payment thereof to be known as the "_____ County Water District Bond Tax" and until all other expenses or claims are fully paid, levy upon all of the lands of the district and cause to be collected a tax sufficient for the payment thereof to be known as the "_____ County Water District Water Tax."

SEC. 4. Section twenty-two of said act approved June 10, 1913, as amended, is hereby amended to read as follows:

SEC. 22. Such taxes for the payment of any such bonded debt shall be levied on the property benefited thereby, as stated by the board of directors in the resolution declaring the necessity therefor, and all taxes for other purposes shall be levied on all property in the territory comprising the district. All such taxes shall be collected at the same time and in the same manner and form as county taxes are collected, and when collected shall be paid to the district for which such taxes were levied and collected. Such taxes, if for the payment of a bonded debt, shall be a lien on all the property benefited thereby, as so stated in the resolution of the board of directors aforesaid, and all taxes for other purposes shall be a lien on all the property in the territory comprising the district, and said taxes, whether for the payment of a bonded indebtedness or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection shall be enforced by the same means as provided for in the enforcement of liens for state and county taxes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1262—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 528—An act requiring the labeling of articles of household furniture offered for sale within the State of California, and manufactured in state penitentiaries, reform schools, or other institutions, supported at public expense, and requiring that notice that such articles of household furniture are on sale, shall be conspicuously posted in places where such articles of household furniture are offered for sale.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title, strike out the words "of household furniture".

AMENDMENT NUMBER TWO.

On page 1, line 4, strike out the words "of household furniture".

AMENDMENT NUMBER THREE.

On page 1, line 16, strike out the words "of household furniture".

AMENDMENT NUMBER FOUR.

On page 2, lines 1 and 2, strike out the words "of household furniture".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts: The construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from the county road fund and in part by special assessment upon a district and for the establishment of such districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 14 of the title of the printed bill, strike out the words "the county road fund" and in lieu thereof insert the words "county or road district funds".

AMENDMENT NUMBER TWO.

On page 2, lines 19 and 20, of the printed bill, strike out the words "road funds to such special" and in lieu thereof insert the words "or road district funds to such toll road".

AMENDMENT NUMBER THREE.

On page 14 of the printed bill, after line 2, insert the following:

"Whenever the proposed toll road covers in whole or in part any county road already surveyed and laid out in whole or in part, for which a limited amount of funds have been set aside in the county treasury or provided for by any previous tax levy, the previously established grades, locations and other engineering data may be incorporated in plans and specifications adopted by the board, and all of such funds so previously set aside, levied or provided to be collected for the construction of said road must be transferred by the board of supervisors to the toll road district fund and used for the construction of the road."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 17, strike out the period and add the following: "when intervening territory is adequately supplied with water."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 649—An act to amend section 862 of an act entitled "An act to provide for the organization and incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the powers of boards of trustees in cities of the sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1112—An act to repeal an act entitled "An act to add a new section to the Political Code to be numbered 3664*e*, providing for the collection of data and the determination of valuations by the State Board of Equalization for purposes of taxation and providing an appropriation therefor," approved May 25, 1921

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title of the printed bill following the word "repeal", all of lines 2 to 6, both inclusive, and in lieu thereof insert the following: "section

three thousand six hundred sixty-four *e* of the Political Code, relating to the collection of data and determination of valuations by the state board of equalization for purposes of taxation."

AMENDMENT NUMBER TWO

On page 1 of the printed bill strike out all of line 1 following the period, all of lines 2 to 6, both inclusive, and in lieu thereof insert the following "Section three thousand six hundred sixty-four *e* of the Political Code is hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 56—An act to amend section 3756 of the Political Code, relating to the time at which taxes become delinquent.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 556—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

At the bottom of page 1 of the printed bill, after the words "Section 1" insert the following:

"Section seventeen of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amount of commodities, kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the state's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this act into effect,'" approved June 16, 1913, as amended, is hereby amended to read as follows

Sec. 17 The legislative body of any county or consolidated city and county of the first to the thirty-fifth classes, both inclusive, and the legislative body of any city

or town may appoint a sealer of weights and measures, fix his compensation and provide for the appointment by the sealer of such number of deputies as the said legislative bodies may deem necessary and expedient. Such sealer shall receive as compensation the sum of one hundred fifty dollars per month, or at the rate of one hundred fifty dollars per month for each month or part thereof actually employed in the service of such county, or city and county, or city and town. He shall be allowed his traveling expenses actually and necessarily incurred in the performance of his duties, and such deputies shall each receive as compensation the sum of five dollars per day for each day actually employed in the service of such county, or city and county, or city and town. They shall be allowed their traveling expenses actually and necessarily incurred in the performance of their duties. The term of office of sealer of weights and measures appointed under the provisions of this section shall be four years. He shall be subject to removal by the power appointing him. Deputies appointed under the provisions of this section by a sealer of a county, city and county, or city, or town, shall be subject to removal by the sealer.

In counties of the second class whose charters provide for a department of weights and measures, the appointment of a sealer and deputies, the number of such deputies and the term of office thereof shall be as provided in said charter; *provided*, that the sealer shall receive for compensation the sum of three thousand dollars per annum, and one deputy, to be known as chief deputy, shall receive as compensation the sum of two thousand four hundred dollars per annum. Deputies shall receive as compensation the sum of one thousand eight hundred dollars per annum, each payable in the same manner as the salaries of other county officers are paid. In counties of the third class the sealer shall receive as compensation the sum of one thousand eight hundred dollars per annum, and deputies shall each receive as compensation the sum of one thousand five hundred dollars per annum, payable in the same manner as the salaries of other county officers are paid.

In counties of the fourth class the sealer shall receive as compensation the sum of two thousand four hundred dollars per annum. He shall have three deputies at two thousand one hundred, one thousand eight hundred and one thousand five hundred dollars per annum respectively, and said salaries shall be payable in the same manner as the salaries of other county officers are paid.

In all counties other than those of the first to the thirty-fifth classes, both inclusive, no county sealer or deputies shall be appointed by the legislative body thereof, but the state superintendent of weights and measures shall assign to such counties, or groups of such counties, such deputy superintendents as may be necessary, but not more than one to each of such counties. Such deputies shall have jurisdiction over such county, or group of counties, as the state superintendent may designate, except within the territorial limits of those cities and towns within which sealers have been appointed under the provisions of this act. They shall have all the powers and perform the duties of a sealer of weights and measures. They shall be paid by the county wherein employed, five dollars a day for each day employed therein, which shall not exceed one hundred twenty days in any one county in any one year, and they shall also receive from such county their actual traveling expenses. The terms of office of all sealers and deputy sealers in all counties other than those of the first to the thirty-fifth classes, both inclusive, shall terminate when this section becomes effective."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the adjutant general's office.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of line 19 following the semicolon, all of lines 20, 21, and all of line 22 preceding the word "to".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics."

approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the Governor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 481—An act to amend section 1609 of the Political Code, relating to the powers and duties of boards of school trustees, and city, and city and county boards of education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, after the word "necessity" strike out the remainder of said line 39, all of line 40 and line 41 up to and including the word "district".

AMENDMENT NUMBER TWO.

On page 2, line 42, of the printed bill, strike out the third word therein "the" and also after the word "cost" strike out the remainder of said line 42 also lines 43, 44, 45 and 46 up to and including the word "subdivision" in said line 46.

AMENDMENT NUMBER THREE.

On page 2, line 47, of the printed bill, strike out the words "the general" and insert in lieu thereof the following "any available".

AMENDMENT NUMBER FOUR.

On page 2, line 48, of the printed bill, strike out the words "fund of the district" and insert in lieu thereof the word "funds".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 420—An act to add a new section, to be numbered section 8*g*, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 5 of the title, strike out the period and insert a comma and the following: "relating to reports to be made by physicians to police authorities."

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the following. "habitue," and insert in lieu thereof the words. "habitual user of narcotic drugs as permitted and who is not suffering from incurable disease".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the word "California".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, the word "changes" should be "changed".

AMENDMENT NUMBER TWO.

On page 3 line 16, of the printed bill, the word "houses" should be "house".

AMENDMENT NUMBER THREE.

On page 3, line 46, of the printed bill, the words "five hundred" changed to the words "one thousand".

AMENDMENT NUMBER FOUR.

On page 10, of the printed bill, add a new section:

"44. Boards of supervisors shall have the power and authority, jointly, to enter into contracts for the construction and maintenance of bridges, across streams, creeks or rivers, where such streams, creeks or rivers do not constitute the legal boundaries of said counties, when in the opinion of the said board of supervisors, such construction and maintenance of such bridges shall be for the benefit of the inhabitants of said counties."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retire-

ment salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class.

Bill read second time, and ordered on file for third reading

Senate Bill No. 46—An act to amend section 613 of the Code of Civil Procedure, relating to deliberations of the jury in civil actions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In section 1, line 10, of the printed bill, after the word "schools" strike out the following "and which membership is dependent upon enrollment in elementary or secondary schools,".

AMENDMENT NUMBER TWO

In section 1, line 20, of the printed bill, after the word "joining" strike out the remainder of said line 20; strike out also all of line 1 on page 2, of said section 1, and the words "of America, or other kindred" in line 2, and insert the words "any adult".

AMENDMENT NUMBER THREE

In section 1, line 2, page 2, of the printed bill, after the word "organizations" insert the words "or fraternities".

AMENDMENT NUMBER FOUR.

In section 1, line 3, page 2, of the printed bill, after the word "schools" insert the words "or universities".

AMENDMENT NUMBER FIVE.

In section 1, line 3, page 2, of the printed bill, substitute a comma in place of the period following the word "state" and add the following: ", or any junior branches thereof, or any junior organizations sponsored by and under the control of any such adult fraternal organization."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 689—An act appropriating money for the construction of buildings for the State Teachers College of San Francisco.

Bill read second time, and ordered on file for third reading

Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors

to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 16, line 25, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER TWO

On page 16, line 25, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER THREE.

On page 16, line 46, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER FOUR

On page 17, line 27, of the printed bill, strike out the words "one year" and insert in lieu thereof the words "three years".

AMENDMENT NUMBER FIVE.

On page 17, line 32, of the printed bill, strike out the words "one year" and insert in lieu thereof the words "three years".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof.

Bill read second time, and ordered on file for third reading

Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions

Bill read second time, and ordered on file for third reading.

ASSISTANT CLERK POWERS READING.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following named persons be, and they are hereby appointed and employed for the position and at the per diem set opposite their respective names for April 11, 1923, only:

Reynold A. Waestman, Assistant Engrossing and Enrolling Clerk.. $5 00
Adelyn B. Stafford, Committee Clerk..... 4 00

Resolved, That the State Controller be, and he is hereby authorized and directed to draw his warrant in favor of the above named persons upon the appropriations for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Graves, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Roberts, Rosenshine, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.

Assembly Constitutional Amendment No. 30 read.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the word "Senate" and insert in lieu thereof the word "Assembly".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "forty-fourth" and insert in lieu thereof the words "forty-fifth".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 12 to 24, both inclusive, and insert in lieu thereof the following:

"Section 12½. The legislature, subject to section one of article four shall have power to provide for the assessment, levy and collection of taxes upon all notes, debentures, shares of capital stock, bonds, solvent credits or mortgages, not exempt from taxation under the provisions of this constitution, in a manner, at a rate or rates or in proportion to value different from any other property in this state subject to taxation taxes imposed by any act of the legislature adopted pursuant to the powers hereby conferred shall be in lieu of all other property taxes, state, county, municipal or district, upon such property. The legislature shall provide for an equitable distribution of such taxes to the county, municipality or district in which such property is taxed.

Provided, that the rate or rates of taxation of such securities, and penalties, shall not exceed those assessed or imposed upon other property in this state not exempt from taxation, and that when the same shall have been fixed by the legislature, they shall not be altered except by vote of two thirds of all the members elected to each of the two houses voting in favor thereof.

The exercise of the powers hereby conferred shall in no way affect assessment, levy and collection of taxes under the provisions of section fourteen of this article."

Amendments adopted.

Assembly Constitutional Amendment No. 30 ordered to reprint, and on file for adoption.

Assembly Bill No 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 218 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Dean, Donohue, Emme, Erb, Foster, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—Fellom, Rock, and Scott—3

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 181 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Graves, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1047 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleary Cleveland, Crittenden, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fulwider, Graves, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—45.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 485 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Johnston, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 748 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Scott, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Crittenden moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, strike out the words ", *and, provided further,* that" and insert in lieu thereof the word ", where".

Motion carried.

The Speaker appointed Mr. Crittenden as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 749, with instructions, reports that the instructions of the Assembly have been carried out.

CRITTENDEN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 125 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Foster, Fulwider, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Scott, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 409 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleary, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Foster, Fulwider, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1107—An act to amend an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, and all acts or parts of acts amendatory thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1107 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Foster, Fulwider, Johnston, Jones, Kline, Lyman, McDowell,

McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Schmidt, Scott, Spence, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—48.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mr. McPherson moved to amend the title as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title after the word "act" in the first line of the title in the printed bill, and insert in lieu thereof the following. "defining the term, "lowest responsible bidder"."

Amendment adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1289 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 564 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Fulwider, Graves, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 570—An act to amend section 39*f* of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 570 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Johnston, Jones, Lyman, McDowell, McMillan, Miller,

Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 884 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Graves, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'The Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 924 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dean, Dorris, Duval, Emme, Erb, Fulwider, Graves, Hornblower, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same."

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1198 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Hornblower, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast,

Roberts, Rosenshine, Schmidt, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

ASSEMBLYMAN JOHNSTON IN THE CHAIR.

At eleven o'clock and twenty-two minutes a.m., Hon. John W. Johnston, Assemblyman from the Fourteenth District, was called to the chair

SPECIAL ORDER SET.

On motion of Mr. Kline, the consideration of Assembly Bill No. 999 was made a special order for Monday, April 16, 1923, at eleven o'clock a.m.

Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards."
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 1199 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fulwider, Hornblower, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Smith, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose."
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1201 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fulwider, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1210 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Emme, Erb, Fulwider, Hornblower, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Schmidt, Scott, Smith, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN HORNBLOWER IN THE CHAIR.

At eleven o'clock and thirty-three minutes a.m., Hon. William B. Hornblower, Assemblyman from the Twenty-fifth District, was called to the chair.

Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Asembly Bill No. 610 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Hornblower, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480½, providing for hiring of clerk or clerks by reclamation boards or reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1139 passed by the following vote.

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Cleary, Cleveland, Crittenden, Dawson, Dean, Dorris, Duval, Emme, Erb, Fulwider, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Spence, Stow, Weller, West, Williams, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 684—An act to amend sections 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12 and to add new sections to be numbered 13 and 14 to an act entitled "An act to define the boundary, provide for the care,

strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 684 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Eksward, Erb, Fulwider, Hornblower, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Spence, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1291 passed by the following vote.

AYES—Badham Baker, C. C., Ball, Bromley, Broughton, Christian, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Eksward, Erb, Fulwider, Hornblower, Jones Kline, Lyman McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rosenshine, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker—44

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and forty-nine minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Assembly Bill No. 107—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 107 passed by the following vote:

AYES—Ball, Bernard, Bromley, Broughton, Carter, Clarke, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Graves, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1118—An act to add a new section to be numbered 6*a*, to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1118 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Graves, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Carter moved that the hour of recess be extended.

Motion carried.

RE-REFERENCE OF BILL.

On motion of Mr. Morris, Assembly Bill No. 887 was recalled from the Committee on Engrossment and Enrollment, and referred to Committee on Building and Loan Associations.

ASSEMBLYMAN MORRIS IN THE CHAIR.

At twelve o'clock and two minutes p.m., Hon. Clarence W. Morris, Assemblyman from the Thirtieth District was called to the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED)

Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805*c*, providing for the cancellation of assessments on certain lands of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 199 passed by the following vote:

AYES—Baker, C. C., Bromley, Broughton, Carter, Christian, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Foster, Fulwider, Graves, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Roberts,

Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1059—An act to appropriate money in the State Treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1059 passed by the following vote:

AYES—Badham, Ball, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Noyes, Pomeroy, Prendergast, Schmidt, Scott, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1060 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hornblower, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Scott, Smith, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—49

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1080 passed by the following vote:

AYES—Badham, Ball, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Foster, Fulwider, Hornblower, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Scott, Smith, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At twelve o'clock and seventeen minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 152 passed by the following vote:

AYES—Badham, Ball, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Dawson, Dean, Donohue, Dorris, Ekswand, Emme, Foster, Graves, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Smith, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 813 passed by the following vote:

AYES—Badham, Baker, C. C., Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Dawson, Dean, Donohue, Dorris, Duval, Ekswand, Emme, Erb, Foster, Fulwider, Graves, Hornblower, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Smith, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 812—An act confirming and validating the organization of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 812 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Carter, Christian, Clarke, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fulwider, Graves, Hornblower, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Smith, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 375 passed by the following vote:

AYES—Baker, C. C., Ball, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fulwider, Graves, Hornblower, Jones, Kline, Lyman, McDowell, McMillan,

McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pomeroy, Prendergast, Schmidt, Scott, Smith, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1114 passed by the following vote:

AYES—Baker, C. C., Ball, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Graves, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Schmidt, Scott, Smith, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 refused passage by the following vote:

AYES—Baker, C. C., Ball, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fulwider, Hornblower, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Prendergast, Schmidt, Scott, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—37.

NOES—Duval, Graves, Jones, McMillan, Morris, Noyes, Pomeroy, Smith and Stow—9.

NOTICE OF RECONSIDERATION.

Mr. Morris gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 507 was this day refused passage.

ASSISTANT CLERK WAESTMAN READING.

REPORT OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1923

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—and reports that the same has been correctly engrossed.

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class.

Also: Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property rights in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, describing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and approved by electors November 2, 1920;

Also: Assembly Bill No. 506—An act to regulate the sale and use of narcotic habit-forming drugs in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended:

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work;

Also: Assembly Bill No. 675—An act to add a new section, to be numbered 2768, to the Civil Code, relating to life insurance;

Also, Assembly Bill No. 895—An act to amend section 9 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for the inclusion of advisement, education and training of persons disabled in industry as a part of compensation benefits;

Also Assembly Bill No 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same,

Also: Assembly Bill No 576—An act to amend section 1241 of the Code of Civil Procedure, relating to eminent domain,

Also Assembly Bill No 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors,

Also: Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class,

Also Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission, providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 889—An act to amend section 925 of the Penal Code, relating to grand juries:

Also Assembly Bill No 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code relating to the salaries, fees and expenses of officers in counties of the twenty-third class,

Also Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries of the district attorney, deputy district attorney, and stenographer in the office of the district attorney in counties of the twenty-seventh class,

Also: Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class,

Also: Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies,

Also Assembly Bill No 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 20—Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported concurrent resolution ordered to enrollment

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1923

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1073—An act to amend paragraph "n" of section 20 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BROMLEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions, and to prescribe qualifications for such operators, and to prescribe punishment for violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROMLEY, Chairman.

The above reported bill ordered on file for second reading.

REPORT OF SELECT COMMITTEE.

The following report of Select Committee was received and read:

MR. SPEAKER: Your committee appointed pursuant to Assembly Concurrent Resolution No. 17—Relative to the funeral of the late Gustave H. Douglas—begs leave to report that all necessary arrangements were perfected and the following bills contracted as per bills as listed below, and recommends the adoption of the following resolution:

Union Florist—express charges and crating	$4 50
Union Florist—floral design	50 00
M. H. Ebel—floral wreath	6 50
Sherman, Clay & Co.—drayage on piano to Assembly	10 00
Howard S. McIntire—services of male quartet and accompanist	25 00
Noack's Orchestra	30 00
E. H. Cox & Son—decorating in mourning Assembly Chamber and hall	62 00
Miller & Skelton—steel casket, box, remains to Capitol, embalming, funeral notices, opening grave, permit, 6 limousines, hearse, 3 autos for flowers, 2 tents, chairs, etc., grave concealor, lining and decorating grave, personal service	1,108 00
Total	$1,296 00

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, for the above amount, and the State Treasurer is hereby directed to pay the same.

BROMLEY,
DONOHUE,
BURNS,
CLEARY,
SNYDER,
OHNIMUS,
Assembly Committee.

NELSON,
POWERS,
OSBORNE,
BEEK,
Senate Committee.

The Speaker ordered the above report printed in the Journal, and referred to the Committee on Contingent Expenses.

SENATE MESSAGES—(OUT OF ORDER)

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing

for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Also: Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles, to provide for carrying out the objects of this act, and to make appropriation therefor, to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Also: Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 191 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 115 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 420 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248*a*, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property.

Also: Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney;

Also: Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Also: Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 652 read first time, and referred to Committee on Judiciary.

Senate Bill No. 364 read first time, and referred to Committee on Judiciary.

Senate Bill No. 547 read first time, and referred to Committee on Judiciary.

Senate Bill No. 448 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

Also: Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act;

Also, Senate Bill No. 488—An act to amend sections 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* of the Political Code, relating to agriculture,

Also Senate Bill No. 647—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also: Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 738cc, relating to the salaries of superior judges.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 311 read first time, and referred to Committee on Education.

Senate Bill No. 35 read first time, and referred to Committee on Agriculture.

Senate Bill No. 488 read first time, and referred to Committee on Agriculture.

Senate Bill No. 647 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 687 read first time, and referred to Committee on Ways and Means.

ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Mr. McPherson, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Monday, April 16, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 16, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE

On motion of Mr. Eksward, Mr. Mathews was granted leave of absence for the day.

On motion of Mr. Lyman, Messrs. Smith and Croter were granted leave of absence for the day.

On motion of Mr. Graves, Mr. Baker, Edwin, was granted leave of absence for the day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY

Through the courtesy of Mr. Fox, Mrs. Albert E. Carter of Oakland was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Crittenden, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 147—An act to regulate the discharge of sewage into the ocean, or into bays, harbors, or inlets thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 191—An act to authorize the board of supervisors of any county to establish sewerage districts within the said county, to be known as metropolitan sewerage districts, and to define the purposes, powers, officers, government, and jurisdiction thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 190—An act to create a sewerage district to be called "Los Angeles Metropolitan Sewerage District", and to define the purposes, powers, officers, government and jurisdiction thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Eksward: Assembly Constitutional Amendment No. 56—Proposed amendment to article XI of the constitution, relative to the compensation of officers and jurors, and defining the term "employment."

Introduced, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Pomeroy:

WHEREAS, Members of the Legislature and their families and guests were privileged to enjoy on April 15 a trip covering the northern end of the Mother Lode highway, and

WHEREAS, This trip had for its principal point of interest the place where gold was discovered, which is indeed the birthplace of our State and the golden cornerstone of our civilization of the western shores, and

WHEREAS, The same genial hospitality which always characterizes the people of the foothills was evidenced in every detail of this trip, now therefore, be it

Resolved, That a cordial vote of thanks be extended to the people of Placerville and to the stage companies for the transportation furnished, to the citizens of Coloma for their hospitality, in particular to the ladies for the luncheon, and to Hon. Frank C. Jordan and his committee for their untiring work in arranging the trip.

Resolution read, and on motion of Mr. Pomeroy, unanimously adopted.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners, providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 7 and 13 thereof, relating to the organization of such districts, the powers of the board of directors and the issuance of bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 30, 31 and 32 of the title of the printed bill and insert in lieu thereof the following: "four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, sixteen, seventeen, twenty-one, twenty-two and twenty-three thereof, and by adding new sections thereto, numbered two *a*, two *b*, two *c*, four *a*, four *b*, five *a*, five *b*, five *c*, five *d*, five *e*, eight *a*, eight *b*, eight *c*, nine *a*, ten *a*, ten *b*, ten *c*, eleven *a*, eleven *b*, eleven *c* and thirty-four, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 27 to 39, inclusive, and insert in lieu thereof the following:

"*Section 1.* The holders of title or evidence of title to a majority in area of lands which are susceptible of irrigation from a common source may propose the organization of a water district under the provisions of this act by signing a petition to the board of supervisors of the county in which the lands, or the greater

portion thereof, in the proposed district are situated. The petition shall describe the boundaries of the proposed district and the lands, if any, which are included within said boundaries but which the petitioners do not desire to have included within the proposed district. The petition shall name the source or sources, which"

AMENDMENT NUMBER THREE

On page 3, line 34, of the printed bill, strike out the word "districts" and insert in lieu thereof the word "district".

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill strike out lines 39 to 41 inclusive and insert in lieu thereof the following, "shall set forth the text of said petition and shall give the names attached to said petition. No mere clerical error in the published text of the petition and no error in the publication".

AMENDMENT NUMBER FIVE

On page 3, line 50, of the printed bill after the period in said line insert the following "At the hearing the board shall hear all relevant evidence in support of said petition or in opposition thereto or in support of or in opposition to requests for inclusion of lands in or exclusion of lands from said proposed district. During or prior to said hearing any holder of title or evidence of title to lands within said proposed district may present to said board a request for exclusion of such lands or any part thereof from said proposed district, and any holder of title or evidence of title to land not within said proposed district but contiguous to any part thereof and susceptible to irrigation from the sources or any of the sources named in said petition may present to the board a request in writing for the inclusion of said land in said proposed district."

AMENDMENT NUMBER SIX.

On page 4, line 5, of the printed bill, after the word 'and" in said line insert a comma and the following "upon application of the owner or owners,".

AMENDMENT NUMBER SEVEN.

On page 4, line 7, of the printed bill, strike out the word "irigation" and insert in lieu thereof the word "irrigation".

AMENDMENT NUMBER EIGHT.

On page 4, between lines 29 and 30, insert the following

"SEC. 3. A new section is hereby added to said act to be numbered two *a* and to read as follows:

SEC. 2*a* After the formation of a district, as provided in this act, the board of directors thereof shall have the power to levy and collect an assessment upon each acre of land within the district, not exceeding fifty cents per acre, for the purpose of paying the expenses incurred in forming the district and the expenses of preparing plans for and an estimate of the cost of works to be acquired or constructed and for the general expenses of the district. Upon the levying of such an assessment the secretary of the district shall immediately prepare an assessment list, wherein he shall set forth in separate columns the name of each person assessed (if the name is unknown to the secretary, the property shall be assessed to "unknown owners"), a description of the property assessed and the number of acres in each parcel assessed, and shall provide on said list an additional column in which to show the assessment upon each parcel so assessed. The county assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description, and area of such parcel of land, but the secretary may change any name, description or area in accordance with facts of which he has knowledge.

SEC. 4. A new section is hereby added to said act to be numbered two *b* and to read as follows:

SEC. 2*b*. Upon the completion of the assessment list as provided in the preceding section the secretary shall submit said list to the board of directors, which shall fix a time, not less than fifteen days and not more than twenty-five days from the time of the meeting of said board at which said date is fixed, at which the board of directors shall meet to correct any errors in said assessment list. The secretary shall give notice of the time and place of said meeting, which shall be at the office of the district, by publication for at least two weeks. The board of directors shall meet at said time and place and shall hear all objections which may be presented to it regarding the correctness of said assessment list, and shall hear all relevant testimony presented in support of or in opposition to said objections, and shall continue in session from day to day until all such objections and such evidence have been heard and acted upon, but said board shall not be required to consider any such objection unless the same was made in writing and filed with the secretary of the board before the time fixed for said meeting. Upon the completion of the hearing of all objections and all evidence as provided herein, the board shall make such changes, if any are required, in said assessment list as may be in accordance with the facts presented to the board.

SEC. 5. A new section is hereby added to said act to be known as section two *c* and to read as follows

SEC 2*c*. The secretary shall then compute and enter in the column for that purpose on the assessment list the respective sums in dollars and cents, at the rate fixed by the board of directors, to be paid as an assessment on the property therein enumerated, and said assessments shall thereupon become a lien upon the respective parcels of land described in said list The secretary shall then give notice by publication for at least three weeks that an assessment at the rate per acre fixed by the board of directors has been levied on the lands in the district, that said assessment is due and payable to the secretary at the office of the district, and that the assessment on any land which shall not be paid on or before five o'clock p.m of a day fixed in said notice, which day shall not be less than fifty nor more than sixty days from the time of the first publication of said notice, will become delinquent, and a penalty of ten per cent thereof will be added thereto. The secretary shall receive and receipt for all such assessments which may be paid to him, and, on or before the first Monday of each month shall pay all money so received by him to the county treasurer, who shall give the secretary receipts therefor and place said money in the general fund of the district The secretary shall set down, in a column provided on the assessment list for that purpose, ten per cent of the amount of each assessment not paid before the time fixed in said notice as the time when unpaid assessments will become delinquent, and the respective amounts so set down shall be added to the respective delinquent assessments, and thereafter each such delinquent assessment and penalty shall bear interest at the rate of one per cent per month until paid, or until the amount of such delinquent assessment, penalty and interest is added to an assessment by commissioners, as hereinafter provided, or until the land assessed is advertised for sale by the secretary. If an assessment is made in the district by commissioners as hereinafter provided within one year from the date when the assessments aforesaid shall have become delinquent, said commissioners shall assess upon the land covered by each such delinquent assessment the amount of said assessment, and the penalty and accrued interest thereon, in addition to any assessment upon said land for other purposes, and the amount of said delinquent assessment, penalty and interest so assessed shall become due and payable at the time when the first payment under said assessment by commissioners shall become due and payable. If an assessment by commissioners is not made in said district within said period of one year, the secretary shall prepare a list of all such delinquent assessments and advertise the delinquent property for sale and sell the same in the same manner and with the same effect as is provided in this act for such procedure by county tax collectors. A certificate of sale signed by the secretary shall have the same effect after such sale as such a certificate by a county tax collector.

SEC 6. Section four of said act is hereby amended to read as follows

SEC 4 The officers of the district shall be a board of five directors to be elected by ballot and a secretary who shall be appointed by the board of directors, *provided* that if so requested in the petition for the organization of the district the board of supervisors may order that the board shall consist of three directors No person shall be qualified to hold the office of director unless he is the holder of title or evidence of title of lands in the district, or is an officer, director, member, stockholder or duly authorized representative of a corporation or of public board or agency that is entitled to vote at district elections Each appointee to office or officer-elect shall forfeit his office unless within twenty days after he has notice of his election or appointment or before the expiration of ten days from the commencement of his term of office, when no such notice is given, he shall have filed for record with the county recorder of each county in which any of the lands contained in said district are located, his oath of office which shall be recorded in a book kept for the purpose of recording instruments and writings relating to the district If any office shall become vacant by forfeiture, death, resignation, or from any other cause the same shall be filled by appointment, by the board of directors in case of vacancy in the office of secretary, and by the board of supervisors of the county in which the district was organized in the case of a director

The officers of the district shall receive the following compensation for their services the secretary such sum as shall be fixed by the board of directors; and the directors five dollars each for each directors' meeting attended or for each day's service rendered as a director by order of the board of directors, together with any expenses incident to such service, except expenses incurred in traveling between his place of residence and the place at which directors' meetings are held.

SEC. 7. A new section is hereby added to said act to be numbered four *a* and to read as follows

SEC 4*a*. At the same time that the board of supervisors of the proper county makes its order declaring the lands within the boundaries described in said order to be organized as a water district under the provisions of this act, or within ten days from and after the making of such order, said board shall appoint from among those qualified to serve a board of directors who shall hold office until their successors are elected and qualified

SEC. 8. A new section is hereby added to said act to be numbered four b and to read as follows:

SEC. 4b. Not less than sixty nor more than ninety days from and after the formation of the district a special district election shall be held at which a district board of election shall be chosen. The said board of supervisors shall appoint a time and place for holding such election. The place shall in all cases be in or near the district. For the purposes of such election the said board of supervisors must appoint from the landholders of the district one inspector and two judges of election, who shall constitute a board of election for such district. In case the board of supervisors fail to appoint, or the persons appointed fail to attend at the time and place appointed for the election, the voters present at the time and place of opening the polls may appoint the board, or supply the place of an absent member thereof. Each member of the board, must, upon entering upon his duties, be sworn to a faithful performance thereof by some officer authorized to administer oaths. The board of election must canvass the votes cast and issue certificates of election to the persons elected, and must place the ballots, when canvassed, in an envelope and forward the same, sealed, to the clerk of the board of supervisors. Any legally qualified voter may challenge any vote, and the board of election shall determine, by the oath of the parties or otherwise, as they may think proper, whether or not the person challenged is entitled to vote, and in case of challenge, any member of the board of election is hereby authorized to administer oaths. The polls shall be open from eight a.m. until four p.m. The directors chosen at said election shall hold office until the next succeeding general election held in the district, provided that if the date fixed by law for said general election will occur within one year of the date of such special election, said directors first elected shall hold office until the date of the second general election next succeeding. In all cases district directors shall continue to serve and hold office until their successors have qualified.

SEC. 9. Section five of said act is hereby amended to read as follows:

SEC. 5. An election, which shall be known as the general district election, shall be held in each water district on the third Monday in October in each odd-numbered year, at which a successor shall be chosen to each officer whose term shall then expire. The person receiving the highest number of votes for each office to be filled at such election shall be elected thereto. The term of office of each elective officer of the district shall be two years, or until his successor is elected and has qualified. Twenty days before any general election held under this act, the secretary of the board of directors shall cause notices to be posted in three public places in the district, of the time and place of holding the election, and shall also post a general notice of the same in the office of said board specifying the polling places of the districts. Like notice of said election shall also be given by publication for three weeks. Affidavits of the publication and posting of such notice must be filed with the secretary of the district. Prior to the time for posting the notices, the board must appoint, from the voters of the district, one inspector and two judges, who shall constitute a board of election for such election. If the board fail to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of election, the voters present at that hour may appoint the board, or supply the place of an absent member thereof. The board of directors must, in its order appointing the board of election, designate the place within the district where the election must be held. Not less than ten days before the election any ten or more qualified voters of the district may file with the board of directors a petition, requesting that certain persons, specified in such petition, be placed on the ballot as candidates for the offices named in the petition. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which voters may write other names if they so desire. The petitions shall be preserved in the office of the secretary of the district.

The inspector is chairman of the election board and may administer all oaths required in the progress of an election, and appoint judges if, during the progress of the election, any judge ceases to act. Any member of the board of election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls each member of the board must take and subscribe an oath to faithfully perform the duties imposed upon him by law. Any voter of the district may administer and certify such oath. The polls must be opened at eight a.m. on the morning of the election, and be kept open until four p.m., when the same must be closed.

The ballots used at the election shall be provided by the board of directors, and one of the judges of election shall deliver to each of the qualified voters one of the ballots so provided. The ballots shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square opposite each name. The names shall be arranged in groups, alphabetically, under the designation of the office for which each person named is a candidate. Each voter shall stamp a cross, with a rubber stamp to be provided by the board of directors, in the square opposite the name of each candidate he wishes to vote for. Each ballot cast shall contain the name of the person casting the ballot with the number of votes cast by him. A list of the ballots cast shall be made by the board

of election containing the names of each voter, and if the ballot be cast by proxy the name of the person casting it, the number of votes cast by each, and whether the same be cast for or against the proposition submitted at the election.

Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain opened, and shall be conducted as nearly as practicable in accordance with the provisions of the general election laws of this state. As soon as all votes are counted, a certificate shall be drawn up on each of the papers containing the poll lists and tallies, or attached thereto, stating the number of votes each one voted for has received, and designating the office to fill which he was voted for, and the number of votes cast for and against each proposition submitted at said election, which numbers shall be written in figures and in words at full length. Each certificate shall be signed by a judge and the inspector. One of said certificates, with the poll list and the tally paper to which it is attached, shall be retained by the inspector, and preserved by him at least six months. The election board shall retain and file with the return of the election all proxies presented at said election. The ballots shall be strung upon a cord or thread by the inspector, during the counting thereof, in the order in which they are entered upon the tally list by the judges, and said ballots, together with the other of said certificates, with the poll list and tally paper to which it is attached, shall be sealed by the inspector in the presence of the judges and indorsed "Election returns of (naming the district) district, and be directed to the secretary of the board of directors, and shall be immediately delivered by the inspector, or by some other safe and responsible carrier designated by said inspector, to said secretary, and the ballots shall be kept unopened for at least six months, and if any qualified voter of the district be of the opinion that the vote has not been correctly counted, he may appear on the day appointed for the board of directors to open and canvass the returns, and demand a recount of the vote. No list, tally paper, or certificate returned from any election shall be set aside or rejected for want of form if it can be satisfactorily understood.

SEC. 10. A new section is hereby added to said act to be numbered five *a* and to read as follows:

SEC. 5*a*. The board of directors must meet at its usual place of meeting on the first Monday after each election to canvass the returns. If the returns have not been received, the canvass must be postponed from day to day until the returns have been received, or until six postponements have been had. The canvass must be made in public and by opening the returns and ascertaining the vote of the district for each person voted for, and the number of votes cast for and against each proposition, if any, submitted at said election, and declaring the result thereof.

The secretary of the board of directors must, as soon as the result is declared, enter in the records of such board a statement of such result, which statement must show: (*a*) the whole number of votes cast in the district; (*b*) the names of the persons voted for; (*c*) the office to fill which each person was voted for; (*d*) the propositions, if any, voted for; (*e*) the number of votes given to each of such persons; (*f*) the number of votes cast for and against each proposition submitted at said election. The board of directors must declare elected as directors the persons receiving the highest number of votes for such offices, according to the number of directors to be elected. The secretary must immediately make out and deliver to such persons certificates of election, signed by him, and authenticated with the seal of the board.

SEC. 11. A new section is hereby added to said act to be numbered five *b* and to read as follows:

SEC. 5*b*. If an election is not held as herein provided, then upon the filing of a petition with the secretary of the board of directors of such district, signed by ten per cent of the qualified voters residing within the boundaries of any such district, requesting that a special election be called for the election of such officers, the directors of such district shall thereupon call a special election thereof for the election of such officers, such election to be held within not less than fifteen, nor more than

SEC. 12. A new section is hereby added to said act to be numbered five *c* and to read as follows:

SEC. 5*c*. Notice of any special election to be held pursuant to the provisions of this act must be given by posting notices in three public places in the district for at least twenty days, and also by publication of said notice once a week for three successive weeks in each county in which any land in said district is located. Such notice must specify the time and place of holding the election and the purpose thereof. Unless otherwise in this act expressly specified said election shall be held and the result thereof determined and declared as nearly as may be in accordance with the provisions of this act relating to general water district elections, *provided*, that no informalities in conducting such election shall invalidate the same if the election shall have been otherwise fairly conducted. Any special election called by the board of directors may be consolidated with and held at the same time as the general district election.

SEC. 13. A new section is hereby added to said act to be numbered section five *d* and to read as follows:

SEC. 5*d*. Any election held under the provisions of this act may be contested by any person owning property within the district, liable to assessment. Such

contest shall be brought in the superior court of any county in which some portion of the land within the district is situated and shall be conducted in the manner provided for contests of election by title two of part three of the Code of Civil Procedure of California, except that in the case of a contest not involving the right of a person declared elected to an office to hold such office the directors of the district shall be made parties to the contest. The court having jurisdiction shall speedily try such contest and determine upon the hearing whether the election was fairly conducted and in substantial compliance with the requirements of this act and enter its judgment accordingly. Such contest must be brought within twenty days after the canvass of the vote and declaration of the result. The right of appeal is hereby given to either party to the record within thirty days from entry of judgment.

SEC. 14. A new section is hereby added to said act to be numbered section five-*c* and to read as follows:

SEC. 5*c*. Whenever any notice or publication, or notice of publication, or official advertising, or publication of process is required to be given or made by the provisions of this act the same, unless otherwise specifically provided in this act, shall be given or made in a newspaper of general circulation as defined by the laws of this state, printed and published in each county in which any of the lands in a water district, or a proposed water district, are situated, and if in any such county or counties there be no such newspaper then in a newspaper printed and published in an adjoining county.

SEC. 15. Section six of said act is hereby amended to read as follows:

Sec. 6. The board of directors shall choose from among its members a president; shall appoint the secretary of the district, shall select and maintain an office for the district, within or without the district, and shall hold regular monthly meetings thereat at such times as may be fixed by resolution. The location of the office or the time for holding regular meetings may be changed by resolution adopted at a regular meeting. The board may hold such other meetings as, from time to time, may be deemed advisable, *provided*, that no meetings, except regular meetings, shall be valid unless prior thereto each director shall have filed with the secretary his written consent to the same, or unless the president, or a majority of the board of directors, shall have called the same by giving each of said directors five days' written notice thereof, or unless said directors shall have authorized the same by resolution adopted at a former meeting and shall have caused five days' written notice thereof to be given by the secretary to each director not joining therein. A majority of the board of directors shall constitute a quorum for the transaction of business, but a less number than a quorum may adjourn from day to day. The vote of a majority of the board shall be necessary to determine any proposition or resolution presented, except a motion to adjourn or to adjourn to a time stated. The secretary shall keep a record of all the proceedings had at meetings of the board of directors. The books, maps, papers, contracts, records and other documents pertaining to the affairs of the district shall be filed in the office of the district with the secretary and must be open to inspection at all times during customary business hours by any person interested."

AMENDMENT NUMBER NINE.

On page 4, line 30, strike out the figure "3" following the word "Sec." and insert in lieu thereof the following: "16".

AMENDMENT NUMBER TEN.

On page 4, line 48, after the semicolon in said line, insert the following: "to enter into, and do any acts necessary or proper for the performance of, any agreement with the United States or with any state, county, district, public corporation or municipality for the use, management, maintenance, repair or operation of irrigation works in the district or the distribution of water to lands in the district,".

AMENDMENT NUMBER ELEVEN.

On page 5, line 9, strike out the word "or" and insert in lieu thereof a comma and the following: "determine the duties and".

AMENDMENT NUMBER TWELVE.

On page 5, between lines 19 and 20, insert the following:

"SEC. 17. Section eight of said act is hereby amended to read as follows:

Sec. 8. Whenever the issuance of bonds has been authorized at an election in any district as provided in this act, the board of directors of the district shall appoint three commissioners to assess upon the land in the district which will be benefited by the carrying out of the plans for which said bond issue was voted, an amount sufficient, as required herein, to provide for the payment of the principal of said bonds and the interest thereon, and, also, to establish a basis for the levying of assessments for the general expenses of the district and the operation and maintenance of its works, or to revise the existing basis for such assessments if one has previously been established. One of said commissioners may be the engineer of the district, but none of said commissioners shall have any interest direct or indirectly in any

real estate in the district. Each commissioner, before entering upon the duties herein prescribed, shall take and subscribe an oath to the effect that he is not interested in any real estate within the district and that he will perform the duties of commissioner in accordance with the provisions of this act to the best of his ability. Such oath, when so subscribed, shall be filed with the secretary of the district. Said commissioners shall receive such compensation as may be agreed upon between them and the board of directors. A majority of said commissioners must concur in any action taken by them and must sign the assessment list herein provided for. If the board of directors by unanimous vote shall so determine, only one such commissioner need be appointed, and he shall take oath as aforesaid and perform the duties herein required to be performed by the commissioners.

SEC. 18. A new section is hereby added to said act to be numbered eight *a* and to read as follows:

SEC. 8*a*. Said commissioners shall compute the total amount to be assessed by them by adding to the amount of the principal of said bonds the respective amounts to be paid as interest on said bonds until all of them will have been paid, and increasing the sum of said principal and interest by fifteen per cent thereof. The commissioners shall view the lands in the district and assess said total amount upon such of said lands as will be benefited by the carrying out of the plans for which said bonds were voted. Said total amount shall be apportioned to and assessed upon the respective parcels of said lands in accordance with the benefits that will accrue to the respective parcels from the carrying out of said plans. The commissioners shall segregate said assessment so as to show the amounts that will become due and payable in installments as hereinafter provided. If the plans for which said bonds were voted shall have provided for the acquisition or construction of any works in units at various times and shall have specified certain bonds to be used for the acquisition or construction of each such unit, then the commissioners shall assess as aforesaid upon the respective parcels of land that will be benefited by the acquisition or construction of each such unit the total amount, computed as aforesaid, to provide for the payment of the principal of and interest on the bonds specified for the acquisition or construction of each such unit.

SEC. 19. A new section is hereby added to said act to be numbered eight *b* and to read as follows:

SEC. 8*b*. Said commissioners shall also estimate the amount which will be required annually, after the carrying out of the plans for which said bonds were voted, to provide for the general expenses of the district and the cost of operating and maintaining its works, and shall apportion the amount of said estimate to the lands in the district in accordance with the benefits which will accrue to the respective parcels from the general operations of the district and the operation and maintenance of its said works.

SEC. 20. A new section is hereby added to said act to be numbered eight *c* and to read as follows:

SEC. 8*c*. Said commissioners shall prepare a list of the lands within the district, which shall show under appropriate headings the following:

1. The name of the owner, or the names of the owners, of each parcel of land separately listed. If the name of any owner is not known to the commissioners it shall be designated as "Unknown owner."

2. A description of each parcel of land separately assessed, sufficient to identify it.

3. The number of acres in each parcel separately assessed.

4. The amount in dollars and cents of the total assessment on each parcel of land separately assessed and the amounts of the respective installments thereof that will become due and payable at the respective dates at which they will respectively become due and payable in accordance with this act.

5. The amount in dollars and cents apportioned by the commissioners to each parcel of land as the proportion for which it should be assessed for the estimated annual cost of the general expenses of the district and of the operation and maintenance of its works.

The last equalized assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description and area of such land, but the commissioners may make changes from said assessment roll in accordance with any facts of which they have knowledge, or in accordance with the records in the office of the county recorder of said county. No misnomer of any owner of land and no other error in regard to the ownership, description or area of such land shall invalidate said assessment, or said apportionment, or any assessment based upon said apportionment. If land is assessed according to separate units, as above provided, the apportionment referred to in subdivision five hereof shall be so arranged as to show the portion, if any, of the general expenses of the district which should be assessed upon any land before the completion of the unit of the works for which it has been assessed.

SEC. 21. Section nine of said act is hereby amended to read as follows:

SEC. 9. When the commissioners shall have completed the assessment and apportionment list as above provided they, or a majority of them, shall sign it and file it with the secretary of the district, who shall present it to the board of directors at any meeting thereof. The board shall fix a time for the hearing of objections to and petitions for the modifications of said assessment or said apportionment,

which time shall be not less than twenty-five days nor more than forty days from the date of the meeting at which the time was fixed. The secretary shall give notice of the time and place for said hearing by publication for at least three successive weeks. Said notice shall state the fact of the appointment of said commissioners and the purposes of their appointment and shall notify all persons interested in any land within the district that said assessment and apportionment list is on file at the office of the district and open for public inspection and that the board of directors of the district will meet at the office thereof at the time fixed as aforesaid to hear and act upon any objection to or application for the modification of the assessment or the apportionment, provided that such objection or application is in writing and shall have been filed in the office of the district before the time fixed for said hearing. At said time the board shall meet at the office of the district and receive all such written objections and applications and shall proceed to a hearing thereon. If a quorum of said board is not present at the time fixed, a minority of the board or the secretary may adjourn the meeting from time to time until a quorum is present, but no such adjournment shall be for more than forty-eight hours. The board may adjourn any hearing to a place other than the office of the district if such adjournment is deemed proper to facilitate the hearing. The board shall hear all competent and relevant evidence that may be offered in support of such objections and applications and in opposition thereto and may call witnesses and make such investigations relating to said assessment or said apportionment as it may deem proper and may adjourn from time to time for such purposes. At the conclusion of the hearing the board, if it shall find that any changes in said assessment or apportionment are necessary, it shall make such changes so that said assessment and said apportionment shall be in accordance with the requirements of this act, and in so doing the board may increase or decrease the assessment upon or the apportionment to any parcel of land or change the boundaries or the area of any parcel or make any other changes in accordance with the facts shown at said hearing or by said investigation, but no increase in the assessment upon or apportionment to any parcel of land shall be made by the board unless the owner or owners of said land shall be present when such increase was proposed or discussed by the board or unless a time for the consideration of such proposed increase shall have been fixed by the board and notice to appear at said time to show cause why such increase should not be made shall have been served on the owner or owners of the land at least five days before said time. After such changes, if any, have been made the board shall by resolution confirm and adopt said assessment and apportionment as so modified, or as submitted by the commissioners if no changes have been made by the board. A copy of said assessment and apportionment list as so confirmed and adopted with a copy of the resolution of the board confirming and adopting said assessment and said apportionment shall be certified by the secretary as correct and shall be filed in the office of the county recorder of the county in which the district is situated, or, if the district is situated in more than one county, then a copy of said list and said resolution, so certified, shall be filed in the office of the county recorder of each county in which any of the land in the district is situated. From and after the filing of said copies of said list and said resolution in the office of said county recorders, the assessment upon each parcel of land described in said list shall be a lien thereon.

SEC. 22. A new section is hereby added to said act to be numbered nine *a* and to read as follows:

SEC. 9*a*. The assessment and apportionment list, when confirmed and adopted by the board of directors as aforesaid, shall be prima facie evidence of the regularity and validity of all proceedings in relation thereto and that all the requirements of law in regard to said assessment and said apportionment have been complied with, and no action attacking the regularity, correctness or validity of said assessment or said apportionment shall be maintained unless such action is commenced within thirty days after said certified copies of said apportionment and said assessment list and said resolution of the board of directors shall have been filed with said county recorder or recorders.

SEC. 23. Section ten of said act is hereby amended to read as follows:

SEC. 10. The assessment confirmed and adopted by the board of directors as aforesaid shall be due and payable in installments as follows: An installment in an amount fifteen per cent greater than the total amount of interest due on said bonds on the first day of January of any year shall be due and payable on the first Monday of the next preceding October and if any of said bonds are to mature on or after said first day of January and prior to the first day of the next ensuing July, said installment shall be increased by an amount fifteen per cent greater than the total amount of said bonds so to mature; an installment in an amount fifteen per cent greater than the total amount of interest due on said bonds on the first day of July of any year shall be due and payable on the first Monday of the next preceding May, and if any of said bonds are to mature on or after said first day of July and prior to the first day of the next ensuing January, said installment shall be increased by an amount fifteen per cent greater than the total amount of said bonds so to mature.

SEC. 24. A new section is hereby added to said act to be numbered ten *a* and to read as follows:

SEC. 10*a*. After the confirmation and adoption of an apportionment of an estimate by commissioners of the annual amount required by the district for its general expenses and the cost of operating and maintaining its works, as hereinbefore provided, the board of directors, whenever it shall determine that money will be needed for any of such purposes before the end of the next ensuing calendar year, shall estimate the amount that will be needed for such purposes during said period and shall increase said estimate by fifteen per cent thereof and levy said increased amount as an assessment upon the lands in the district, to be apportioned in accordance with the apportionment aforesaid. The rate of said assessment shall be determined by dividing the total amount thereof by the amount of said estimate of annual cost on which the apportionment aforesaid was based. The secretary shall compute in dollars and cents to be paid as an assessment on each parcel of land described in said apportionment list by multiplying the amount apportioned to said parcel in said apportionment by the rate of assessment. On or before the twentieth day of September of each year after the levying of said assessment, the board shall, if necessary, make another assessment in like manner for said purposes. The assessments so levied shall be payable in two equal annual installments, which shall be due and payable respectively on the first Monday in October next following the date of its levy and the first Monday in May next thereafter, but the board may provide in the order levying any such assessment that it shall be payable in two unequal installments and may fix the proportion of the whole of which each installment shall consist, and if the first of said assessments shall be levied before the first day of May of any year and after the first day of October of the next preceding year, the board shall make its estimate of the amount of money required for the period ending with the month of December next after said month of May, and in that case the entire assessment shall be due and payable on the first Monday of said month of May. If any assessment due and payable under the provisions of this act in the month of October of any year is not paid before five o'clock p.m. of the third Monday in December of that year said assessment shall then become delinquent, and if any assessment due and payable under the provisions of this act in May of any year is not paid before five o'clock p.m. of the third Monday in June of that year, said assessment shall then become delinquent. When any assessment becomes delinquent, a penalty of ten per cent of the amount thereof must forthwith be added thereto by the officer whose duty it may be to collect said assessment, and said penalty must thereafter be collected with said assessment as hereinafter provided. Any assessment or any installment of an assessment may be paid before it is due, to the officer charged with the collection of the assessments of the district.

SEC. 25. A new section is hereby added to said act to be numbered ten *b* and to read as follows:

SEC. 10*b*. Whenever any assessment has been confirmed and adopted by the board of directors or levied in accordance with an apportionment as aforesaid, the secretary shall file with the tax collector of the county in which the district is situated a list showing the name of each person assessed, the description of each parcel of land assessed and the area thereof as the same appear on the assessment and apportionment list, the amount assessed against each parcel assessed, the amount of each installment of said assessment if the same is payable in installments and the date when said assessment or the dates when the respective installments thereof will be due and payable. If the district is situated in more than one county, the secretary shall file with the tax collector of each county in which any land in the district is situated a list showing the foregoing facts as to the lands in the district that are within said county. Said list or lists shall be certified by the secretary as correct and shall contain blank columns in which the tax collector may enter the amount and date of the payment of each assessment or installment thereof, the date of its delinquency if it becomes delinquent, the total amount due after delinquency and the date of payment and amount paid on any delinquent assessment. The secretary shall also give notice by publication for at least three weeks beginning in the month in which any assessment or assessments or installment or installments thereof are due and payable stating that said assessment or assessments or installment or installments of an assessment or assessments of said district are due and are payable at the office of the tax collector of the county in which the land assessed is situated, and stating also the time when said payment will become delinquent and that a penalty of ten per cent of the amount due will be added if payment is not made before said time. Failure to give such notice shall not invalidate or affect any assessment confirmed and adopted after a report by commissioners and a hearing by the board of directors. The tax collector or tax collectors shall receive all moneys paid on assessments of the district as shown by the list or lists filed with him or with them as above provided and on or before the last Monday in each month shall pay to the treasurer of the county in which the district or the greater portion thereof, is situated all moneys so received. Said treasurer shall give receipts for all moneys so received by him and shall transmit to the secretary of the district signed duplicates of all such receipts.

SEC. 26 A new section is hereby added to said act to be numbered ten c and to read as follows

SEC. 10c Before the first day of July of each year after an assessment for the payment of interest on and principal of bonds has been confirmed and adopted, any owner of land assessed may file in the office of the district a petition in writing, praying that the assessment on said land for said purposes or the apportionment of the estimate of annual expenses of the district upon said land, or both said assessment and apportionment, be changed. The petition shall describe the land and state the reasons on which said prayer is based. At the regular meeting of the board in July of said year the board shall receive all petitions so filed and shall proceed to hear them at said meeting or at such time as the board may fix for that purpose At said hearing the board shall hear all competent and relevant evidence offered in support of or in opposition to said petitions and shall take such additional evidence and make such investigations regarding said matters as it may deem proper. The board may, also, at any time before the first day of July of any year serve written notice upon the owner or owners of any land so assessed to appear at the office of the board at a time specified in said notice, which time shall be at least three weeks after the date of the service of said notice, to show cause why the amount assessed upon said land, which must be described in said notice, should not be increased for reasons which must be stated in said notice. At the time so fixed the board shall meet and call witnesses in support of the proposal to increase said assessment, and shall also hear all competent and relevant testimony offered in opposition to such proposed increase At the close of any such hearing or hearings, which must be concluded not later than the fifteenth day of September following said first day of July, the board shall, if it shall find that any changes in said assessment or in said apportionment are required, make an order changing said assessment or said apportionment, or both, in such particulars as may be necessary to make said assessment and said apportionment conform to the requirements of this act. A copy of said order, certified by the secretary shall be filed in the office of the county recorder of the county in which the land affected thereby is situated, or in the office of the county recorder of each county in which any of said land is situated if it is situated in more than one county. Upon the filing of said copy or copies with said county recorder or county recorders the lien of the assessments changed in said order shall be divested and the assessments set forth in said order shall respectively become liens upon the land affected The secretary shall, at the time of filing a copy or copies of the annual assessment list with the county tax collector or tax collectors, note any changes in the ownership of lands within the district of which he has knowledge The board of directors by unanimous vote may, and, upon receiving a petition therefor signed by at least twenty-five per cent of the holders of title or evidence of title to lands listed on the last apportionment list, representing at least twenty-five per cent of the total amount of said apportionment, must provide for the appointment of new commissioners to prepare a new assessment for the payment of outstanding bonds of the district or a new apportionment of the estimate of annual expenses, or both In case such new commissioners are appointed the same procedure shall be followed as is provided in the case of an original appointment, and upon the filing of a certified copy or certified copies of the assessment list or apportionment list or both, together with a certified copy or copies of the resolution of the board of directors confirming and adopting the list or lists, the lien of all assessments for which a new assessment list may have been made shall be divested and the assessments shown on said new list shall become a lien on the land assessed, and the new apportionment list, if one has been confirmed and adopted, shall become the apportionment list for the district.

SEC 27 Section eleven of said act is hereby amended to read as follows:

SEC 11 On or before the tenth day of July of each year the tax collector of any county in which is situated any land in any water district whereon any assessment or installment thereof is delinquent shall prepare and publish a list of all such delinquent assessments or installments Said list shall be prepared and published in substantially the same form as delinquent lists for county taxes Said list shall be published for at least three successive weeks in a newspaper, published in said county together with a notice stating that the delinquent property described in said list will be sold for the amounts specified therein in front of the courthouse of said county at a time to be specified in said notice, which shall be not more than thirty days from the date of the first publication of such notice At the time stated in said notice, or at some other time to which said sale may have been postponed by said tax collector, the tax collector must offer said property for sale at public auction, beginning at the top of the list and offering each parcel successively until all the parcels advertised have been offered for sale The owner or person in possession of any property advertised for sale may designate to the tax collector in writing before the sale the portion of the property which he wishes sold if less than the whole, and if no such designation has been received, the tax collector may designate the portion to be sold The person who will take the smallest quantity of any parcel of land, or, if an undivided interest is delinquent, the least portion of the interest, and pay the amount of the delinquent assessment and penalty, together

with one dollar as costs, shall be declared the purchaser of the land or interest therein for which he made the bid. If no bid is received for a parcel advertised or for any part thereof, or if the person declared the purchaser shall fail to pay the amount required within twenty-four hours after the sale to him, the whole of the property shall be struck off to the district as the purchaser. A certificate of such sale shall be executed by the tax collector to the purchaser upon payment of the amount required, or to the district if it is the purchaser, and this certificate shall be recorded in the office of the county recorder of the county. Any person interested in said property may redeem the same at any time within one year from the date of said sale by paying to the county tax collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of said sale.

SEC. 28. A new section is hereby added to said act, to be known as section eleven *a*, to follow section eleven, and to read as follows:

SEC. 11*a*. If no redemption of land sold for delinquent assessments as aforesaid shall have been made within one year from the date of said sale, the purchaser, or his successor in interest shall be entitled to a deed to said property, and the county tax collector of the county in which said land is situated shall execute such a deed upon demand of the person entitled to the same. The effect of such a deed shall be to convey said property free and clear of all liens and encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by statutory authority, and any subsequent district assessment. The district as a purchaser at a sale for delinquent assessments shall be entitled to all the rights of a private purchaser. The board of directors may sell any property so sold to the district, or the interest of the district in such property by virtue of a certificate of sale, but such property or interest must be sold at public auction, after notice by publication for at least two successive weeks of the time and place of said sale, which notice shall describe the property to be offered for sale, and no such property shall be sold for less than the amount that would be required to redeem it if the district has not yet received a deed to it, or for less than the amount that would have been required to redeem it on the day before the district became entitled to a deed, together with interest on said amount at the rate of seven per cent per annum from that time if the district has been given a deed to the property. Any property held by the district under a certificate of sale may be redeemed at any time before the district has received a deed to it for the minimum amount for which the district would be allowed to sell it if a deed had been given to the district.

SEC. 29. A new section is hereby added to said act, to be known as section eleven *b*, to follow section eleven *a*, and to read as follows:

SEC. 11*b*. If any bonds for the payment of which an assessment has been confirmed and adopted shall not have been sold when an installment of said assessment shall become due and payable, the county treasurer may, if so authorized by the board of directors of the district, credit on said installment the amount of any interest coupons of said bonds that have matured or that would mature before the next installment of said assessment shall become due and payable. If at any time after paying or providing for the payment of the principal of all outstanding bonds of the district that will mature before the next installment of an assessment in the district will become due and payable and after paying or providing for the payment of all bond interest coupons that will mature before the same time, there shall be in the bond fund of the district an amount in excess of fifteen per cent of the largest installment to become due in the district for the payment of the principal and interest of bonds, the county treasurer shall invest in bonds of the United States or of this state a portion of said bond fund equal to at least fifteen per cent of said largest installment and keep said bonds in the bond fund to be sold only in case of emergency in the district or as hereinafter provided. Any other accumulations in the bond fund above the amounts needed for the payment of principal of and interest on bonds of the district shall be credited by the treasurer, in such amounts as he may deem most practicable, upon installments of assessments for the payment of interest on or principal of bonds. When any money is credited by the treasurer on an installment of an assessment as aforesaid, he shall notify the tax collector or tax collectors who are required to collect such installment of the proportion of said installment which he has credited thereon, and said tax collector or tax collectors shall thereupon credit the same proportion upon the portion of said installment assessed upon each parcel of land. If any land-owner shall have paid his portion of said installment, then he shall be credited with the proper amount upon the next unpaid portion of an installment assessed upon his land. After two-thirds of the total amount of bonds issued by the district shall have been paid the treasurer shall, when so directed by the board of directors of the district, sell the bonds in the bond fund and apply the proceeds thereof as a credit on one or more unpaid installments of district assessments.

SEC. 30. A new section is hereby added to said act, to be known as section eleven *c*, to follow section eleven *b*, and to read as follows:

SEC. 11*c*. The board of directors of a district may at any time call a special election and submit to the electors of the district the question whether a special assessment shall be levied for any of the purposes for which the district may be

authorized to expend money. The provisions of this act regarding the notice for and holding of elections for the issuance of bonds shall apply to the elections provided for in this section so far as practicable. The notice may state that said assessment shall be payable at one time or in not more than six semi-annual installments and in the latter case shall specify the amount of each installment. If two-thirds of the votes cast at said election shall be in favor of levying said assessment, the board of directors shall so declare and shall appoint commissioners or a commissioner, as hereinbefore provided in the case of an issue of bonds, who shall assess the amount of said assessment upon the lands in the district that will be benefited by carrying out the purpose or purposes for which said assessment was voted. Said assessment shall be apportioned to said lands according to said benefits and an assessment list shall be prepared and filed in the office of the district, a hearing shall be held thereon, whereof notice shall be given, and said assessment shall be modified by the board of directors, if necessary, and confirmed and adopted, as hereinbefore provided in the case of such an assessment for the payment of the principal of bonds.

SEC. 31. Section twelve of said act is hereby amended to read as follows:

Sec. 12. If any assessment shall be adjudged invalid the board of directors may appoint commissioners again to assess the proper amount upon the lands of the district that will be benefited, if said invalid assessment was prepared by commissioners, *and the board may levy another assessment for the same purpose or purposes if* said invalid assessment was levied by the board upon an apportionment or as a uniform amount per acre."

AMENDMENT NUMBER THIRTEEN

On page 5, line 20, strike out the figure "4" and insert in lieu thereof the figure "32".

AMENDMENT NUMBER FOURTEEN

On page 6, after line 10, add the following:

"SEC. 33. Section fourteen of said act is hereby amended to read as follows:

Sec. 14. Bonds of the district, when issued, shall be payable in gold coin of the United States in twenty series as follows, five per cent of the whole amount of said bonds at the expiration of eleven years and at the expiration of each succeeding year to and including the expiration of thirty years from the date of execution thereof; they shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; and they shall be signed by the president of the board of directors and attested by the county auditor of the county in which the district was organized. Each bond must be made payable at a given time for its entire amount and not for a percentage, shall bear interest at a rate not in excess of seven per cent *per annum, payable semiannually on the dates therein named at the office of said* county treasurer upon the presentation and surrender of the proper coupons therefor, and the principal thereof shall be payable when due upon the presentation and surrender thereof to said county treasurer by the holder of the same. Each issue shall be numbered consecutively and the bonds of each issue shall be numbered consecutively and bear date at the time of their issue. Coupons for each installment of interest shall be attached to the bonds and shall be numbered the same as the bonds and attested by the fac-simile signature of the county auditor of the county in which said district was organized.

Subject to the provisions of this act, the board of directors shall prescribe the form of the bonds.

Bonds of the district, as soon as issued, shall be delivered to the county treasurer of the county in which the district or the greater portion thereof is situated. Said county treasurer shall, when he receives the same, place the said bonds to the credit of the district and he shall, in a book provided for that purpose, keep a record of said bonds and of the payment thereof and the interest thereon.

SEC. 34. Section sixteen of said act is hereby amended to read as follows:

Sec. 16. For the purpose of completing the irrigation works and the drainage works, and of acquiring the lands, property, property rights, water and water rights necessary or proper therefor and to supply the lands contained in the district with sufficient water for irrigation purposes, or for the purpose of making additions to said irrigation or drainage works, or for the purpose of paying for and retiring any issue of bonds previously made, the district may, when it is necessary or proper therefor, issue additional bonds in the same manner as is hereinbefore provided for the original issue of bonds.

SEC. 35. Section seventeen of said act is hereby amended to read as follows:

Sec. 17. The board of directors may sell said bonds from time to time in such quantities as may be necessary and most advantageous.

Before making any sale the board shall at a meeting by resolution declare its intention to sell a specified amount of the bonds and the day and hour and place of such sale and shall cause such resolution to be entered in the minutes and notice of the sale to be given, by publication thereof at least three weeks in some newspaper published in the county where the office of the board of directors is located and in any other newspaper at its discretion. The notice shall state that sealed proposals will be received by the board at their office for the purchase of bonds till the day and hour named in the resolution. At the time appointed the board shall open the

proposals and award the purchase of the bonds or any portion or portions thereof to the highest responsible bidder or bidders, *provided, however*, that they may reject any or all bids; *and provided, further*, that no proposal shall be accepted which is not accompanied by a certified check for such reasonable percentage of the amount of the bid as shall be determined by the board of directors, but in no event less than two per cent of the amount thereof to apply on the purchase price of the bonds, the amount of which check shall be forfeited if after the acceptance of the proposal the bidder shall refuse to accept said bonds and complete his purchase thereof on the conditions stated in his proposal. In case no award is made, the board thereafter may either readvertise said bonds or any part thereof for sale or sell the same or any part thereof at private sale.

SEC. 36. Section twenty-one of said act is hereby amended to read as follows:

SEC. 21. The county treasurer of the county in which the district, or the greater portion thereof, is situated shall receive to the credit of the district and in trust for its uses and benefits all the fund thereof, and all such funds belonging to the district, or to which the district is entitled, shall, when received, except as herein otherwise provided, be paid by the person so receiving them to the said treasurer. The treasurer shall establish for the district two funds, which shall be designated as the bond fund and the general fund. The bond fund shall consist of all moneys raised by assessments or otherwise for the payment of the principal of or interest on bonds of the district, the proceeds of the sale of land for assessments for such purposes which have become delinquent, and the proceeds of any investments of moneys of the bond fund. All other moneys of the district shall be paid into the general fund. The moneys placed in the bond fund shall be used for the payment of the principal of and interest on bonds of the district, and, except as herein otherwise provided, shall not be used for any other purpose until all the bonds of the district have been paid. Moneys in the general fund shall not be paid out by the treasurer except on warrants ordered by the board of directors and signed by the president of the board and countersigned by the secretary. Such warrants are and shall be considered as contracts for the payment of money, and the period prescribed for the commencement of an action based thereon, or connected therewith, is and shall be the term of four years from the date of their issuance.

SEC. 37. Section twenty-two of said act is hereby amended to read as follows:

SEC. 22. Except as herein otherwise provided, every holder of title or evidence of title to land contained in said district, and no other, shall be qualified and entitled to vote either in person or by proxy at any election held by said district. Each voter shall have one vote for each dollar's worth of land, the title to which is held by him as above provided. The word "holder" as used in this section includes any state board or agency in which is vested the charge and control of land belonging to the state, and situated in the district.

The next preceding equalized assessment roll of the county in which said land is situated shall, for the purposes of this section, be sufficient evidence of ownership and of the value of the property so owned.

If any parcel of land is assessed on any such assessment roll to unknown or fictitiously named owners, or to unnamed owners in addition to any owner or owners named thereon, said parcel of land shall be deemed to have but one owner in addition to any owner or owners whose true name or names may be purported to be given on such assessment roll. The holder of title or evidence of title to an undivided interest in any land affected by any of the provisions of this act may vote at any election provided for in this act, and such undivided interest shall be counted and valued as though it were a separate interest, and if the assessment roll shall fail to indicate the extent of any such undivided interest the holders of title or evidence of title whose undivided interests in any land are not specifically defined shall be deemed to have equal shares therein. Where property has been conveyed prior to the election and such change of interest does not appear by such assessment roll, the original deed of conveyance, or a copy thereof duly certified by the county recorder of the county wherein the same has been recorded, or otherwise authenticated, shall be sufficient evidence to entitle the holder thereof to vote the acreage therein described. Any person not legally qualified to vote who shall make any false statement in respect to his right to vote shall incur all of the penalties provided in the Penal Code of the State of California for persons illegally voting at elections. The certificate of the register of the United States land office for the district in which the lands are situated, or of the surveyor general of the State of California, shall be sufficient evidence of possessory right in any lands entered under the laws of the United States or of the State of California. Guardians, personal representatives and other persons holding land in a trust capacity under appointment of court may vote at any election in behalf of the estate represented by them without obtaining any special authority therefor.

SEC. 38. Section twenty-three of said act is hereby amended to read as follows:

SEC. 23. No proxy shall be valid and no proxy shall be accepted or vote allowed thereon at any election held under the provisions of this act unless the same be executed in writing by the person, corporation, state board or agency entitled to the votes for which the proxy is given. Every proxy shall specify the election for which it is given, shall only be used at such election, and shall be revocable at the pleasure of the person executing it.

Every proxy shall be subscribed and shall be acknowledged in the manner prescribed by law for the acknowledgment, for purposes of recordation, of an instrument affecting the title to or possession of real property, and shall be substantially in the following form

Know all men by these presents, That the undersigned, the holder of title or evidence of title to land contained in _____ Water District, hereby constitutes and appoints_____the true and lawful proxy of the undersigned, for and in the name, place and stead of the undersigned, to vote on any and all matters and questions at the district election to be held at _____ on the _____ day of _____, 19__, and to cast thereat the number of votes to which the undersigned, as holder of land in said district, shall be entitled.

_____

SEC 39. A new section is hereby added to said act to be numbered thirty-four and to read as follows:

SEC. 34. This act, whenever cited, referred to or amended, may be designated simply as the "water district act of 1913."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 779—An act to amend section 1 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out the words "section one" and insert in lieu thereof the following "sections one and six"

AMENDMENT NUMBER TWO.

On page one of the printed bill, strike out line six and insert in lieu thereof the following

"Section 1. When used in this act, the term "veteran" includes any citizen of the United States who has served on active duty in the army, navy or marine corps of the United States in time of war and has received an honorable discharge therefrom or who has been released from active duty under honorable conditions and who was, at the time of his enlistment, induction, commission or drafting, a bona fide resident of the State of California, but does not include—

1. Any person at any time after April 5, 1917, separated from such forces under other than honorable conditions,

2. Any person at any time after April 5, 1917, separated from the military or naval forces on account of alienage

3. Any person who performed no military duty whatever or refused to wear the uniform,

4. Any person who has received from another state a bonus, compensation or benefit, the prerequisites of which are service in the army, navy, or marine corps of the United States, which service is the basis for the claim for benefits under this act; or

5. Any person who did not enter the military or naval forces of the United States prior to November 12 1918

SEC 2 Section six of said act is hereby amended to read as follows:

SEC 6 Any veteran who has taken advantage of the benefits of the California veterans' welfare act or of the veterans' farm and home purchase act, adopted at the forty-fourth session of the legislature of the State of California shall be precluded from taking advantage of the opportunities offered under the provisions of this act

The legislature hereby declares that no act that has been or may be adopted by the legislature of the State of California at its forty-fifth session, which act provides for the reversion of unexpended balances of appropriations, including an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations, and to repeal an act entitled 'An act to provide for the reversion of unexpended balance of certain appropriations,' approved May 18, 1921," is intended to or shall in any way affect the appropriations, or any portion of the appropriations, made by the said legislature at its forty-fourth session in and by,

"An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war and making an appropriation therefor", approved May 30, 1921.

SEC 3. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act The legislature hereby declares that it would have passed this act, and each section subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 781—An act to amend section 1 of an act entitled, "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out the words "section one" and insert in lieu thereof the following: "sections one, two, three, four, five, six, seven, eight, eleven, twelve, thirteen fifteen, fifteen a, sixteen, seventeen, eighteen, nineteen, twenty, twenty-four, twenty-five and twenty-eight."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out line 5, and insert in lieu thereof the following

"SECTION 1 This act whenever cited, referred to or amended, may be designated as the California veterans welfare act

SEC 2 Section two of said act is hereby amended to read as follows:

SEC 2. When used in this act, the term "veteran" includes any citizen of the United States who has served on active duty in the army, navy or marine corps of the United States in time of war and has received an honorable discharge therefrom or who has been released from active duty under honorable conditions and who was, at the time of his enlistment, induction, commission or drafting, a bona fide resident of the State of California, but does not include:

1. Any person at any time after April 5, 1917, separated from such forces under other than honorable conditions:

2. Any person at any time after April 5, 1917, separated from the military or naval forces on account of alienage,

3. Any person who performed no military duty whatever or refused to wear the uniform

4. Any person who has received from another state a bonus, compensation or benefit, the prerequisites of which are service in the army, navy, or marine corps of the United States, which service is the basis for the claim for benefits under this act, or

5. Any person who did not enter the military or naval forces of the United States prior to November 12, 1918.

SEC. 3 Section three of said act is hereby amended to read as follows.

SEC 3. For the purposes of this act the "veterans' welfare board" is hereby created This board shall consist of five members to be appointed by the governor to hold office for a term of four years and until their successors have been appointed and shall qualify. Four of such members shall be veterans. Of the members first appointed one shall be appointed to hold office until the first day of January, 1922, one until the first day of January, 1923, one until the first day of January, 1924, and two until the first day of January, 1925. The governor shall designate one of the veteran members as chairman of the board and director of veterans' welfare. The secretary may or may not be a member of the board.

Each member of the board other than the chairman and other than the secretary if he be a member of the board, shall receive for each day's attendance at each meeting of the board a per diem to be fixed by the state board of control with the approval of the governor, and shall also receive the same per diem for each day spent in performing any duty required of him under the direction of the board in the performance of its official duties. The chairman shall receive a salary to be fixed by the state board of control, with the approval of the governor. The members shall also receive their actual necessary traveling expenses in the discharge of their duties. Each member of the board shall be a civil executive officer.

The board may select and employ such expert, technical, clerical and other assistance as may be necessary. The board shall fix the salaries of all employees with the approval of the state board of control.

SEC. 4. Section four of said act is hereby amended to read as follows:

Sec. 4. The veterans' welfare board hereinafter called "the board" shall constitute a body corporate with the right on behalf of the state to hold property, receive and request donations, sue and be sued and all other rights provided by the constitution and laws of the State of California as belonging to bodies corporate. Three members of the board shall constitute a quorum and such quorum may exercise all the power and authority conferred on the board by this act.

The board shall have power to cooperate and to contract with the duly authorized representatives of the United States government in carrying out the provisions of this act.

The object of this act is to provide useful employment and the opportunity to acquire farm homes with profitable livelihood on the land for veterans and to provide for cooperation of the state with the agencies of the United States engaged in work of a similar character.

SEC. 5. Section five of said act is hereby amended to read as follows:

Sec. 5. For the purposes of this act, the board may acquire on behalf of the state by purchase, gift or the exercise of the power of eminent domain, all lands, water rights, and other property needed for the purposes hereof, and may take title in trust and shall without delay improve, subdivide, and sell such land, water rights and other property with appurtenances and rights to approved bona fide settlers who are veterans, the board shall have the authority to set aside for townsite purposes a suitable area acquired under the provisions of this act and to subdivide such area and sell or lease to veterans or others the same for cash, or on such terms and in lots of such size, and with such restrictions as to sale as the board shall deem proper, *and provided, further*, that the board shall have authority to set aside and dedicate to public use such area or areas as it may deem desirable for roads, school houses, churches or other public purposes.

SEC. 6. Section six of said act is hereby amended to read as follows:

Sec. 6. Whenever the board believes that private land should be purchased for settlement under this act, it shall give notice by publication in one or more newspapers of general circulation in this state setting forth approximately the location, area and character of the land desired and the conditions that shall govern the proposed purchase and inviting owners of land to submit such land for inspection.

SEC. 7. Section seven of said act is hereby amended to read as follows:

Sec. 7. Within thirty days thereafter the board shall direct an officer or a representative in its employ, or one or more persons who may, at its request, be designated by the dean of the college of agriculture of the University of California, to inspect and report on all such tracts of land so submitted as suitable for closer settlement.

SEC. 8. Section eight of said act is hereby amended to read as follows:

Sec. 8. Each report of such inspection of tracts of land so submitted shall as far as practicable specify:

(*a*) Situation and brief description thereof;

(*b*) Extent and situation of land comprising so much of any tract as it is proposed to acquire;

(*c*) Names and addresses of the owners thereof;

(*d*) Character of water rights;

(*e*) Nature of improvements;

(*f*) Crops being grown on land;

(*g*) Appraisement of value of land, water rights and improvements.

SEC. 9. Section eleven of said act is hereby amended to read as follows:

Sec. 11. All sales to settlers of land under this act shall be made upon such terms and conditions as shall give to the board full control of any subdivisions thereof until all moneys advanced by the state for the purchase, improvement, or equipment of such subdivisions are fully repaid together with interest thereon as herein provided.

SEC. 10. Section twelve of said act is hereby amended to read as follows:

Sec. 12. Immediately upon taking possession of any land purchased as above or otherwise acquired, and after deducting any areas to be set aside for townsites or public purposes in accordance with this act, the board shall subdivide it into areas suitable for farm and farm laborer's allotments, and lay out, and where necessary, construct roads, ditches and drains for giving access to and insuring proper cultivation for the several farms and farm laborer's allotments. The board, prior to disposing of it to settlers, or at any time after such land has been disposed of, but not after the end of the fifth year from the commencement of the term of the settler's contract of purchase, may

(*a*) Prepare all or any part of such land for irrigation and cultivation;

(*b*) Seed, plant, or fence such land, and cause dwelling houses and outbuildings to be erected on any farm allotment and make any improvements not specified above necessary to render the allotment habitable and productive in advance of, or after

settlement, the total cost to the board of such dwelling, outbuildings and improvements not to exceed five thousand dollars on any one farm allotment;

(c) Cause cottages to be erected on any farm laborer's allotment and provide a domestic water supply, the combined cost to the board of the cottage and water supply not to exceed one thousand five hundred dollars on any one farm laborer's allotment;

(d) Make loans not to exceed three thousand dollars to any one settler for the purchase of necessary live stock and equipment such loans to be secured in any manner that the board may direct or without security other than the personal obligation of the settler.

SEC. 11. Section thirteen of said act is hereby amended to read as follows:

Sec. 13. Authority is hereby granted to the board, where deemed desirable, to operate and maintain any irrigation works constructed to serve any lands acquired and sold under the provisions of this act. All moneys received in tolls or charges for the operation and maintenance of any works or for any water supplied therefrom shall be deposited in the veterans' welfare fund for land settlement created by this act and shall become available for the payment of any charges or expenses authorized in this act to be paid from said veterans' welfare fund for land settlement.

SEC. 12. Section fifteen of said act is hereby amended to read as follows:

Sec. 15. Lands disposed of under this act other than land set aside for townsites or public purposes shall be sold either as farm allotments each of which shall have a value not exceeding, without improvements, fifteen thousand dollars, or as farm laborer's allotments each of which shall have a value not exceeding, without improvements, one thousand dollars.

Before any part of an area is thrown open for settlement there may be such notice thereof given once a week for four weeks in one or more daily newspapers of general circulation in the State of California, setting forth the number and size of farm allotments or farm laborer's allotments, or both, the prices at which they are offered for sale, the terms of payment and such other particulars as the board may deem proper and specifying a definite period within which applications therefor shall be filed with the board on forms provided by the board. The board shall have the right in its discretion to reject any and all applications and may readvertise as aforesaid until it receives and accepts such number of applications as it may deem necessary. If no application satisfactory to the board is received for any farm allotment or farm laborer's allotment following such advertising, the board at any time prior to readvertising may sell to an approved applicant any such farm allotment or farm laborer's allotment at the price at which it was theretofore offered for sale. The board shall have the power in dealing with any such farm allotments or farm laborer's allotments for which there have been no applications satisfactory to the board to subdivide or consolidate any one or more of such allotments and fix the prices thereof, *provided*, that the limitation of fifteen thousand dollars for a farm allotment and one thousand dollars for a farm laborer's allotment, as herein set forth is not violated. The board may also sell at public auction, under such conditions of sale and notice thereof as the board may prescribe, any areas which the board may determine are not suitable for farm allotments or farm laborer's allotments, whether or not included in any subdivision into farm allotments or farm laborer's allotments; *provided*, if any area has been included in a farm allotment or farm laborer's allotment, then such sale at public auction can be made only after a failure to receive any application satisfactory to the board.

SEC. 13. Section fifteen *a* of said act is hereby amended to read as follows:

Sec. 15*a*. The selling prices of the several allotments into which lands acquired under this act are subdivided, other than those set aside for townsite and public purposes, shall be fixed by the board, so as to render such allotments as nearly as possible equally attractive, and calculated to return to the state the original cost of the land, together with a sufficient sum added thereto to cover all expenses and costs of surveying, improving, subdividing, and selling such lands, including the payment of interest, and all costs of engineering, superintendence, and administration, including the cost of operating any works built, directly chargeable to such land, and also the price of so much land as shall on subdivision be used for roads and other public purposes, and also such sum as shall be deemed necessary to meet untoreseen contingencies.

SEC. 14. Section sixteen of said act is hereby amended to read as follows:

Sec. 16. Any veteran who is not the holder of real estate or possessory rights thereto to the value of fifteen thousand dollars and who, by purchase under this act would not become the holder of real estate or possessory rights thereto exceeding such value, and who is prepared to enter within six months upon actual occupation of the land acquired, may apply for and become the purchaser of either a farm allotment or a farm laborer's allotment, *provided*, that no more than one farm allotment or more than one farm laborer's allotment shall be sold to any one person; *provided, further*, that no applicant shall be approved who shall not satisfy the board as to his or her fitness successfully to cultivate and develop the allotment applied for. In any such sales preference may be given to veteran trainees in agriculture,

under the provisions of the vocational rehabilitation act of congress approved June 27, 1918, and all acts amendatory thereof or supplemental thereto, or to veterans who were wounded or disabled as a result of their military or naval service, and who are otherwise qualified by experience

SEC. 15. Section seventeen of said act is hereby amended to read as follows

SEC. 17. Every approved applicant shall enter into a contract of purchase with the board the terms of which shall be determined by the board. Such applicant shall, if required, by the board, enter into an agreement to apply for a loan from a bank organized under the provisions of the federal farm loan act, for an amount to be fixed by the board and shall pay the board the amount of any loan so made as a partial payment on such land and improvements, and the board shall have power to make such conveyances and receive and accept such mortgages or deeds of trust as in its opinion, may be necessary to effectuate such loan and adequately secure the interest of the board and of the state in the premises. The balance due on the land shall be paid in amortizing payments extending over a period to be fixed by the board not exceeding forty years together with interest thereon at the rate of five per cent per annum compounded at periods to be fixed by the board, the amount due on improvements shall be paid in amortizing payments extending over a period to be fixed by the board not exceeding twenty years together with interest at the rate of five per cent per annum compounded at periods to be fixed by the board, the repayments of loans shall extend over a period to be fixed by the board not exceeding five years, *provided, however*, in each case, that the purchaser shall have the right on any installment date to pay any or all installments still remaining unpaid *provided, further*, that the board may in any individual case postpone from time to time, the whole or any portion of any payment of principal or interest, on account of land, or improvements, or loans, upon such terms as the board may determine proper

SEC. 16. Section eighteen of said act is hereby amended to read as follows:

SEC. 18 Every contract entered into between the board and a purchaser shall, among other things, provide that, the purchaser shall cultivate the land in a manner to be approved by the board and shall keep in good order and repair all buildings, fences, and other permanent improvements situated on his allotment, reasonable wear and tear, and damage by fire excepted Each purchaser shall, if required, insure and keep insured against fire or other hazards all buildings, fences, other permanent improvements, or crops on his allotment, loss if any, under the policies therefor to be made payable to the board as its interest may appear and to be in such amount or amounts and in such insurance companies as may be by it specified The board shall have the power in its own name to insure and keep insured against fire and such other hazards as the board may determine, all buildings, fences, other improvements, and crops on any of the lands under the control of the board The board shall likewise have the power in any contract of purchase under which the board purchases lands as authorized in this act, to provide for the return by the board to the owner so selling to the state of any insurance premium or taxes which may have been paid on said property by such owner or for which such owner may have become obligated to pay

If the purchaser fails or neglects to pay, satisfy and discharge at maturity all taxes or assessments, and all other charges or encumbrances which shall be a lien upon the property being purchased from the board, or any part thereof, and also all taxes or assessments levied or assessed upon the interest created by the contract of purchase of such property; or to keep the buildings, fences, other permanent improvements, and crops upon such property insured as herein provided; or to keep in good order and repair all buildings, fences and other permanent improvements situated upon such property as herein provided; then, and in any of such events, it shall be lawful for the board to pay, satisfy or discharge, or settle, or compromise said taxes, assessments, charges or encumbrances, or to insure said buildings, fences or permanent improvements, or crops, or any of them, or to do or cause to be done the work and supply the materials necessary to keep the buildings, fences and other improvements situated upon such property in good order and repair. All moneys so expended by the board shall be added to the selling price of such property and bear interest at the rate of seven per cent (7%) per annum compounded semi-annually, from the date of expending the same, and shall be repaid by the purchaser to the board on demand, *provided*, that the board may amortize the repayment of such expenditures or permit repayment in installments upon such terms and conditions as it deems proper; *provided further*, that the board shall be the sole judge of the legality or validity of such taxes, assessments, charges or encumbrances, and the amount necessary to be paid in satisfaction or discharge thereof, and of the amount of insurance to be placed upon the buildings, fences, other permanent improvements and crops situate upon such property and of the amount necessary to be paid for the premiums for such insurance, and of the necessity and nature of the work necessary to keep the buildings, fences and other improvements situate upon such property in good order and repair and of the amount necessary to be paid therefor.

SEC. 17. Section nineteen of said act is hereby amended to read as follows

SEC. 19. No allotment sold under the provisions of this act shall, voluntarily or involuntarily, by operation of law or otherwise, be transferred, assigned, encumbered, leased, let or sublet, in whole or in part, without the written consent of the board,

until the purchaser has paid therefor in full and has complied with all the terms and conditions of his contract of purchase, *provided, that*, when a purchaser dies, indebted to the board under contract of purchase, his rights acquired under this act and such contract shall devolve upon his heirs, devisees or personal representatives, pursuant to the laws of the State of California, but subject to all rights, claims and charges of the board. Default on the part of such heir, devisee or personal representative, with respect to any right, claim or charge of the board shall have the same effect as would default on the part of the purchaser but for his death.

SEC. 18. Section twenty of said act is hereby amended to read as follows:

SEC. 20. In the event of failure of a purchaser to comply with any of the terms of his contract of purchase and agreement with the board, the state and the board shall have the right at its option to cancel such contract of purchase and agreement, and thereupon shall be released from all obligations, at law or in equity, to convey the property, and the purchaser shall forfeit all right thereto and all payments theretofore made shall be deemed to be rental paid for occupancy. Upon such forfeiture, the board shall take possession of the property covered by such contract of purchase, and shall remove all persons and the personal property therefrom without any liability whatsoever on the part of the board or of any official or employee thereof for any damage or injury caused by or incident to said entry or removal.

The board may require of the purchaser such mortgage or deed of trust or other instrument as may be necessary under the terms and conditions of the contract of purchase in order to adequately protect and secure the board. There may be included in such contract of purchase, mortgage, deed of trust or other instrument any conditions with reference to sale of the property or reconveyance back to the board or notice of such sale or reconveyance as may in the discretion of the board be required to be so included in such contract of purchase, mortgage, deed of trust or other instrument, in order to so adequately protect the said board in the premises.

The failure of the board or of the state to exercise any option to cancel or other privilege under the contract of purchase for any default shall not be deemed a waiver of the right to exercise the option to cancel, or other privilege under the contract of purchase for any other default on the part of the purchaser. But no forfeiture so occasioned by default on the part of the purchaser shall be deemed in any way, or to any extent, to impair the lien and security of the mortgage or trust instrument securing any loan that the board may have made as is in this act provided.

In the event of a forfeiture of a contract of purchase under the provisions of this act, the board may sell, or otherwise dispose of, or lease or let the property covered by the forfeited contract of purchase, to such person or persons, and upon such terms and conditions as it deems proper.

The board may, in the contract of purchase between it and a veteran purchaser, provide that, in the event of default by such purchaser and forfeiture of his rights under said contract and subsequent sale of the property by the board, it may, in its discretion, pay to him the net gain, if any, realized by the board upon such subsequent sale. The board shall be the sole judge of said net gain.

If illness or accident prevents a purchaser from cultivating his land, or harvesting any crop or crops growing thereon, the board may enter upon and cultivate the land or cause it to be cultivated, or harvest or cause to be harvested the crop or crops growing thereon. *In such event the board shall have a first lien upon said* crop or crops for all moneys expended under this section and may sell such crop or crops so harvested. Out of the proceeds of such sale or sales the board may reimburse itself for any expense which it may have incurred in the cultivation of the land, the harvesting of crops and the sale thereof, and retain any moneys due to the board from the purchaser, and the balance, if any, shall be paid by the board to the purchaser.

SEC. 19. Section twenty-four of said act is hereby amended to read as follows:

SEC. 24. The state board of control is hereby authorized to provide for advances of money to the board needed to meet contingent expenses to such an amount not exceeding twenty-five thousand dollars as the said board of control shall deem necessary, which advances shall be administered as a revolving fund or revolving funds.

The legislature hereby declares that no act that has been or may be adopted by the legislature of the State of California at its forty-fifth session, which act provides *for the reversion of unexpended balances of appropriations, including an act entitled*, "An act to provide for the reversion of unexpended balances of certain appropriations", approved May 18, 1921, is intended to or shall in any way affect the appropriation, or any portion of the appropriation, made by the said legislature at its forty-fourth session in and by the California veterans' welfare act.

SEC. 20. Section twenty-five of said act is hereby amended to read as follows:

SEC. 25. The money paid by purchasers on lands, improvements, or in the repayment of advances, shall be deposited in the veterans' welfare fund for land settlement and be available under the same conditions as the original appropriation.

SEC. 21. Section twenty-eight of said act is hereby amended to read as follows:

SEC. 28. The board shall, so far as possible, utilize the services of veterans in administrative and other work for the purpose of carrying out the provisions of this act. Nothing contained in that certain act entitled "An act to provide for a

general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor", approved June 16, 1913, or in any acts amendatory thereof or supplementary thereto, or in any other act or acts whatsoever, shall limit the power of the board to utilize the services of veterans in administrative and other work, for the purpose of carrying out the provisions of this act, or in the selection of expert or technical assistance.

SEC. 22. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 787—An act to amend section 2 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "section two" and insert in lieu thereof the following: "sections one, two, three, four, five, six, seven, nine and ten".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 6 inclusive, and insert in lieu thereof the following:

"SECTION 1. Section one of the act entitled, "An act providing for farm and home aid for veterans, defining the powers and duties of the veterans' welfare board in respect thereto and making an appropriation therefor" is hereby amended to read as follows:

Section 1. This act, whenever cited, referred to, or amended, may be designated as the veterans' farm and home purchase act.

SEC. 2. Section two of said act is hereby amended to read as follows:

SEC. 2. When used in this act, unless the context otherwise requires, the word or term,

(a) "Veteran" includes any citizen of the United States who has served on active duty in the army, navy or marine corps of the United States in time of war and has received an honorable discharge therefrom or who has been released from active duty under honorable conditions and who was, at the time of his enlistment, induction, commission or drafting, a bona fide resident of the State of California, but does not include—

1. Any person at any time after April 5, 1917, separated from such forces under other than honorable conditions.

2. Any person at any time after April 5, 1917, separated from the military or naval forces on account of alienage.

3. Any person who performed no military duty whatever or refused to wear the uniform.

4. Any person who has received from another state a bonus, compensation or benefit, the prerequisites of which are service in the army, navy, or marine corps of the United States, which service is the basis for the claim for benefits under this act, or

5. Any persons who did not enter the military or naval forces of the United States prior to November 12, 1918.

(b) "Board" means the veterans' welfare board of the State of California;

(c) "Farm" means a tract of land which, in the opinion of the board, is capable of producing sufficient to provide a living for the purchaser and his dependents;

(d) "Home" means a parcel of real estate upon which there is a dwelling-house and such other buildings as will, in the opinion of the board, suit the needs of the purchaser and his dependents as a place of abode;

(e) "Purchaser" means a veteran or any person who has entered into a contract of purchase of a farm or home from the board;

(f) "Purchase price" means the price which the board pays for any farm or home,

(g) "Selling price" means the price for which the board sells any farm or home;

(h) "Initial payment" means the first payment to be made by a purchaser to the board for a farm or home.

SEC. 3. Section three of said act is hereby amended to read as follows.

Sec. 3. The object of this act is to provide veterans with the opportunity to acquire farms and homes.

The administration of the provisions hereof is vested in the veterans' welfare board as created by the California veterans' welfare act adopted at the forty-fourth session of the legislature of the State of California.

The board may select and employ such expert, technical and clerical assistance as may be necessary. The board shall fix the salaries of all employees, with the approval of the state board of control. The board shall, so far as possible, utilize the services of veterans in administrative and other work for the purpose of carrying out the provisions of this act. Nothing contained in that certain act entitled, "An act to provide for a general system based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, or in any acts amendatory thereof or supplementary thereto, or in any other act or acts whatsoever, shall limit the power of the board to utilize the services of veterans in administrative and other work, for the purpose of carrying out the provisions of this act, or in the selection of expert or technical assistance.

It is hereby made the duty of all state, county, city and county officials to furnish and give all required information to the veterans' welfare board, upon request, and shall further assist said board in any manner in accordance with law, and without charge therefor.

SEC. 4 Section four of said act is hereby amended to read as follows:

Sec 4. The board may acquire in any manner for sale to a veteran a farm the value of which does not exceed the sum of seven thousand five hundred dollars, or a home the value of which does not exceed the sum of five thousand dollars, which farm or home must be situated in the State of California; *provided*, that no veteran shall receive the benefits hereof who, in the case of the purchase by him of a farm, would thereby become the holder of real estate exceeding in value the sum of seven thousand five hundred dollars, or in the case of the purchase by him of a home would thereby become the holder of real estate exceeding in value the sum of five thousand dollars, *provided, further*, that the board may acquire a farm or home in which the veteran to whom such farm or home is to be sold has theretofore acquired an interest, *and provided, further*, that no veteran who has taken advantage of the benefits of the California veterans' welfare act, or of an act entitled "An act to provide educational opportunities for persons who served in the army, navy, or marine corps of the United States in time of war, and making an appropriation therefor", approved May 30, 1921, both of which acts were adopted by the forty-fourth session of the legislature of the State of California, shall be permitted to take advantage of the opportunities afforded under this act.

SEC. 5. Section five of said act is hereby amended to read as follows:

Sec 5. The board shall prescribe and determine the qualifications of all veterans.

Any person deeming himself a veteran, as defined herein, and desiring to benefit hereunder, shall submit to the board information, in such form as may be prescribed, that will enable the board to determine his eligibility and his qualifications. The board may make such further inquiries and investigations as it deems proper and necessary in order to determine such eligibility and qualifications.

Veterans who are otherwise qualified, and who were wounded or disabled as a result of their military or naval service, shall be given preference for the benefits of this act, *provided, however*, that the board shall determine, in each case, whether or not the veteran was wounded or disabled as a result of his military or naval service.

SEC. 6. Section six of said act is hereby amended to read as follows:

Sec. 6 When a veteran has been authorized by the board to select the farm or home he desires he shall submit his selection, in such form as may be prescribed by the board. The board, if satisfied of the desirability of the property submitted, and that such veteran has agreed with the board to actually reside upon such property within six months from the date of the purchase by the board, and that the purchase price of said property does not exceed the sum of seven thousand five hundred dollars in the case of a farm, or five thousand dollars in the case of a home, shall be empowered to purchase said property from the owner thereof upon such terms as may be by them agreed. The board shall enter into a contract with the veteran for the sale of said property to said veteran. The board shall fix the selling price of such property by adding to the purchase price of said property or

to the value of such property as determined by the board when such property is acquired by the board in a manner other than by purchase, all expenses incurred and estimated to be incurred by the board in relation thereto, inclusive of interest, administration, appraisals, examination of title, incidental expenses, and such sum as shall be deemed necessary to meet unforeseen contingencies. The purchaser shall make an initial payment of at least ten per cent of the selling price of the property, in the case of a farm, and five per cent in the case of a home. The balance of said selling price may be amortized over a period to be fixed by the board, but not exceeding forty years, together with interest thereon at the rate of five per cent per annum compounded at periods to be fixed by the board; *provided, however*, that the purchaser shall have the right on any installment date to pay any or all installments still remaining unpaid; *provided, further*, that in any individual case the board may for good cause postpone from time to time, upon such terms as the board may deem proper, the payment of the whole or any part of any installment of the selling price or interest thereon. The board is empowered in each individual case to specify the terms of the contract entered into with the purchaser, but no property sold under the provisions of this act shall, voluntarily or involuntarily, by operation of law or otherwise, be transferred, assigned, encumbered, leased, let or sublet, in whole or in part, without the written consent of the board, until the purchaser has paid therefor in full and has complied with all the terms and conditions of his contract of purchase.

Before the purchase of any property by the board there must be filed with the board an appraisement of the market value of such property by the inheritance tax appraiser of the county in which such property, or some portion thereof, is situated, by one member of the board, and by an officer or by an authorized appraiser of a banking corporation formed under and by virtue of the laws of the State of California, or by the manager of a branch bank of such banking corporation, or by an officer or cashier of a national banking association, having a place of business in the county, or city and county, in which the property, or some portion thereof is situated; *provided*, that if there be no such banking corporation or national banking association having a place of business in the county, or city and county, in which said property or some portion thereof is situated, then by an officer or by an authorized appraiser of such a banking corporation, or by the manager of a branch bank of such a banking corporation, or by an officer or cashier of a national banking association, having a place of business in a county adjacent thereto. Each appraisement shall be verified by the maker thereof, which verification shall state, among other things, that it is made in good faith, and that the valuation is honestly determined and represents the bona fide opinion of the maker.

The board, before consummating a purchase under the provisions of the act, shall cause the title of the property sought to be purchased to be examined and may require for that purpose an abstract, an unlimited certificate of title, or a policy of title insurance, and may refer the same to the attorney general for his opinion.

SEC. 7. Section seven of said act is hereby amended to read as follows:

SEC. 7. The contract entered into between the board and purchaser shall provide, among other things, that the purchaser shall maintain said farm or home as his place of residence and keep in good order and repair all buildings, fences, and other permanent improvements situate thereon and that each purchaser shall, if required, insure and keep insured against fire or other hazards, all buildings, fences, other permanent improvements, or crops on said property, loss if any, under the policies therefor to be made payable to the board as its interest may appear and to be in such amount or amounts and in such insurance companies as may be by it specified.

If the purchaser fails or neglects to pay, satisfy and discharge at maturity all taxes or assessments, and all other charges or encumbrances which shall be a lien upon the property being purchased from the board, or any part thereof, and also all taxes or assessments levied or assessed upon the interest created by the contract of purchase of such property, or to keep the buildings, fences, other permanent improvements and crops upon such property insured as herein provided; or to keep in good order and repair all buildings, fences and other permanent improvements situated upon such property as herein provided; then, and in any of such events, it shall be lawful for the board to pay, satisfy or discharge, or settle, or compromise said taxes, assessments, charges or encumbrances, or to insure said buildings, fences, permanent improvements or crops or any of them, or to do or cause to be done the work and supply the materials necessary to keep the buildings, fences, and other improvements situated upon such property in good order and repair. All moneys so expended by the board shall be added to the selling price of such property and bear interest at the rate of seven per cent (7%) per annum compounded semiannually, from the date of expending the same, and shall be repaid by the purchaser to the board on demand; *provided*, that the board may amortize the repayment of such expenditures or permit repayment in installments upon such terms and conditions as it deems proper; *provided, further*, that the board shall be the sole judge of the legality or validity of such taxes, assessments, charges or encumbrances, and the amount necessary to be paid in satisfaction or discharge thereof, and of the amount of insurance to be placed upon the buildings, fences, other perma-

nent improvements and crops situate upon such property and of the amount necessary to be paid for the premiums for such insurance, and of the necessity and nature of the work necessary to keep the buildings, fences and improvements situate upon such property in good order and repair and of the amount necessary to be paid therefor

In the event of a failure of a purchaser to comply with any of the terms of his contract of purchase, the board shall have the right at its option to cancel such contract of purchase, and thereupon shall be released from all obligations, at law or in equity, to the purchaser under such contract of purchase, and the purchaser shall forfeit all right thereto and all payments theretofore made shall be deemed to be rental paid for occupancy. Upon such forfeiture, the board shall take possession of the property covered by such contract of purchase, and shall remove all persons and personal property therefrom without any liability whatsoever on the part of the board or of any official or employee thereof for any damage or injury caused by or incident to said entry or removal The failure of the board to exercise any option to cancel or other privilege under the contract of purchase for any default shall not be deemed a waiver of the right to exercise the option to cancel, or other privilege under the contract of purchase for any other default on the part of the purchaser.

In the event of a forfeiture of a contract of purchase under the provisions of this act, the board may sell or otherwise dispose of the property covered by the forfeited contract of purchase, to such person or persons, and upon such terms and conditions as it deems proper.

The board may, in the contract of purchase between it and a veteran purchaser, provide that, in the event of default by such purchaser and forfeiture of his rights under said contract and subsequent sale of the property by the board, it may in its discretion pay to him the net gain, if any, realized by the board upon such subsequent sale. The board shall be the sole judge of said net gain

The board shall have the power to insure and keep insured against fire or such other hazards as the board may determine, all buildings, fences, other permanent improvements or crops, or any of them, situated upon any property which has reverted to and is under the control of the board, or to do or cause to be done the work and supply the materials necessary to keep said buildings, fences, and other improvements situated upon such property in good order and repair; *provided*, that the board shall have authority to lease or let such property, in whole or in part, upon such terms as it may deem proper, and if a farm, to cultivate such farm or cause it to be cultivated, or harvest or cause to be harvested the crop or crops growing thereon

If illness or accident prevents a purchaser of a farm from cultivating his farm, or harvesting any crop or crops growing thereon, the board may enter upon and cultivate the farm, or cause it to be cultivated, or harvest or cause to be harvested the crop or crops growing thereon. In such event the board shall have a first lien upon said crop or crops for all moneys expended and may sell such crop or crops so harvested Out of the proceeds of such sale or sales the board may reimburse itself for any expense which it may have incurred in the cultivation of the farm, the harvesting of the crops and the sale thereof, and retain any moneys due to the board from the purchaser, and the balance, if any, shall be paid by the board to the purchaser

When a purchaser dies, indebted to the board under contract of purchase, his rights acquired under this act and such contract shall devolve upon his heirs, devisees or personal representatives, pursuant to the laws of the State of California, but subject to all rights, claims and charges of the board Default on the part of such heir, devisee or personal representative, with respect to any right, claim or charge of the board shall have the same effect as would default on the part of the purchaser but for his death.

SEC. 8. Section nine of said act is hereby amended to read as follows:

SEC. 9 The state board of control is hereby authorized to provide for advances of money to the board, needed to meet contingent expenses, to such an amount not exceeding twenty-five thousand dollars, as the said board of control shall deem necessary, and to provide for advances of money to the board, needed to facilitate the purchase of farms and homes, to such an amount not exceeding five hundred thousand dollars, as the board of control may deem necessary, such advances to be administered as revolving funds The state controller is hereby authorized and directed to draw his warrants upon the veterans' farm and home building fund for such advances, and the state treasurer is hereby authorized and directed to pay the same.

The legislature hereby declares that no act that has been or may be adopted by the legislature of the State of California at its forty-fifth session, which act provides for the reversion of unexpended balances of appropriations, including an act entitled, "An act to provide for the reversion of unexpended balances of certain appropriations, and to repeal an act entitled 'An act to provide for the reversion of unexpended balances of certain appropriations', approved May 18, 1921," is intended to or shall in any way affect the appropriation, or any portion of the appropriation,

made by the said legislature at its forty-fourth session in and by the veterans' farm and home purchase act

SEC. 9. Section ten of said act is hereby amended to read as follows:

SEC. 10. The money paid by purchasers shall be deposited in the veterans' farm and home building fund and be available under the same conditions as the original appropriation.

If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the national guard of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of printed bill, after the period following the figures two naught seven eight, insert the following: "There shall be paid to each officer at the conclusion of each fiscal year the sum of twenty-five dollars to assist in uniforming and equipping himself, *provided*, he has served as such for the entire twelve months comprising such fiscal year, and if not, then such proportion of said sum as the time served bears to said year. In case the legislature does not appropriate sufficient money to pay the annual allowance of twenty-five dollars herein provided for, then each officer entitled to said allowance shall receive his pro rata portion of such money as may be available for such allowance."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of printed bill, after the period following the figures two one naught seven, insert the following: "The adjutant general shall have control of all armories and arsenals built by the state, or that may come into possession of the state, or any building or buildings that may be erected, purchased, leased or provided by any town, city, county, or city and county, for armory or arsenal purposes pursuant to any legislative act; and the adjutant general is hereby authorized to lease on behalf of the state such building or buildings, or portions thereof, as may be necessary for the housing of the national guard. It shall be the duty of the adjutant general, under direction of the governor, to make and enforce regulations for the government and control of such armories, arsenals and buildings, and where appropriations have been made therefor, to advertise for and receive bids for the construction of armories, or arsenals, to enter into contract for the construction and completion thereof, to contract for and purchase the furnishings therefor, and to purchase and lease real estate for the purpose of erecting armories or arsenals thereon, *provided*, that it shall be the duty of the state department of public works to furnish the plans, estimates and specifications for all armories and arsenals, and to superintend the erection and construction of such buildings."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1123—An act to amend section 2079 of the Political Code, relating to the national guard of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of printed bill, after the period following the figures two naught seven nine, insert the following: "There must be audited and allowed by the adjutant general and paid out of the appropriation for military purposes, upon the warrant of the state controller, to the commanding officer of each infantry company designated as a rifle company, and each company of coast artillery, each engineer, hospital, ambulance, and howitzer company, and the headquarters company of each regiment and battalion of infantry, and each division and marine company of the naval militia, except the engineer division of the naval militia, the sum of one hundred forty-five dollars per month, to the commanding officer of each machine gun unit, signal company, troop of cavalry, battery of field artillery, tank company, service company, motor transport company, and each engineer division of the naval militia, the sum of one hundred seventy-five dollars per month; *provided*, that when animals are not maintained by a machine gun unit or mounted organization, the allowance to said organizations shall be one hundred forty-five dollars per month, *and provided further*, that if any military organization referred to in the preceding portion of this section is housed in a state armory, then such organization shall receive ten dollars per month less than a similar organization housed in a privately owned armory, the sums so paid to be used for armory rent, care of arms and equipment, and proper incidental expenses of the company, troop, battery or division There shall be audited, allowed, and paid out of the same appropriation to the commanding officer of each division and brigade the sum of two hundred dollars per month; to the commanding officer of the naval militia, and to the commanding officer of each unit of coast artillery corresponding to a regiment of infantry, the sum of two hundred dollars per month; to the commanding officer of each regiment of infantry, cavalry, field artillery, and engineers, the sum of two hundred dollars per month; to the commanding officer of each separate battalion of infantry, field artillery, naval militia, engineer troops and squadron of cavalry, the sum of fifty dollars per month, and to the commanding officer of each separate fort command, coast artillery, the sum of twenty-five dollars per month, the sums so paid to be used for rent of headquarters, clerical expenses, stationery, printing, postage and proper incidental expenses of the commanding officer of the organization for which said sums are audited, allowed and paid. There must be audited and allowed by the adjutant general to the state surgeon, and to the medical officer in charge of each detachment of the medical department on duty with each regiment of infantry, cavalry, field artillery, engineers, coast artillery, the naval militia, separate battalions and squadrons, the sum of fifty dollars per month for rent, care of equipment, and proper incidental expenses, and to the medical officer in charge of detachment of the medical department attached to each separate fort command, coast artillery, the sum of ten dollars per month for proper incidental expenses. In case a unit is organized under and by virtue of the authority granted the commander-in-chief in section one thousand nine hundred twenty-five of this code, and an allowance is not otherwise provided therefor in this section, the adjutant general is authorized to determine and fix a monthly allowance for such unit, to be used for armory rent, care of arms and equipment, and proper incidental expenses. No claim shall be allowed under the provisions of this section except upon demand made quarterly in duplicate, signed and sworn to by the officer claiming the same, before any officer of the national guard, or notary public, and forwarded through the headquarters of the regiment, coast artillery corps, separate battalion, or separate squadron, or naval militia, with the approval of each commanding officer through whose headquarters they are required to pass, direct to the adjutant general."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, after the period insert the following: "That when a military academy has been established within the state, having not less than eighty boys, uniformed, drilled, and instructed in strict accordance with the tactics of the regular United States Army service and all its course of education and economy conducted upon strict military principles, the military instructor of such academy, when regularly elected by the board of trustees or other lawful authority of the academy, be commissioned in the California military reserve, now or hereafter organized according to law, with the rank of major."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1073—An act to amend paragraph "*n*" of section 20 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 9, of the printed bill, strike out the word "of" where first occurring and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the word "affecting" and insert in lieu thereof the word "effecting".

AMENDMENT NUMBER THREE

On page 1, line 13, of the printed bill, strike out the word "either" and the language following on said page up to and including the period after the word "department" in line 23, on page 1 of said bill, and in lieu thereof insert the following language: "by the use of a mechanical or electrical device, approved by the superintendent of the motor vehicle department, plainly visible in daylight and in darkness at a distance of fifty feet from the rear, and any motor vehicle operated on the public highways during the period of from one-half hour after sunset to one-half hour before sunrise shall be equipped with said mechanical or electrical device *provided, however*, that the driver of any motor vehicle so constructed or arranged as to permit the giving of the full hand and arm signal without hindrance or interference shall be permitted to use such signal as hereinafter prescribed."

AMENDMENT NUMBER FOUR.

Add the following paragraph to the end of the bill:

"When the signal required by this section is given by the use of the hand and arm the intention to turn such vehicle toward the right or the left shall be indicated by extending the hand and arm horizontally from and beyond the side of the vehicle toward which the turn is to be made or by extending the hand and arm vertically with the hand pointing upward from the side opposite the direction towards which the turn is to be made, when the signal to be given is to indicate the intention to stop a vehicle or to abruptly or suddenly check its speed, such signal if given with the hand and arm shall be given by extending the hand and arm out from and beyond either side of the vehicle and pointed in a downward direction."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains,

and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases

Bill read second time, and ordered on file for third reading.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." approved June 11, 1915

Bill read second time, and ordered on file for third reading

Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service

Bill read second time, and ordered on file for third reading.

Senate Bill No. 480—An act providing for official reporters in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the establishment and redefinition of the boundaries of the counties of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 53 of the printed bill as amended, strike out the whole of lines 20 to 27, inclusive, and insert in lieu thereof the following "three thousand nine hundred fifty-four; thence southwesterly in a direct line, to common corner of Plumas, Butte, and Yuba, in front of Buckeye House, as established in section three thousand nine hundred forty; thence on southwestern line of Butte, as established in section three thousand nine hundred twelve to the junction of Honcut creek with Feather river, thence down Feather river to the place of beginning."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the semicolon in line 21, add the following: "to acquire by purchase or otherwise lands for squares, parks, play grounds and places within the city or town, and to improve, equip and maintain the same;".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 23 following the comma after the word "highways", and the words "and places within the city or town," in line 24.

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, strike out the word "year", and insert in lieu thereof the word "years".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, after the semicolon add the following: "to acquire and improve public mooring places for water craft;".

AMENDMENT NUMBER FIVE.

On page 3, line 10, of the printed bill, after the word "operate", insert the following: "buss lines,".

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, after line 49, add the following:

"SEC. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 8 of the amended printed bill after the word "than" strike out the word "twenty-five" and in lieu thereof insert the word "ten".

AMENDMENT NUMBER TWO.

In line 8 of the amended printed bill, after the word "the" insert the word "nearest".

AMENDMENT NUMBER THREE.

In line 9 of the amended printed bill strike out the first words "nearest to him".

AMENDMENT NUMBER FOUR.

In line 9 of the amended printed bill, strike out after the words "nearest to" the word "him" and in lieu thereof insert the words, "the front of such vehicle, bus or truck".

AMENDMENT NUMBER FIVE.

In line 12 of the amended printed bill strike out the period after the word "rails" and in lieu thereof insert a semicolon and after such semicolon insert the following "*provided, however*, that nothing contained in this act shall apply to street railway tracks in the streets of incorporated cities, or cities and counties, nor to tracks at crossings in the streets of incorporated cities or cities and counties, when traffic officers are on duty, or traffic signals are maintained, for the direction of traffic, nor to unused tracks, whether inside or outside of incorporated cities or cities and counties."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill strike out all of lines 13 to 20, both inclusive.

AMENDMENT NUMBER SEVEN.

On page 1, line 21, of the printed bill, strike out the figure "4" after the word "Section" and insert in lieu thereof the figure "2".

AMENDMENT NUMBER EIGHT.

On page 1, line 4, of the printed bill, after the comma after the word "gravity" insert the following "as a cargo or part of a cargo"

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1923.

MR SPEAKER Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MOORE, Chairman.

The above reported bill ordered on file for second reading.

ASSISTANT CLERK POWERS READING

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anderson asked for and was granted unanimous consent to take up Assembly Bill No. 1309, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER THIRTEEN HUNDRED AND NINE.

Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Anderson moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, lines 7 and 8, of the printed bill, strike out the words "make, verbally or otherwise.".

Motion carried.

The Speaker appointed Mr. Anderson as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1309, with instructions, reports that the instructions of the Assembly have been carried out.

ANDERSON, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. West moved that Assembly Bill No. 895 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

Motion carried.

Assembly Bill No. 895 re-referred to Committee on Insurance.

MOTION TO RE-REFER.

Mr. Dean moved that Assembly Bill No. 675 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

Motion carried.

Assembly Bill No. 675 re-referred to Committee on Insurance.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation.

Assembly Constitutional Amendment No. 51 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 51 adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Spalding, Spence, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—57.

NOES—Anderson, and Graves—2.

Title read and approved.

Assembly Constitutional Amendment No 51 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 51

A resolution to propose to the people of the State of California to amend section XIV of article XIII of the constitution relative to taxation

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its forty-fifth regular session, commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of the members elected to each of the two Houses of said Legislature voting therefor, hereby

proposes to the people of the State of California that section XIV of article XIII of the constitution of this State be amended to read as follows.

SEC 14 Taxes levied, assessed and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties, sleeping car, dining car, drawingroom car and palace car companies, refrigerator, oil, stock, fruit, and other car-loaning and other car companies operating upon railroads in this State, companies doing express business on any railroad, steamboat, vessel or stage line in this State, telegraph companies; telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies, banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for State purposes, and shall be levied assessed and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies, and corporations.

(*a*) All railroad companies, including street railways, whether operated in one or more counties, all sleeping car, dining car, drawingroom car, and palace car companies, all refrigerator, oil, stock, fruit and other car-loaning and other car companies, operating upon the railroads in this State, all companies doing express business on any railroad, steamboat, vessel or stage line in this State; all telegraph and telephone companies, and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the State a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof used exclusively in the operation of their business in this State, computed as follows Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies, and each thereof within this State When such companies are operating partly within and partly without this State, the gross receipts within this State shall be deemed to be all receipts on business beginning and ending within this State, and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this State.

The percentages above mentioned shall be as follows On all railroad companies, including street railways four per cent, on all sleeping car, dining car, drawingroom car, palace car companies, refrigerator, oil, stock, fruit, and other car-loaning and other car companies, three per cent, on all companies doing express business on any railroad, steamboat, vessel or stage line, two per cent; on all telegraph and telephone companies, three and one-half per cent; on all companies engaged in the transmission or sale of gas or electricity, four per cent. Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property above enumerated of such companies except as otherwise in this section provided, *provided*, that nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any of the municipal authorities of this State.

(*b*) Every insurance company or association, except county fire insurance companies organized under and by virtue of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, and all acts amendatory thereof, doing business in this State shall annually pay to the State a tax of one and one-half per cent upon the amount of the gross premiums received upon its business done in this State, less return premiums and reinsurance in companies or associations authorized to do business in this State; *provided*, that there shall be deducted from said one and one-half per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this State. This tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise in this section provided; *provided*, that when by the laws of any other state or country, any taxes fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this State, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other State or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurance companies of such other state or country doing business in this State

(*c*) The shares of capital stock of all banks, organized under the laws of this State, or of the United States, or of any other state and located in this State shall be assessed and taxed to the owners or holders thereof by the State Board of Equalization, in the manner to be prescribed by law, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the State, of 1 per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquida-

tion, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such shares of stock and upon the property of such banks, except county and municipal taxes on real estate and except as otherwise in this section provided. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. The banks shall be liable to the State for this tax and the same shall be paid to the State by them on behalf of the stockholders in the manner and at the time prescribed by law, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amount so paid.

The moneyed capital, reserve, surplus, undivided profits and all other property belonging to unincorporated banks or bankers of this State, or held by any bank located in this State which has no shares of capital stock, or employed in this State by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said Board of Equalization, in the manner to be provided by law and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property of the banks and bankers, mentioned in this paragraph, except county and municipal taxes on real estate and except as otherwise in this section provided. It is the intention of this paragraph that all moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this subdivision, the said State Board of Equalization shall include and assess to such banks all property and everything of value owned or held by them, which go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock.

The word "banks" as used in this subdivision shall include banking association, savings and loan societies and trust companies, but shall not include building and loan associations.

(*d*) All franchises, other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of 1 per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the State.

(*e*) Out of the revenues from the taxes provided for in this section, together with all other State revenues, there shall be first set apart the moneys to be applied by the State to the support of the public school system and the State University. In the event that the above named revenues are at any time deemed insufficient to meet the annual expenditures of the State, including the above named expenditures for educational purposes, there may be levied, in the manner to be provided by law, a tax, for State purposes, on all the property in the State including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in subdivisions *a*, *b*, and *d* of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for State purposes.

(*f*) All the provisions of this section shall be self-executing, and the Legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the Legis-

lature. Until the year 1918 the State shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation. The Legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for State purposes only.

(*g*) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such manner and at such time as may now or hereafter be provided by law.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Ball: An act to regulate the use of American histories and other text books in institutions of learning in this State.

By Mrs. Woodbridge: An act providing for the collection of money advanced in payment of taxes on real property by co-owners.

By Mr. West: An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

By Mr. Mitchell, T. A.: An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

By Mr. Mathews: An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

By Messrs. Schmidt, Burns, Erb, Morris, Badaracco, Rock, Hawes, Mitchell, T. A., Fellom, and Scott: An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

By Mr. Johnson: An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Ball: Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

Bill read first time, and referred to Committee on Education.

By Mrs. Woodbridge: Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by co-owners.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. West: Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Mitchell, T. A. (by request): Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Bill read first time, and referred to Committee on Claims.

By Mr. Mathews: Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Burns (by request): Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Johnson, Frank: Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.

Bill read first time, and referred to Committee on County Government.

SPECIAL ORDER SET.

On motion of Mr. Kline, the consideration of Assembly Bill No. 999, set for special order for eleven o'clock a.m., was made a special order for Tuesday, April 17, 1923, at eleven o'clock a.m.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Hawes, Johnson, Kline, Lyman, Lyons, McMillan, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stow, West, Whitacre, Wright, and Mr. Speaker—51.

NOES—Heisinger, and McPherson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mrs. Saylor moved a call of the House.

Motion lost.

Assembly Bill No. 561 refused passage by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Broughton, Cleary, Cleveland, Crittenden, Dorris, Emme, Fellom, Heisinger, Johnson, Jones, McDowell, Miller, Moore, Mueller, Prendergast, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Whitacre, Woodbridge, and Wright—27.

NOES—Badaracco, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Erb, Fox, Fulwider, Graves, Hawes, Hornblower, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Scott, Spence, Weller, West, Williams, and Mr. Speaker—43.

NOTICE OF RECONSIDERATION.

Mr. Lyons gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 561 was this day refused passage.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Waestman reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined the following

Assembly Joint Resolution No. 10—Relating to protection of forests from fire;

Also: Assembly Joint Resolution No. 11—Relating to national parks;

Also. Assembly Joint Resolution No 13—Relative to the indorsement of H. R. 13298 and Senate Bill 4142; to amend the war risk insurance and the vocational rehabilitation act so as to include disabled veterans, of all the wars of the United States, and their dependents;

Also Assembly Joint Resolution No. 25—Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in compliance with the provisions of the act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolutions ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Also: Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43;

Also Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties;

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act;

Also: Assembly Bill No. 1031—An act to amend an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities providing conditions for granting such franchises by legislative or other government bodies and repealing conflicting acts," approved March 22, 1905, as amended;

Also: Assembly Bill No 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their

rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto;

Also: Assembly Bill No. 67—An act to add a new section to the Penal Code, to be numbered 1282, relating to fees for furnishing bail;

Also: Assembly Bill No. 278—An act to amend section 32 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilties, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 12—Relative to adjournment sine die—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR SPEAKER: Your Committee on Corporations, to which was referred Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XI *b*, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the wellbeing of mankind—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JOHNSTON, Chairman.
NOYES,
WELLER,
MITCHELL, A. G.
LYMAN,
CARLSON.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Lyman:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend Section 15 (*b*) of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provisions of this act and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matter embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Referred to Committee on Introduction of Bills.

ASSISTANT CLERK POWERS READING.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McDowell asked for and was granted unanimous consent to take up Assembly Bill No. 1051, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIFTY-ONE.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act" approved May 10, 1917, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McDowell moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of section (*f*) and insert in lieu thereof the following

"(*f*) Nothing in this act contained shall apply to or affect the transportation of perishable or semi-perishable agricultural, horticultural or viticultural products or empty carriers therefor between any of the following places, namely, farms, packing houses, canneries, driers or local assembling points during any part of the harvest or shipping period in any year.

The words "local assembling points" as used in this paragraph mean platforms, sheds, mills warehouses, cars or receiving stations in the vicinity of the place of production generally used by one or more growers or shippers."

Motion carried.

The Speaker appointed Mr. McDowell as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1051, with instructions, reports that the instructions of the Assembly have been carried out.

McDOWELL, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 506—An act to regulate the sale and use of narcotic habit-forming drugs in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 506 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts,

Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 277—An act to repeal an act entitled "An act to amend an act entitled 'An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance,' approved May 10, 1915, as amended by an act approved May 11, 1917, by adding a new section thereto to be numbered 3*a*," approved June 3, 1921, and to relieve from and remove any penalties, suspensions or forfeitures incurred or accrued under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 277 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Dorris, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Lyons, McDowell, McMillan, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1294 passed by the following vote:

AYES—Badaracco, Badham, Ball, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Fox, Graves, Hawes, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Also: Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

Also: Assembly Bill No. 81—An act creating a State Commission on voting machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections, and providing for the punishment of all violations of the provisions of this act.

Also Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1263?

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "six".

The roll was called and Senate amendment to Assembly Bill No. 1263 was concurred in by the following vote:

AYES—Badham, Ball, Bernard, Burns, Carter, Christian, Clarke, Coombs, Dean, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Stow, West, Whitacre, Williams, Wright, and Mr Speaker—47

NOES—None

The above reported bill ordered to enrollment.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1032?

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the word "held" at the end of the line, insert the following, "in election booths, election tents, or".

The roll was called and Senate amendment to Assembly Bill No. 1032 was concurred in by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnston, Jones, Lyman, Lyons, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr Speaker—52

NOES—None

The above reported bill ordered to enrollment.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 81?

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, beginning with the word "Creation" strike out balance of line 8 and all of line 9 including and ending with the period after the figure 1.

AMENDMENT NUMBER TWO

On page 1, line 18, of the printed bill, strike out the figure 2 and also the period.

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the figure 3 and also the period.

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, strike out the words "Examination of voting machine."

AMENDMENT NUMBER FIVE.

On page 2, line 45, of the printed bill, strike out the words "Requirements of voting machines."

AMENDMENT NUMBER SIX.

On page 2, line 52, of the printed bill, after the word "candidates" insert the following: "at primary elections".

AMENDMENT NUMBER SEVEN.

On page 3, line 2, of the printed bill, after the word "thereto" strike out the period and insert in lieu thereof a comma and the following: "and for general elections shall conform as nearly as practicable to the form of ballot provided for in section one

thousand one hundred ninety-seven of the Political Code No voting machine shall be approved except such as provides in the general election, for grouping, under the name of the office to be voted on, all the candidates for such office with the designation of the parties, if any, by which they were respectively nominated."

AMENDMENT NUMBER SEVEN *a*.

On page 3, line 35, of the printed bill, before the semicolon insert a comma and the words "and similarly may be provided with one device for each party for voting, at the May presidential primary election, by one operation for such groups of candidates to national conventions as may be voted for as a group according to the provisions of the presidential primary act".

AMENDMENT NUMBER SEVEN *b*.

On page 3, line 37, of the printed bill, after the word "candidates" insert the words "for delegates to a national convention or".

AMENDMENT NUMBER EIGHT.

On page 3, line 39, of the printed bill, after the word "party" strike out the period and insert in lieu thereof a comma and the following: "*and provided further* that no straight party voting device shall be used except for delegates to a national convention or for presidential electors as set forth herein Voting machines shall provide for the same order of the list of candidates for any office as is provided for in section one thousand one hundred ninety-seven of the Political Code."

AMENDMENT NUMBER NINE.

On page 3, line 40, of the printed bill, strike out the words "Adoption of voting machines."

AMENDMENT NUMBER TEN.

On page 4, line 15, of the printed bill, strike out the words "Experimental use of voting machines."

AMENDMENT NUMBER ELEVEN.

On page 4, line 22, of the printed bill, strike out the words "Payment for machines."

AMENDMENT NUMBER TWELVE.

On page 4, line 34, of the printed bill, strike out the words "Ballot labels."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 44, of the printed bill, strike out the words "Sample ballots."

AMENDMENT NUMBER FOURTEEN.

On page 5, line 6, of the printed bill, strike out the words "Number of official ballots."

AMENDMENT NUMBER FIFTEEN.

On page 5, line 11, of the printed bill, strike out the words "Preparation of voting machines for election."

AMENDMENT NUMBER SIXTEEN.

On page 6, line 24, of the printed bill, strike out the words "Instruction of election officers."

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 46, of the printed bill, strike out the words "Delivery of election supplies and keys."

AMENDMENT NUMBER EIGHTEEN

On page 7, line 13, of the printed bill, strike out the words "Statement of the result of the vote cast."

AMENDMENT NUMBER NINETEEN.

On page 7, line 31, of the printed bill, strike out the words "Opening the polls."

AMENDMENT NUMBER TWENTY.

On page 8, line 7, of the printed bill, strike out the words "Irregular ballots"

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 32, of the printed bill, strike out the words "Location of machines."

AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 43, of the printed bill, strike out the words "Conducting the election"

AMENDMENT NUMBER TWENTY-THREE

On page 9, line 4, of the printed bill, strike out the words "Canvass of vote"

AMENDMENT NUMBER TWENTY-FOUR

On page 10, line 8, of the printed bill, strike out the brackets and words "Locking machine."

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 18, of the printed bill, strike out the words "Disposition of keys."

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 36, of the printed bill, strike out the words "Provision for recanvass of vote."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10, line 45, of the printed bill, strike out the words "Number of voters in election districts."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 11, line 6, of the printed bill, strike out the words "Application of other articles and penal law. All the provisions of the general and," and insert in lieu thereof the words "All the provisions of the Political Code, the Penal Code, and the general laws relating to elections, of the".

AMENDMENT NUMBER TWENTY-NINE.

On page 11, line 34, of the printed bill, strike out the word "Definition."

The roll was called, and Senate amendments to Assembly Bill No. 81 were concurred in by the following vote:

AYES—Ball, Bernard, Burns, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Ekswaid, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyons, McDowell, Mitchell, A. G., Mitchell, T. A., Moore, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Stew, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47

NOES—None.

The above reported bill ordered to enrollment.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 307?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the period and in lieu thereof insert the following: ", including the study of American institutions and ideals".

AMENDMENT NUMBER TWO

On page 1, line 12, of the printed bill after the period add the following: "No pupil shall receive a certificate of graduation from any such school unless he has satisfactorily passed an examination on the provisions and principles of the United States constitution"

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 13 beginning with the word "All" and line 14, and in lieu thereof insert the following

"All persons granted regular certificates authorizing them to teach in the public schools of this state, shall, in addition to existing requirements, be required to pass a satisfactory examination upon the provisions and principles of the constitution of the United States and of this state, or complete a course therein in a teachers' training institution in the State of California, *provided* that a limited certificate, not exceeding one year in term, may be granted without the passing of such examination on the completion of such course

SEC. 4. The willful neglect or failure on the part of any superintendent, principal or teacher, to observe and carry out the requirements of this act, shall be sufficient cause for the dismissal or removal of such party from his or her position.

SEC. 5. It shall be the duty of the superintendent of public instruction to make arrangements for carrying out the provisions of this act and prescribe a list of suitable texts adapted to the needs of the school and college grades, as specified in this act.

SEC. 6. All acts or parts of acts inconsistent herewith are hereby repealed."

The roll was called and the Assembly refused to concur in Senate amendments to Assembly Bill No. 307 by the following vote:

AYES—None

NOES—Badaracco, Badham, Ball, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Connelly, Dean, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyons, McDowell, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Baker, C. C., and Duval, and Miss Broughton as a Committee on Conference to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 307.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 2—Relative to pensions for federal employees who have been in service thirty years or more.

Senate Joint Resolution No. 2 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 finally adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Johnson, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stow, Whitacre, Williams, Woodbridge, and Wright—49.

NOES—Dozier, Graves, Johnston, Jones, and Mr. Speaker—5

Title read and approved.

Senate Joint Resolution No 2 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 2.

Relative to pensions for federal employees who have been in service thirty years or more.

WHEREAS, It is fundamentally right that federal employees, who have been in the qualified civil service of the United States for a period of thirty years or more, should, regardless of age, be retired from said service; and

WHEREAS, It is equally true that such civil servants reaching an age of sixty-five years, after having rendered at least fifteen years of service, should be retired, in both cases with adequate pensions to insure their proper care during the balance of their lives, and

WHEREAS, The enactment of law to this end will greatly strengthen the civil service of the United States; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California at its forty-fifth session urges that the Congress of the United States adopt such legislation as will enable this to be done, and be it

Resolved, further, That copies of these resolutions be forwarded by the Secretary of the Senate to the President of the United States, to the Secretary of Labor of the United States and to each member of Congress from the State of California.

Senate Joint Resolution No. 3—Relative to the compensation of laborers in the United States customs service.

Senate Joint Resolution No. 3 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 3 finally adopted by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Dawson, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Roberts, Saylor, Schmidt, Scott, Spalding, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46

NOES—Cleveland, and Dozier—2

Title read and approved.

Senate Joint Resolution No. 3 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 3.

Relative to the compensation of laborers in the United States customs service.

WHEREAS, The Legislature of the State of California believes that the compensation of laborers in the United States customs service is inadequate at present; and

WHEREAS, In view of the provisions of existing law the Legislature of the State of California believes that said customs laborers are unjustly discriminated against in the matter of wages; now, therefore, be it

Resolved by the Senate and the Assembly, jointly, That the Legislature of the State of California, at its forty-fifth session, urges that the congress of the United States, adopt such legislation as may be necessary to increase the compensation of laborers in the United States customs service, to an amount that shall be equitable as compared to the compensation of employees of the United States government in similar positions, and be it

Resolved, further, That copies of these resolutions be made by the Secretary of the Senate and transmitted to the President of the United States, to the Secretary of Labor of the United States, and to each of the California senators and representatives in Congress.

Senate Bill No. 318—An act to add a chapter to title V of part III of the Political Code, to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 318 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Cleary, Cleveland, Coombs, Crittenden, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO SUSPEND RULE.

Mr. Jones moved that Rule 71 be suspended for the remainder of the day.

Motion carried.

Senate Bill No. 593—An act to add a new section to the Political Code, to be numbered 3968, relating to the change of county boundaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 593 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Broughton, Carter, Christian, Cleary, Cleveland, Coombs, Crittenden, Dean, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN PRENDERGAST IN THE CHAIR.

At three o'clock and twenty-four minutes p.m., Honorable J. J. Prendergast, Assemblyman from the fifty-eighth district, was called to the chair.

Senate Bill No. 308—An act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 308 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Donohue, Dorris, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 309—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof, within municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 309 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities and cities and counties for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Senate Bill No. 76—An act to amend sections 2, 3, 756 and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 76 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Cleary, Coombs, Davis, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Morris, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 159—An act to amend sections 11 and 12¼ of an act entitled "An act to provide for work upon streets, lanes, alleys, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 159 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Burns, Carter, Clarke, Cleveland, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Spalding, Stevenot, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—Wright—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 211—An act to amend sections 21, 23, 24, 25, 26, 27, and 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Carter, Clarke, Cleveland, Coombs, Dawson, Donohue, Dorris, Duval, Emme, Erb, Foster, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor,

Schmidt, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17 and 18 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 149 finally passed by the following vote:

AYES—Andersen, Badham, Ball, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dean, Donohue, Dorris, Duval, Ekswaird, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnsen, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Spalding, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—48

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WAESTMAN READING.

MOTION.

Mr. Graves moved that the Assembly hold evening sessions on Wednesday, April 18, 1923, and Thursday, April 19, 1923.

Motion carried.

MOTION.

Mr. Graves moved that the Assembly hold evening sessions every evening of the week of April 23, 1923, Saturday evening excepted.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 637—An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

Also, Assembly Bill No. 863—An act to amend section 1202*a* of the Penal Code, relating to persons sentenced to State penitentiaries.

Also, Assembly Bill No. 715—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Also, Assembly Bill No. 230—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2056 and also all the acts and proceedings of said district.

Also, Assembly Bill No. 1158—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of April, 1923, at three o'clock and fifteen minutes p.m.

ROBERTS, Chairman.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Mr. Kline:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor, etc.

Referred to Committee on Introduction of Bills.

By Mr. Carter:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act creating the office of county veterinary inspector and assistant county veterinary inspector, prescribing their duties, etc.

Referred to Committee on Introduction of Bills.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921;

Also: Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the state under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3*a*.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 292 read first time, and referred to Committee on Normal Schools.

Senate Bill No. 293 read first time, and referred to Committee on Normal Schools.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of

their validity and making provision for the payment of such bonds and the disposal of their proceeds, to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

Also Senate Bill No 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education;

Also: Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 704 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 450 read first time, and referred to Committee on Education.

Senate Bill No. 125 read first time, and referred to Committee on Medical and Dental Laws.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class;

Also Senate Bill No 708—An act to amend section 2893 of the Political Code, relative to toll ferries;

Also: Senate Bill No 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State;

Also Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions,

Also Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints;

Also: Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No 134 read first time, and referred to Committee on County Government

Senate Bill No. 708 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 710 read first time, and referred to Committee on Judiciary.

Senate Bill No. 712 read first time, and referred to Committee on Judiciary.

Senate Bill No 711 read first time, and referred to Committee on Judiciary.

Senate Bill No. 713 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903.

Also: Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act" approved March 22, 1911 as amended.

Also Senate Bill No 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices.

J. A. BEEK Secretary of Senate
By G MELVIN WARREN, Assistant Secretary.

Senate Bill No 651 read first time, and referred to Committee on Labor and Capital.

Senate Bill No 650 read first time, and referred to Committee on Labor and Capital.

Senate Bill No 9 read first time, and referred to Committee on County Government

ADJOURNMENT.

At four o'clock and fifteen minutes p.m., on motion of Mr. Burns, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m., Tuesday, April 17, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 17, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Weller, Hon. John Robert White, Jr., a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Cleary, Mr. Theodore L. Cairns of Lindsay was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Hornblower, Mr. William R. Markt of Visitacion Valley, San Francisco, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Rock, Misses Rita Jose, Bebe Barri, Kitty Gray, Maudi Sheila, Peggy Henderson, Babe Carrington, Sylvia Cullinson, Elise Wheelton, and Mrs. Wheelton of London, England, were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Jones, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Snyder:

Resolved, That it is the sense of the Board of Trustees of the city of Oroville that in case a law be enacted to impose a tax on gasoline, one-third of the revenue therefrom should be distributed to the municipalities and the other two-thirds between the counties and the State, also that the motor vehicle fund be likewise distributed, both of said funds to be used in all cases exclusively for improving or repairing main streets or highways forming part of the State or county system

Resolved, That a copy of these resolutions be sent to the press and another to our Senator and Assemblyman at Sacramento.

I hereby certify that the said resolutions were passed by the Board of Trustees of the city of Oroville, at a regular meeting on April 2, 1923, by the following vote

AYES—Marks, Thomas, Meyer. NOES—None Absent—Baldwin, Ehmann.

J. W. GIBSON, City Clerk.

By Mr. Kline:

WHEREAS, Governor Friend Wm Richardson appears in his budget, presented to the Legislature, to have made inadequate recommendations for the maintenance of the high standard of our splendid school system; and

WHEREAS, The budget greatly handicaps the State Teachers Colleges in the training of those who must instruct our future citizens, and

WHEREAS, The budget eliminates State supervision in and support for home economics, trades, industries, and agriculture, and the compulsory part-time education, now therefore, be it

Resolved, That we, the members of the Riverside City Teachers Association, do strongly urge

That Governor Friend Wm Richardson and the State Legislature establish a budget assigning sums and amounts which shall be sufficient to maintain the public school system of California at an undiminished high standard

That copies of these resolutions be sent to the Governor, to members of the Legislature, to the daily press, boards of education, the Chamber of Commerce, and other civic organizations

(Signed)

F. WAYNE COONS,
C. E. AKERS,
M. K. MARTIN,
Executive Committee.

Also:

INDIO, CALIFORNIA, March 29, 1923.

Mr. Chester M. Kline,
State Assemblyman,
Sacramento, California

DEAR SIR: The Indio Chamber of Commerce met today and passed the following resolutions:

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Blythe-Mecca highway; and

WHEREAS, The said highway bond issue was a definite contract between the people and the State of California to spend $300,000 of said bond issue on said road; and

WHEREAS, The personnel of the State Highway Commission having changed since the voting of said bond issue and the present Highway Commission having recently indicated their opposition to, and declared that the contract of the people with the State to spend the $300,000 on the road aforesaid would not be adhered to or considered, and that said $300,000 would not be spent on said Blythe-Mecca road; now, therefore, be it

Resolved, By the Indio Chamber of Commerce in special session assembled this 29th day of March 1923, that the action of the Highway Commission of the State of California in refusing to carry out their obligation on behalf of the State, be, and the same is, hereby condemned, and it is hereby further

Resolved, That the present Highway Commission of the State of California be, and the same is, hereby requested to reconsider their decided action in refusing to carry out the contract entered into in good faith by the voters of this great commonwealth.

Will you please give this matter your immediate and earnest attention?

Very truly yours,

INDIO CHAMBER OF COMMERCE.
MRS. A. L. WOOD, Secretary.

By Messrs. Badaracco and Pedrotti:

SAN FRANCISCO, April 16, 1923.

The Honorable Speaker of the Assembly,
Sacramento, California.

SIR: We enclose you herewith a copy of certain resolutions passed by the Board of Directors of the United Parlor, Native Sons of the Golden State, protesting against Senate Joint Resolution No. 14.

We would respectfully request that the same be presented to Assembly and filed.

Respectfully,

UNITED PARLOR, NATIVE SONS OF THE GOLDEN STATE.
HARRY T. YIP, Grand Secretary.

WHEREAS, There was introduced into the Senate of the State of California a certain resolution known as "Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship," which said resolution suggests and advocates an amendment to the constitution of the United States withholding American citizenship from all persons whose parents are ineligible to such citizenship; and

WHEREAS, The said resolution has passed the Senate, and is now before the Assembly of the State of California for consideration and action; and

WHEREAS, The preamble to the said resolution refers to the fact that all persons born in the United States and subject to the jurisdiction thereof are citizens thereof, and states that large numbers of persons ineligible to citizenship permanently settle in California, and that through the citizenship of their children, such aliens, although themselves ineligible to citizenship, obtain the full enjoyment and beneficial use of lands; and

WHEREAS, The suggested amendment to the constitution of the United States would deprive the children thereafter born in the United States to alien Chinese residents thereof of American citizenship; and

WHEREAS, The American born children of Chinese parents, educated as they are in the public schools of the United States, and knowing from infancy no other country, grow up with as true American ideals as the children of any other race educated in the said schools, and are not aliens in habit or thought, but are true Americans, devoted to the traditions and ideals of this country, loving its constitution and its flag, and cherishing within their hearts a true and unsullied devotion for the land of their birth; and

WHEREAS, We believe that it would be wrong and unjust, and contrary to common and natural right, and contrary to American tradition, to deprive such children of American citizenship, which is their natural birthright; and

WHEREAS, The native born American citizen of Chinese parentage has always proved himself to be as true and loyal a citizen of the United States as any other citizen thereof, and in the late world war bore himself as manfully and loyally and courageously as any other citizen, doing his full duty as a soldier at the front, or as a citizen at home, if such was the duty to which he was called; now, therefore, be it

Resolved, That we, the Board of Directors of United Parlor, Native Sons of the Golden State, an organization of American citizens of the Chinese race, do hereby protest against the said resolution, and against the amendment to the constitution of the United States suggested and advocated therein, and do pray that the said resolution do not pass; and we do hereby most earnestly protest against any change in the constitution of the United States that would deprive American born Chinese of American citizenship, as being contrary to American traditions and principles, and contrary to natural and inherent right, and not called for or justified by any consideration relating to land ownership, or otherwise; and we do hereby most emphatically represent that no condition exists in the State of California with respect to the ownership of land therein which justifies, or could in any measure justify, the withholding of American citizenship from American born children of Chinese residents of the United States; and be it further

Resolved, That a copy of these resolutions be filed with and presented to the Assembly of the State of California, and that copies thereof be transmitted to the Governor of California, and to the members of the Legislature thereof.

LEONG KOW,
And 7 others.

Dated, San Francisco, April 16, 1923

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1262—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also: Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class;

Also Assembly Bill No. 649—An act to amend section 862 of an act entitled "An act to provide for the organization and incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the powers of boards of trustees in cities of the sixth class;

Also: Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities,

Also: Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district;

Also: Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California, to be numbered 1350*a* and 1350*b* respectively, relating to the competency of executors of estates;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply;

Also: Assembly Bill No. 56—An act to amend section 3756 of the Political Code, relating to the time at which taxes become delinquent;

Also: Assembly Bill No. 556—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property;

Also: Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies;

Also Assembly Bill No 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof

Also Assembly Bill No 980—An act relating to boards and commissions holding under appointment of the Governor.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At nine o'clock and forty minutes a.m., Hon. Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 481—An act to amend section 1609 of the Political Code, relating to the powers and duties of boards of school trustees, and city, and city and county boards of education;

Also. Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools.

Also: Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State.

Also: Assembly Bill No 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns, for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon, for the issue of bonds representing the costs and expenses of said work, for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance;

Also: Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633c, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor;

Also Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917

And reports that the same have been correctly re-engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149c and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

Also: Assembly Bill No. 711—An act to amend section 208 of the Penal Code and to add a new section to said code to be numbered 207a, relating to kidnapping;

Also: Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District prescribing its boundaries and providing for the government and control thereof.

Also: Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person, to prohibit the carrying of concealed firearms except by lawfully authorized persons, to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California statutes of 1917, relating to the same subject;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 595—An act to amend sections 5, 15c, 19, 22b, 26 and 57 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1202—An act to amend sections 12, 15, 21, and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Also: Assembly Bill No. 1112—An act to repeal section 3664c of the Political Code, relating to the collection of data and determination of valuations by the State Board of Equalization for purposes of taxation.

Also: Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office;

Also: Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Also: Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts, the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road, providing for the establishment of grades and routes of such toll roads, for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act, and to provide for a special fund derived in part from county or road dis-

trict funds and in part by special assessment upon a district and for the establishment of such districts.
And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California that sections 4, 5, and 6 of article IV of the constitution of the State of California, relating to the number and election of Senators and establishing senatorial districts, be amended.

Also: Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article IX thereof, relating to the regents of the University of California.

Also: Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.
And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended;

Also: Assembly Bill No. 420—An act to add a new section, to be numbered section 8g, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended relating to reports to be made by physicians to police authorities;

Also: Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended;

Also: Assembly Bill No. 528—An act requiring the labeling of articles offered for sale within the State of California, and manufactured in State penitentiaries, reform schools, or other institutions, supported at public expense, and requiring that notice that such articles of household furniture are on sale, shall be conspicuously posted in places where such articles of household furniture are offered for sale;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt

marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Conference on Assembly Bill No. 307, the following Senators: West, Chamberlin and Arbuckle, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921.

Also, Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter 714, Statutes 1921;

Also, Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921.

Also, Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane;

Also, Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Also, Assembly Bill No. 120—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees;

Also, Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain.

Also, Assembly Bill No. 272—An act to establish Gold Discovery Day.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

THE SPEAKER IN THE CHAIR.

At nine o'clock and forty-eight minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Senate Bill No. 432, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED THIRTY-TWO.

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a*, to an act, entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner, to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Eksward moved that the Speaker appoint a Select Committe of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 4, line 12, of the printed bill, after the comma following the word "reputation" insert the following words "of any applicant for a broker's license,".

Motion carried.

The Speaker appointed Mr. Eksward as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 432, with instructions, reports that the instructions of the Assembly have been carried out.

EKSWARD, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Senate Bill No. 494, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED NINETY-FOUR.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Eksward moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

Amend Senate Bill No. 494 by striking out all of the printed bill as amended April 5, 1923, beginning with the words "After such issuance" in line 44 on page 2 and ending with the word "bonds" in line 3 of page 3, and insert in lieu thereof the following "Such new bonds shall be issued in an aggregate amount equal to the total balance of the re-assessment unpaid and shall bear interest from the date of recordation of the re-assessment at the rate fixed by the council. After such issuance of said new bonds and upon surrendering of the bonds outstanding, new bonds shall be issued ratably to the holders of the original bonds outstanding, each holder of such original bonds being entitled to such proportion of the new bonds as the total amount of the principal and interest due him on his original bonds, as of the date of such recordation of the re-assessment, bears to the total amount of the principal of such new bonds

In making distribution the council shall have authority to assign the different bonds and allot maturities in such manner as to it shall seem equitable"

Motion carried.

The Speaker appointed Mr. Eksward as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Senate Bill No. 494, with instructions, reports that the instructions of the Assembly have been carried out.

EKSWARD, Select Committee.

Report of Select Committee of One and amendment adopted

Bill ordered to reprint, and on file for passage

REQUEST FOR UNANIMOUS CONSENT

Mr. Dean asked for and was granted unanimous consent to take up Assembly Bill No. 501, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED ONE.

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Dean moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of line 9 after the period and the words "and unconnected rooms" in line 10, and in lieu thereof insert the following: "Separate and unconnected rooms or stations shall be maintained.".

Motion carried.

The Speaker appointed Mr Dean as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 501, with instructions, reports that the instructions of the Assembly have been carried out.

DEAN, Select Committee.

Report of Select Committee of One and amendment adopted.
Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller asked for and was granted unanimous consent to take up Senate Bill No. 354, at this time, without reference to file, for the purpose of amending

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FOUR.

Senate Bill No. 354—An act to add a new section to be numbered 17 to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended.
Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Miss Miller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "seventeen" and insert in lieu thereof the words "fifteen *a*".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out the period following the word "amended" and insert in lieu thereof a comma and the words "relating to teachers employed at the southern branch of the University of California" and a period.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the word "seventeen" and insert in lieu thereof the words "fifteen *a*".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the words and numbers "Sec. 17" and insert in lieu thereof the words and numbers "Sec. 15 *a*".

Motion carried.
The speaker appointed Miss Miller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 354, with instructions, reports that the instructions of the Assembly have been carried out.

MILLER, Select Committee.

Report of Select Committee of One and amendments adopted.
Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dozier asked for and was granted unanimous consent to take up Assembly Bill No. 1064, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND SIXTY-FOUR.

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools.
Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Dozier moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 6, line 5, of the printed bill, after the word "teachers" insert the words "to be appointed by the county board of education."

Motion carried.

The Speaker appointed Mr. Dozier as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1064, with instructions, reports that the instructions of the Assembly have been carried out.

DOZIER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. Williams moved that Assembly Bill No. 576 be withdrawn from the file, and ordered re-referred to Committee on Irrigation.

Motion carried.

Assembly Bill No. 576 re-referred to Committee on Irrigation.

MOTION TO RE-REFER.

Mrs. Saylor moved that Assembly Bill No. 278 be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.

Motion carried.

Assembly Bill No. 278 re-referred to Committee on Governmental Efficiency and Economy.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 147—An act to regulate the discharge of sewage into the ocean, or into bays, harbors, or inlets thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, following the words "Section 1" add

"Whenever any county, district, city and county, city, town, firm, corporation, or person within the State of California, shall discharge sewage or cause sewage to be discharged into the ocean, or into any harbor, bay or inlet thereof, the following results must either obtain through natural means or be secured by such treatment as may lawfully be used.

There shall be absence in such body of water of visible suspended particles coming from such sewage.

There shall be absence of deposits objectionable to the secretary of war of the United States in such body of water coming from such sewage.

There shall be absence in such body of water and its vicinity of odors due to the putrefaction of organic matters contained in such sewage

There shall be a practical absence on the surface of such body of water of any grease or color at the dispersion area or elsewhere due to the discharge of such sewage

There shall be no injury to the public health which will be occasioned by the discharge of such sewage into such body of water and no public or private nuisance shall be created thereby

There shall be no injurious effect from such sewage discharge upon the property of the United States, the State of California, or any county, city and county, or city, situated in such body of water.

There shall be no reduction in the dissolved oxygen content of such body of water, resulting from the discharge of such sewage, to such an extent as to interfere with major fish life."

Amendment adopted.

Bill read second time, ordered to reprint.

MOTION TO RE-REFER.

Mr. Pomeroy moved that Assembly Bill No. 147 be withdrawn from the file, and ordered re-referred to Committee on Public Health and Quarantine

Motion carried.

Assembly Bill No. 147 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 191—An act to authorize the board of supervisors of any county to establish sewerage districts within the said county, to be known as metropolitan sewerage districts; and to define the purposes, powers, officers, government, and jurisdiction thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title as printed and insert in lieu thereof the following

"An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof."

AMENDMENT NUMBER TWO.

After the words "Section 1" in line 1 of the printed bill, insert the following: "The board of supervisors of any county of the state may create, maintain and govern sanitation districts within the county as in this act provided."

SEC. 2 Any board of supervisors desiring to create a sanitation district shall adopt a resolution of its intention so to do. Such resolution shall contain the following matters:

(a) A statement of the intention of the board of supervisors to create a sanitation district.

(b) The boundaries of the proposed district or some other designation of the territorial extent of the district

(c) The name of the district.

(d) The time and place where objections to the formation of the district or to the extent thereof may be heard, and

(e) Instructions to the clerk of the board to publish said resolution and notices of the hearing provided thereby as hereafter required by this act.

Said district as created may include either unincorporated territory or both incorporated and unincorporated territory. The incorporated territory included in any such sanitation district may be either the whole or a part of one or more incorporated cities.

The time to be fixed for the hearing of objections shall be not less than thirty days after the adoption of such resolution, and the place of such hearing shall be the regular meeting place of the board of supervisors or else some place within the boundaries of the proposed district.

The resolution shall, prior to the time of hearing, be published at length twice in at least one of the newspapers of general circulation in the proposed district and brief notices of the passage of such resolution and the time and place of hearing provided thereby may be published in one or more of the daily and weekly newspapers published and circulated in said proposed district

SEC. 3. At the time provided in the resolution of intention or at any time to which the hearing may be continued, the board of supervisors shall hear any objections to the creation of the district or to the extent thereof. At such hearing the board of supervisors may exclude any territory which in the opinion of the board would not be benefited by being in the district.

If written objections to the creation of the district, signed by two per cent of the registered electors of the district be filed with the board it must, and in any event it may, either adopt an order abandoning the creation of the proposed dis-

trict, or order the matter of the creation of the district with the boundary lines determined upon at the close of the hearing to be submitted to the electors of the district at an election to be called for that purpose. At such election only qualified registered electors shall be permitted to vote. Election precincts shall be establishd by the board and election boards composed of one inspector, one judge and one clerk shall be named. At least one week prior to the election, notice of the election shall be given by publication in a newspaper of general circulation in the proposed district. In other particulars the election shall be conducted in the manner ordered by the board of supervisors.

SEC. 4. At the conclusion of the hearing or in the event an election is held then upon the completion of the canvass of the election returns showing that a majority of those voting upon the question of the creation of the district were favorable thereto, the board of supervisors may, if it deems best, make an order creating the district and thereupon the same shall be created. Such order must contain the name of the district, and a description of the boundaries or otherwise indicate the territorial extent thereof. Such order shall be conclusive evidence of the regularity of all proceedings prior thereto, except the adoption and publication in full of the resolution of intention and of the fact of the hearing held thereunder.

SEC. 5. The board of supervisors of any county in which shall be created a sanitation district shall be the governing body thereof. In governing the district it shall have the following powers:

(*a*) To employ such sanitation experts, surveyors, counsel and other persons as may be needed to carry into effect any of the powers hereinafter given.

(*b*) To acquire real or personal property and rights of way, in the name of the county, necessary or convenient for the construction and maintenance of and to construct and maintain within or without the district a sewerage system and sewage disposal or treatment plant.

(*c*) To issue bonds of the district in the manner hereinafter set forth.

(*d*) To levy and collect an assessment upon all the taxable real property within the district sufficient to meet the obligations evidenced by the bonds and to maintain the works of the district.

SEC. 6. Upon the creation of any sanitation district it shall become the duty of the board of supervisors to employ one or more sanitation engineers to make a survey of the problems of the district concerning sanitation and especially with reference to the matter of sewage collection, treatment and disposal. Such resolution shall direct such engineer or engineers to prepare and file with the board of supervisors of the district a report setting forth:

1. A general description of existing facilities for sewage collection, treatment and disposal.

2. A general description of the work proposed to be done to carry out the objects of the district.

3. A general plan and general specifications of such work.

4. A general description of the property proposed to be acquired or damaged in carrying out said work.

5. A map showing the boundaries of the district and in general the location of the work proposed to be done, property taken or damaged, and any other information useful to an understanding of the proposed work.

6. An estimate of the cost of such proposed work.

Such engineer or engineers shall have authority, subject to the direction of the board of supervisors, to employ such surveyors and others as may be necessary to prepare such report. The board of supervisors may at any time remove any or all the engineers or other persons employed under the provisions of this act, and may fill all vacancies however arising.

SEC. 7. When the engineers' report is filed the board of supervisors shall examine it and may thereupon (*a*) reject it and direct that a new report be prepared, (*b*) direct that changes be made in it, or (*c*) if it complies with the provisions of the preceding section and is satisfactory to said board the board shall fix a time and place for hearing objections to said report and to the doing of the work therein referred to or to any part thereof. Notice of said hearing shall be given by the clerk of the board by publishing the same for at least five times in a daily or twice in a weekly newspaper circulated in the district, as the board may direct. At the time and place so fixed or at such time and place to which the hearing may be from time to time continued, the board shall hear all objections made.

At the conclusion of the hearing the board shall either order the report to be changed to conform to some or all the objections made or shall approve and adopt the report as made. In the event changes in the report are ordered a further hearing shall be had upon the same as amended and reported back to the board as above provided and further hearings shall be had until the board of supervisors approves and adopts said report. It may thereafter have such portions of the report as are adapted to publication or a resume thereof published for free distribution to the public.

SEC. 8. After the approval and adoption of said report the board of supervisors of the district shall proceed to submit to the voters of the district the proposition of

incurring a bonded indebtedness to obtain funds with which to acquire the property and do the work set forth in the report. For that purpose a special election shall be called by resolution. Such resolution shall state: (a) the general objects and purposes for which it is proposed to incur an indebtedness; (b) a reference to the report filed with the board of supervisors for particulars, (c) the amount of the principal indebtedness proposed, (d) the part of the principal to be paid each year, which part shall not be less than one fortieth, (e) the rate of interest to be paid, which rate shall not be more than six per cent, (f) the date of such election, (g) the election precincts, polling places and election officers.

For the purposes of the special election the board of supervisors may consolidate into one precinct several precincts established for general election purposes and describe the precinct by reference to the general election precincts.

An election board consisting of one inspector, one judge and one clerk shall be appointed by the board of supervisors for each precinct.

Only qualified registered electors of the district shall be eligible to vote at such election.

The resolution calling the election shall be published once a week for three successive weeks in such newspaper having a general circulation in the district as the board of supervisors may designate. No other notice of such election need be given.

SEC. 9. If at such election a majority of the votes cast are in favor of incurring the bonded indebtedness as proposed, then bonds of the district for the amount stated in the resolution calling the election shall be issued and sold.

The validity of such bonds after their issuance shall not be questioned in any court except upon the ground that the provisions of this act authorizing the issuance thereof are unconstitutional, or that the hearing provided for in section 2 hereof was not legally held or proper notice of it was not given.

The board of supervisors shall, subject to the provisions of this act, prescribe by resolution the form of the bonds, and of the interest coupons attached thereto. Said bonds shall be payable substantially in the following manner: A part to be determined by said board, and which shall not be less than one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The bonds shall be issued in such denominations as the said board of supervisors may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars. They shall be payable on the day and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of six per cent per annum, and shall after the first year be payable semi-annually. Said bonds shall be signed by the chairman of the board of supervisors, and countersigned by the auditor of said district, and the seal of the board of supervisors shall be affixed thereto. The interest coupons of said bonds shall be numbered consecutively and signed by the auditor of said district by his engraved or lithographed signature. In case any officer whose signature or countersignature appears on the bonds shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC. 10. The said board of supervisors may issue and sell the bonds of such district authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the county to the credit of the construction fund of said district, and the proper record of such transaction shall be placed upon the books of the treasurer. Said construction fund shall be applied exclusively to the purposes and objects mentioned in the resolution calling such special bond election as aforesaid, subject to the provisions in this act contained. Payments from said fund shall be made upon demands prepared, presented, allowed and audited in the same manner as other demands upon the funds of the county.

SEC. 11. Should the proposition of issuing bonds submitted at any election under this act fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the said board of supervisors of said district shall have power and authority, at the expiration of six months after such election, to call or order another election for incurring indebtedness and issuing bonds under the terms of this act, either for the same objects and purposes, or for any of the objects and purposes of the district.

SEC. 12. Whenever bonds have been issued by said district and the proceeds of the sale thereof have been expended as in this act authorized, and said board of supervisors shall by resolution passed by a vote of four-fifths of all its members determine that the public interest or necessity of said district demands the issuance of additional bonds for carrying out any of the objects of the district, said board of supervisors may again proceed as in this act provided, and have a report made and submit to the qualified voters of said district the question of issuing additional bonds

in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this act for the issuing and sale of such bonds, and for the expenditure of the proceeds thereof shall be deemed to apply to such issue of additional bonds.

SEC. 13. Any bonds issued under the provisions of this act shall be a lien upon the property of the district, and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds and the interest thereon shall be paid by revenue derived from an annual tax upon the real property within said district, and all the real property in the district shall be and remain liable to be taxed for such payments as hereinafter provided. Such bonds shall not be taxable in this state.

SEC. 14. The board of supervisors shall levy a tax each year upon the taxable real property in such district sufficient to pay the interest on said bonds for that year, and such portion of the principal thereof as is to become due before the time for making the next general tax levy. Such tax shall be levied and collected on said real property at the time and in the same manner as the general tax levy for county purposes, and when collected shall be paid into the treasury of the county to the credit of said district fund, and shall be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the treasurer of said county in the manner now or hereafter provided by law for the payment of principal and interest on the bonds of the county.

SEC. 15. The board of supervisors shall have power to levy a tax in any year upon the taxable real property in said district to pay the cost of maintaining, operating, extending or repairing any work or improvements therein. Said tax shall be levied and collected at the same time and in the same manner as the general tax levy for county purposes, and the revenue derived from said tax shall be paid into the county treasury to the credit of the operating fund of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes; *provided*, payments from said operating fund shall be made upon demands prepared, presented, allowed and audited in the same manner as other demands upon the funds of the county.

SEC. 16. The engineer or engineers employed by the board of supervisors to make the report by this act required, or another engineer, or other engineers, shall be directed by the board of supervisors to superintend the doing of the work recommended to be done in the report as approved and adopted.

Such work, or any portion of it, may be done in any of the following ways as ordered by the board of supervisors:

1. By purchasing the material and doing the work by day labor;
2. By purchasing the material and letting a contract for the doing of the work;
3. By purchasing only a portion or none of the material and letting a contract for furnishing the balance or all of the material and the doing of the work

Any material purchased by the county shall be purchased by the purchasing agent of the county or if there is no purchasing agent, then by the board of supervisors.

Any contract for the doing of the work or for the doing of the work and furnishing any or all of the material shall be let to the lowest responsible bidder submitting a sealed bid in response to a notice calling for such bid published once a week for at least two successive weeks in a newspaper circulated in the county and which notice refers to detailed plans and specifications covering the work to be done and materials, if any, to be furnished. If the material to be purchased costs over one thousand dollars, and there is no purchasing agent, such material shall be purchased from the lowest responsible bidder as above provided

Any work recommended to be done in the report approved and adopted by the board of supervisors shall be done in conformity with the general plans and specifications contained in such report unless the board of supervisors shall by a four-fifths vote adopt a resolution declaring that the public interest requires a modification of or departure from such plans and specifications, which resolution shall contain a statement of the manner in which the modification is required or departure is to be made.

SEC. 17. It is not the intention of this act that other than the main trunk lines of the sewerage system of the district shall be constructed under the provisions of this act, but that the laterals and collecting lines shall be constructed by the county, cities or other governmental agencies as by law may be provided. Connection of laterals or collecting lines to the main trunk lines shall be made at points and in the manner to be directed by the engineer of the district under instruction from the board of supervisors.

The determination by the board of supervisors of what are main trunk lines within the meaning of this act shall be final and conclusive.

SEC. 18 A right of way in or across any public highway, street or property is hereby granted to the county wherever such right of way is found by the board of supervisors to be necessary or convenient for doing any of the work by this act authorized.

SEC. 19. The board of supervisors of the county may, by agreement with any city or other public agency, take possession of or acquire by constructed or in any other manner any sewerage system or sewage disposal or treatment plant necessary or convenient to carry out any of the objects authorized by this act or may

acquire by agreement or in any manner the right to use the same. Whenever any sewerage system or sewage disposal or treatment plant so taken possession of or otherwise acquired was built from the proceeds of a bond issue, the county shall assume and pay out of the funds of the district all the outstanding bonds according to their terms, and the principal sum thereof remaining unpaid shall be credited to the district and deducted from any sum to be paid to the city or governmental agency therefor. Funds may be obtained to pay the principal and interest on such bonds as in section fourteen above provided for paying the principal and interest on the bonds therein referred to.

Each city and governmental agency within the district is hereby authorized to enter into an agreement or agreements with the county for the use of or entire possession and operation by the county of any sewerage system or sewage disposal or treatment plant owned or operated by such city or governmental agency.

SEC. 20. Whenever any community is provided with a sewerage system the board of supervisors of the county or governing body of the city within which such community lies may declare the further maintenance or use of cesspools or other local means of sewage disposal to be a public nuisance, and may require all buildings inhabited or used by human beings to be connected with such sewerage system.

SEC. 21. The cost of preparing the report required by section six of this act including the compensation paid any engineer and other employees of the district, shall be a charge against the county, but shall be repaid to the county from the first available funds of the district.

SEC. 22. This act, and every part hereof, shall be liberally construed to promote the objects hereof, and to carry out its intents and purposes.

SEC. 23. In case any section or sections, or part of any section, of this act, shall be found to be unconstitutional or invalid, for any reason, the remainder of the act shall not thereby be invalidated, but shall remain in full force and effect.

SEC. 24. This act may be designated and referred to as "county sanitation district act", and any reference thereto by such designation shall be deemed sufficient for all purposes."

Amendments adopted.

Bill read second time, ordered to reprint.

MOTION TO RE-REFER.

Mr. Pomeroy moved that Assembly Bill No. 191 be withdrawn from the file, and ordered re-referred to Committee on Public Health and Quarantine.

Motion carried.

Assembly Bill No. 191 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 190—An act to create a sewerage district to be called "Los Angeles Metropolitan Sewerage District;" and to define the purposes, powers, officers, government, and jurisdiction thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act creating a sanitation district to be called Los Angeles metropolitan sanitation district, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district."

AMENDMENT NUMBER TWO.

Insert after the words "Section 1" of the printed bill, the following: "All that portion of the mainland of the county of Los Angeles lying south of the following described line is hereby created into a sanitation district to be called Los Angeles metropolitan sanitation district, said line being described as follows:

Beginning at the intersection of the easterly boundary line of the county of Los Angeles, with the south line of section 18, township 3 north range 7 west, S.B.M., thence westerly along section line to the southwest corner of said section 18; thence along range line to the northeast corner of section 24, township 3

north range 8 west, S.B.M., thence westerly along section lines to the northwest corner of section 19, township 3 north range 8 west, S.B.M., thence along range line to the northeast corner of section 24, township 3 north range 9 west, S.B.M.; thence westerly along section lines to the northeast corner of section 21 township 3 north, range 11 west, S.B.M., thence northerly along section lines to the northeast corner of section 4, township 3 north, range 11 west, S.B.M., thence westerly along township lines to the northwest corner of section 3, township 3 north, range 14 west, S.B.M., thence southerly along section lines to the northeast corner of section 9, said township and range; thence westerly along section line to northwest corner of section 9, said township and range; thence southerly along section line to the northeast corner of section 17, said township and range; thence westerly along section lines to the northwest corner of section 16, township 3 north, range 15 west, S.B.M., thence southerly along section lines to the southwest corner of section 16, said township and range, thence westerly along section lines to the northeast corner of section 23, township 3, north, range 16 west, S.B.M.; thence southerly and westerly along the easterly and southerly lines of said section 23 to the southwest corner thereof, thence westerly along section lines to the northwest corner of section 30, township 3 north, range 16 west, S.B.M.; thence along range line to the northeast corner of section 25, township 3, north, range 17 west, S.B.M., thence westerly along section lines to the easterly line of Rancho Simi as shown on map recorded in book 4, pages 336 and 337 of patents, records of Los Angeles county; thence due west to the westerly line of the county of Los Angeles.

SEC. 2. This district is established to make possible a comprehensive and lasting solution of the problem of sanitation now existing and growing in Los Angeles county, without offense to its beaches and without blighting any portion of its territory, and to safeguard the health and happiness of the inhabitants of the county by providing an instrumentality for the prevention of unsanitary conditions.

SEC. 3. The Los Angeles metropolitan sanitation district is hereby declared to be a body corporate and politic, and as such shall have power

1. To have perpetual succession.
2. To sue and be sued in its corporate name
3. To adopt a seal and alter it at pleasure.
4. To acquire in any manner and manage, control and dispose of, real or personal property of every kind within or without the district, as may be necessary to the full exercise of its powers.
5. To acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, and to construct, maintain and operate any and all works and improvements within or without the district necessary or proper to carry out the objects for which the district is established, and to complete, extend, add to, repair or otherwise improve any works or improvements acquired by it
6. To exercise the power of eminent domain.
7. To incur indebtedness, and to issue bonds in the manner herein provided.
8. To cause taxes to be levied and collected for the purposes hereinafter set forth.
9. To make contracts, employ labor, and do all acts necessary for the full exercise of all powers vested in said district or of any of the officers thereof.

SEC. 4. The powers of the district shall be exercised by its board of supervisors and by its officers acting under specific authority of law. The board of supervisors of Los Angeles county shall be ex officio the board of supervisors of the Los Angeles metropolitan sanitation district and as such board it shall have and exercise on behalf of the district all the powers it has on behalf of Los Angeles county in as far as necessary and convenient to carry out the objects of the district.

Each county officer of Los Angeles county and his deputies shall be ex officio an officer and deputies respectively of the district, and shall perform for the district the same duties as for the county, so far as such service may be necessary or convenient in carrying out the objects of the district.

No compensation shall be paid by the district for any such service, except that the district may pay the county for the service of any deputy, assistant, clerk or attache who devotes his entire time in any county office to the work of the district.

Said board of supervisors may in their discretion appoint such other officers for said district as in its judgment may be deemed necessary, and prescribe their duties and fix their compensation, which said officers shall hold office during the pleasure of said board.

The said board of supervisors shall have power to make and enforce all needful rules and regulations for the administration and government of said district, and to appoint or employ all needful agents properly to look after the performance of any work provided for in this act, and to perform all other acts necessary or proper to accomplish the purposes of the district.

SEC. 5. The board of supervisors of the district shall have power and it shall be its duty to employ by resolution a competent sanitary engineer or engineers to make investigations of the problems of the district concerning sanitation and especially with reference to the matter of sewage collection, treatment and disposal. Such resolution shall direct such engineer or engineers to prepare and file with the board of supervisors of the district a report setting forth:

1. A general description of existing facilities for sewage collection, treatment and disposal.

2. A general description of the work proposed to be done to carry out the objects of the district.

3. A general plan and general specifications of such work.

4. A general description of the property proposed to be acquired or damaged in carrying out said work.

5. A map showing the boundaries of the district and in general the location of the work proposed to be done, property taken or damaged, and any other information useful to an understanding of the proposed work.

6. An estimate of the cost of such proposed work.

Such engineer or engineers shall have authority, subject to the direction of the board of supervisors, to employ such surveyors and other persons as may be necessary to prepare such report. The board of supervisors may at any time remove any or all the engineers or other persons employed under the provisions of this act, and may fill all vacancies however arising.

SEC. 6. When the engineer's report is filed the board of supervisors shall examine it and may thereupon (*a*) reject it and direct that a new report be prepared, (*b*) direct that changes be made in it, or (*c*) if it complies with the provisions of the preceding section and is satisfactory to said board, approve and adopt it. When the board of supervisors approves and adopts the report, whether as first filed or as changed, it may have copies published for free disposition to the public of such portions of said report as are adapted to publication.

SEC. 7. After the approval and adoption of said report the board of supervisors of the district shall proceed to submit to the voters of the district the proposition of incurring a bonded indebtedness. For that purpose a special election shall be called by resolution. Such resolution shall state. (*a*) the general objects and purposes for which it is proposed to incur an indebtedness; (*b*) a reference to the report filed with the board of supervisors for particulars, (*c*) the amount of the principal indebtedness proposed, (*d*) the part of the principal to be paid each year, which part shall not be less than one fortieth, (*e*) the rate of interest to be paid, which rate shall not be more than six per cent, (*f*) the date of such election, and (*g*) the election precincts, polling places and election officers.

For the purposes of the special election the board of supervisors may consolidate into one precinct several precincts established for general election purposes and describe the precinct by reference to the general election precincts.

An election board consisting of one inspector, one judge and one clerk shall be appointed by the board of supervisors for each precinct.

Only qualified registered electors of the district shall be eligible to vote at such election.

The resolution calling the election shall be published once a week for three successive weeks in such newspaper having a general circulation in the district as the board of supervisors may designate. No other notice of such election need be given.

The expense of holding the election shall be a county charge.

SEC. 8. If at such election a majority of the votes cast are in favor of incurring the bonded indebtedness as proposed, then bonds of the district for the amount stated in the resolution calling the election shall be issued and sold.

The validity of such bonds after their issuance shall not be questioned in any court except upon the ground that the provisions of this act authorizing the issuance thereof are unconstitutional.

The board of supervisors shall, subject to the provisions of this act, prescribe by resolution the form of the bonds, and of the interest coupons attached thereto. Said bonds shall be payable substantially in the following manner: A part to be determined by said board, and which shall not be less than one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The bonds shall be issued in such denominations as the said board of supervisors may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars, and shall be payable on the day and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of six per cent per annum, and shall after the first year be payable semi-annually, and said bonds shall be signed by the chairman of the board of supervisors, and countersigned by the auditor of said district, and the seal of said district shall be affixed thereto. The interest coupons of said bonds shall be numbered consecutively and signed by the auditor of said district by his engraved or lithographed signature. In case any officer whose signature or countersignature appears on the bonds shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC. 9. The said board of supervisors may issue and sell the bonds of such district authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the district to the credit of the construction fund of said district, and the proper record of such transaction shall be placed upon the books of the treasurer. Said construction fund shall be applied exclusively to the purposes and objects mentioned in the resolution calling such special bond election as aforesaid, subject to the provisions in this act contained. Payments from said fund shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the county of Los Angeles.

SEC. 10. Should the proposition of issuing bonds submitted at any election under this act fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the said board of supervisors of said district shall have power and authority, at the expiration of six months after such election, to call or order another election for incurring indebtedness and issuing bonds under the terms of this act, either for the same objects and purposes, or for any of the objects and purposes of the district.

SEC. 11. Whenever bonds have been issued by said district and the proceeds of the sale thereof have been expended as in this act authorized, and said board of supervisors shall by resolution passed by a vote of four-fifths of all its members determine that the public interest or necessity of said district demands the issuance of additional bonds for carrying out any of the objects of the district, said board of supervisors may again proceed as in this act provided, and have a report made and submit to the qualified voters of said district the question of issuing additional bonds in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this act for the issuing and sale of such bonds, and for the expenditure of the proceeds thereof shall be deemed to apply to such issue of additional bonds.

SEC. 12. Any bonds issued under the provisions of this act shall be a lien upon the property of the district, and the lien of the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds and the interest thereon shall be paid by revenue derived from an annual tax upon the real property within said district, and all the real property in the district shall be and remain liable to be taxed for such payments as hereinafter provided.

SEC. 13. The board of supervisors shall levy a tax each year upon the taxable real property in such district sufficient to pay the interest on said bonds for that year, and such portion of the principal thereof as is to become due before the proceeds of the next general tax levy shall become available. Such tax shall be levied and collected on said real property at the time and in the same manner as the general tax levy for county purposes, and when collected shall be paid into the treasury of the district to the credit of said district fund, and shall be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the treasurer of said district in the manner now or hereafter provided by law for the payment of principal and interest on the bonds of Los Angeles county.

SEC. 14. The provisions of the Political Code of this state, prescribing the manner of levying, assessing, equalizing and collecting taxes, including the sale of property for delinquency, and the redemption from such sale, and the duties of the several officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act.

SEC. 15. The bonds of said Los Angeles metropolitan sanitation district issued pursuant to this act, shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or municipalities in the State of California, such money or funds may be invested in the said bonds of said district issued in accordance with the provisions of this act, and whenever bonds of cities, cities and counties, counties, school districts or municipalities, may by any law now or hereafter enacted be used as security for the performance of any act, such bonds of said district may be so used.

This section of this act is intended to be and shall be considered the latest enactment of the matters herein contained, and any and all acts or parts of any acts in conflict with the provisions hereof are hereby repealed.

SEC. 16. All bonds issued by said district under the provisions of this act are hereby given the same force, value and use as bonds issued by any municipality in this state, and shall be free and exempt from all taxation within the State of California.

SEC. 17. The board of supervisors of said district shall have power, in any year, to levy a tax upon the taxable real property in said district, to carry out any of the objects or purposes of this act, and to pay the cost and expenses of maintaining, operating, extending and repairing any work or improvements of said district, and said tax shall be levied and collected at the same time and in the same manner as

the general tax levy for county purposes, and the revenue derived from said tax shall be paid into the treasury to the credit of the operating fund of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes *provided, however*, that such tax levied under this section for any one fiscal year shall not exceed ten cents on each one hundred dollars of the assessed valuation of the real property in said district, exclusive of any tax levied to meet the bonded indebtedness of said district, and the interest thereon.

Payments from said operating fund shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the county of Los Angeles.

SEC. 18. As fast as funds are available the engineer or engineers employed by the board of supervisors to make the report by this act required, or another engineer or other engineers, shall be directed by the board of supervisors to superintend the doing of the work recommended to be done in the report as approved and adopted, and any other work directed by the board of supervisors in furtherance of the objects of the district.

Such work, or any portion of it, may be done in any of the following ways as ordered by the board of supervisors

1. By purchasing the material and doing the work by day labor.
2. By purchasing the material and letting a contract for the doing of the work;
3. By purchasing only a portion or none of the materials and letting a contract for furnishing the balance or all of the material and the doing of the work

Any material purchased by the district shall be purchased by the purchasing agent of the district

Any contract for the doing of the work or for the doing of the work and furnishing any or all of the material shall be let to the lowest responsible bidder submitting a sealed bid in response to a notice calling for such bid published once a week for at least two successive weeks in a newspaper circulated in Los Angeles county and which notice refers to detailed plans and specifications covering the work to be done and materials, if any, to be furnished

Any work recommended to be done in the report approved and adopted by the board of supervisors shall be done in conformity with the general plans and specifications contained in such report unless the board of supervisors shall by a four-fifths vote adopt a resolution declaring that the public interest requires a modification of or departure from such plans and specifications, which resolution shall contain a statement of the manner in which the modification is required or departure is to be made.

SEC 19. It is not the intention of this act that other than the main trunk lines of the sewerage system in any community within the district shall be constructed by the district, but that the laterals and collecting lines shall be built by the county, cities or other governmental agencies as by law may be provided Connection of the laterals or collecting lines to the main trunk lines shall be made at points and in the manner to be directed by the engineer of the district under instructions from the board of supervisors of the district.

The determination by the board of supervisors of what are main trunk lines within the meaning of this act shall be final and conclusive

SEC 20. A right of way in or across any public highway, street or property is hereby granted to the district wherever such right of way is found by the board of supervisors to be necessary or convenient for carrying out any of the objects of this act.

SEC. 21. The board of supervisors of the district may by agreement with any city or other public agency take possession of or acquire by condemnation or in any other manner any sewerage system or sewage disposal or treatment plant necessary or convenient to carry out any of the purposes of this act or may acquire by agreement or in any manner the right to use the same Whenever any sewerage system or sewage disposal or treatment plant so taken possession of or otherwise acquired was built from the proceeds of a bond issue, the district shall assume and pay all the outstanding bonds according to their terms, and the principal sum thereof remaining unpaid shall be credited to the district and deducted from any sum to be paid to the city or governmental agency therefor. Funds may be obtained to pay the principal and interest on such bonds as in section 13 above provided for obtaining funds to pay the principal and interest on the bonds therein referred to.

Each city and governmental agency within the district is hereby authorized to enter into an agreement or agreements with the district for the use of or entire possession of and operation by the district of any sewerage system or sewage disposal or treatment plant owned or operated by such city or governmental agency.

SEC. 22 This act shall not repeal or limit the operation of any other act or provision of law authorizing the construction or maintenance of any sewerage system or sewage disposal or treatment plant *provided, however*, that within the district no sewerage system or sewage disposal or treatment plant shall hereafter be constructed or extended except in a manner approved by and with the consent of the board of supervisors of the district.

SEC. 23. Whenever any community is provided with a sewerage system the board of supervisors of the county or governing body of the city within which such

community lies may declare the further maintenance or use of cesspools or other local means of sewage disposal to be a public nuisance, and may require all buildings inhabited or used by human beings to be connected with such sewerage system.

SEC. 24. The cost of preparing the report required by section 5 of this act, including the compensation paid any engineer and other employees of the district, shall be a charge against the county, but shall be repaid to the county from the first available funds of the district.

SEC. 25. This act, and every part hereof, shall be liberally construed to promote the objects hereof, and to carry out its intents and purposes.

SEC. 26. In case any section or sections, or part of any section, of this act, shall be found to be unconstitutional or invalid, for any reason, the remainder of the act shall not thereby be invalidated, but shall remain in full force and effect.

SEC. 27. This act may be designated and referred to as the "Los Angeles Metropolitan Sanitation District Act", and any reference thereto by such designation shall be deemed sufficient for all purposes.

Amendments adopted.

Bill read second time, ordered to reprint.

MOTION TO RE-REFER.

Mr. Pomeroy moved that Assembly Bill No 191 be withdrawn from the file, and ordered re-referred to Committee on Public Health and Quarantine.

Motion carried.

Assembly Bill No 191 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 11, of the printed bill, strike out the word "contain" and in lieu thereof insert the word "contains".

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out the word "skimmed" and in lieu thereof insert the word "skim".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, strike out the word "skimmed" and in lieu thereof insert the word "skim"

AMENDMENT NUMBER FOUR

On page 2 of the printed bill, strike out lines 6 to 44, inclusive, and in lieu thereof insert the following:

"SEC. 4. It shall be unlawful for any person, firm or corporation, by himself, his servant or agent, or as the servant or agent of another, to sell or exchange or expose for sale or exchange, or have in possession with intent to sell or exchange, any condensed or evaporated skim milk in containers containing less than ten pounds avoirdupois. All hermetically sealed containers containing condensed or evaporated skim milk must bear the name and address of the manufacturer, distinctly branded, indented labeled or printed thereon, together with the words "condensed skim milk" in roman letters of a size at least as large as any other words or letters appearing on said brand, indentation or label.

SEC. 5. Any person, firm, corporation or association violating any of the provisions of this act shall be guilty of a misdemeanor.

SEC. 6 The department of agriculture of the State of California is hereby charged with the enforcement of the provisions of this act.

SEC. 7. If any section, subsection, sentence, clause or phrase of this act is for any reason declared to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby expressly declares that it would have passed this act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 74—An act to add a new title to part IV of division 1 of the Civil Code to be known as title 11*b*, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

Bill read second time, and ordered on file for third reading.

ASSISTANT CLERK POWERS READING.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

Assembly Constitutional Amendment No. 2 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Duval, Ekswaird, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 2 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses thereof voting in favor hereof, proposes to the people of the State of California to amend section 11 of article VI of the constitution of said State to read as follows:

Sec. 11. The Legislature shall determine the number of each of the inferior courts in incorporated cities or towns, and in townships, counties, or cities and counties, according to the population thereof and the number of judges or justices thereof, and shall fix by law the powers, duties and responsibilities of each of such courts and of the judges or justices thereof, *provided*, such powers shall not in any case trench upon the jurisdiction of the several courts of record, except that the Legislature shall provide that said courts shall have concurrent jurisdiction with the superior courts in cases of forcible entry and detainer, where the rental value does not exceed $75 per month, and where the whole amount of damages claimed does not exceed $300, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to $300

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23*a* of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

Assembly Constitutional Amendment No. 31 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 31 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—Carter, Dozier, Graves, Lyons, and Moore—5.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23*a* of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 23*a* of article XII of the constitution of this State be amended to read as follows:

Sec. 23*a*. The Railroad Commission shall have and exercise such power and jurisdiction as shall be conferred upon it by the Legislature to fix the just compensation to be paid for the taking of any property of a public utility in eminent domain proceedings by the State or any county, city and county, incorporated city or town, municipal water district, irrigation district or other public corporation or district, and the right of the Legislature to confer such powers upon the Railroad Commission is hereby declared to be plenary and to be unlimited by any provision of this constitution. All acts of the Legislature heretofore adopted which are in accordance herewith are hereby confirmed and declared valid.

NOTICE OF RECONSIDERATION.

Mr. Coombs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was this day adopted.

Assembly Joint Resolution No. 25—Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in compliance with the provisions of the act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917

Assembly Joint Resolution No. 25 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 25 adopted by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt,

Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51

NOES—None.

Title read and approved

Assembly Joint Resolution No. 25 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 25.

Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in compliance with the provisions of the act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917.

WHEREAS, The California Debris Commission, a body of federal engineers, did, pursuant to the Act of Congress creating such commission and defining its powers and duties, prepare a comprehensive plan for controlling the floods, removing the debris, and continuing the improvement of the Sacramento River, which said report was submitted August 10, 1910 and printed in House Document No. 81, Sixty-second Congress, first session, which was modified by the report of said commission, submitted February 8, 1913, and was approved by the chief of engineers of the United States army and the board of engineers for rivers and harbors committee, by document numbered five, Sixty-third Congress first session, and

WHEREAS, The State of California, by an act passed at the extra session of the Legislature in 1911, did approve the said report and plan as a plan for controlling the flood waters of the Sacramento River and its tributaries for the improvement and preservation of navigation, and the reclamation of lands that are susceptible to overflow from said river and its tributaries, and

WHEREAS, Said plan is for the mutual benefit of the United States as one party, and the State of California, as a second party, and the landowners as a third party, all of whom should contribute in just and equitable proportions to the expense of the prosecution and completion of such work, and

WHEREAS, The United States, recognizing its duty in the matter, did duly pass an act, approved March 1, 1917, to provide for the control of floods of the Sacramento River, California, and by said act did appropriate sums of money to be made from time to time, not to exceed in the aggregate $5,600,000, which said money it was provided should be expended under the direction of the Secretary of War, in accordance with such plans, on the condition that assurances should be given satisfactory to the Secretary of War that the State of California would contribute annually for such work a sum equal to such sum as may be expended annually therefor by the United States, and

WHEREAS, Assurances were given as so required, which were satisfactory to the Secretary of War, and the United States has from time to time made the appropriations required by such act; and

WHEREAS, The State of California, recognizing its duty in the matter of improving the navigation of the Sacramento River, preventing of floods and reclaiming of lands, has made appropriations to match those made by the United States pursuant to said act of Congress; and

WHEREAS, The State of California, in 1919, for the purpose of cooperation in the construction of the public works included in and provided for by that certain project known as Sutter-Butte By-Pass Project No. 6 of the Sacramento and San Joaquin Drainage District, in conformity with the report of the California Debris Commission above mentioned, did appropriate the sum of three million dollars, payable in ten annual installments, which sum is in addition to that to be made to equal the appropriations of Congress; and

WHEREAS, The appropriations made, and to be made, by the Act of Congress, are confined to the rectification and enlargement of river channels and the construction of weirs; and

WHEREAS, Sutter-Butte By-Pass Project No. 6 is a part of the same general plan, and necessary to its completion, the work having been divided into units or separate projects for convenience, but under the law of Congress no money appropriated by that body can be used for cooperation in the completion of Sutter-Butte By-Pass Project No 6; now, therefore, be it

Resolved by the Assembly and Senate jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to make an additional appropriation of $3,000,000 to equal that made by the State, for the purpose of cooperating in the construction and completion of the public works included in and provided by the Reclamation Board of the State of California, known as Sutter-Butte By-Pass Project No. 6 of the Sacramento and San Joaquin Drainage District and be it

Further resolved, That the Chief Clerk of the Assembly is hereby instructed immediately on the adoption of this resolution to forward to each Senator and Representative of Congress five copies of this resolution and a like number of copies to the President of the United States.

ASSEMBLYMAN FULWIDER IN THE CHAIR.

At ten o'clock and forty minutes a.m., Honorable Lucien Fulwider, Assemblyman from the thirteenth district, was called to the chair.

Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.

Bill read third time.

THE SPEAKER IN THE CHAIR.

At ten o'clock and fifty minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED FORTY-EIGHT—(RESUMED).

Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 948 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Donohue, Dozier, Duval, Emme, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Burns, Coombs, Dean, Fellom, Heisinger, Hornblower, McDowell, McPherson, Mitchell, T. A., Morrison, Rock, Schmidt, and Spalding—13.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Kline moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, line 12, of the printed bill, strike out the word "eighteen" and insert in lieu thereof the word "fourteen".

AMENDMENT NUMBER TWO.

On page 4, line 39, of the printed bill, before the word "nine" at the beginning of the line, insert the word "fifty".

AMENDMENT NUMBER THREE.

On page 5, line 16, of the printed bill, strike out the words "Six hundred fifty" and insert in lieu thereof the words "seven hundred sixty-one".

AMENDMENT NUMBER FOUR.

On page 12 of the printed bill, strike out all of lines 5 and 6.

AMENDMENT NUMBER FIVE.

On page 5, after line 43, of the printed bill, insert the following

"For salaries, state building and loan commissioner, deputies and employees, twenty thousand seven hundred sixty dollars.

For support, bureau of building and loan supervision, seven thousand four hundred dollars."

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, after line 15, insert the following:

"For salaries of employees of commission of immigration and housing of California, eighty-three thousand two hundred eighty dollars.

For support, commission of immigration and housing of California, forty-one thousand six hundred ten dollars."

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, after line 42, insert the following:

"For salaries of officers and employees, state board of charities and corrections, thirty-two thousand two hundred eighty dollars.

For support, state board of charities and corrections, sixteen thousand eight hundred dollars."

AMENDMENT NUMBER EIGHT.

On page 10 of the printed bill, after line 43, insert the following:

"For salaries, state mineralogist, deputies and employees, fifty thousand seven hundred dollars.

For support, state mining bureau, twenty-three thousand one hundred dollars."

MOTION FOR THE COMMITTEE OF THE WHOLE.

Messrs. Morrison, Schmidt, Hornblower, Fellom and Wright moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Assembly Bill No. 999.

REQUEST FOR ROLL CALL.

On request of Messrs. Scott, Rock, Kline, Pedrotti and Christian, the Speaker ordered a roll call taken on the motion for the Committee of the Whole.

The question being on the motion for the Committee of the Whole.

The roll was called, and the Committee of the Whole demanded by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Heisinger, Hornblower,

Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—39.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—35.

POINT OF ORDER.

Mr. Carter arose to the following point of order:

That Rule 14 states that the Assembly may go into the Committee of the Whole on second reading, and that Assembly Bill No. 999 was on third reading file and therefore the motion for the Committee of the Whole was not in order.

RULING OF THE SPEAKER.

The Speaker ruled that the point was well taken.

APPEAL FROM DECISION OF THE CHAIR.

Mr Jones appealed from the decision of the chair.

Motion seconded.

WITHDRAWAL OF APPEAL.

Following debate, Mr. Jones, with permission of his second, withdrew his appeal.

RECESS.

At twelve o'clock and three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyman asked for and was granted unanimous consent to take up Senate Bill No. 82, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER EIGHTY-TWO.

Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 6, line 3, of the printed bill, strike out all language in section 24 and insert in lieu thereof the following: "All moneys collected under the provision of this act shall be paid at the end of each month into the state treasury, to the credit of the general fund. The board of examiners are hereby authorized to draw against

the general fund for the payment of expenses in the performance of necessary duties in compliance with this act, not however, in excess of the amount collected and actually paid into the general fund under this act. Claims against the general fund under this act shall be audited by the state board of examiners and by the board of control, and shall be paid by the state treasurer on warrants drawn by the state controller."

Motion carried.

The Speaker appointed Mr Lyman as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 82, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT

Mr Christian asked for and was granted unanimous consent to take up Senate Joint Resolution No. 12, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER TWELVE

Senate Joint Resolution No. 12—Relative to the employment of war veterans at the soldiers' homes at Sawtelle and at Yountville.

Senate Joint Resolution No. 12 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During reading of the joint resolution, Mr. Christian moved that the Speaker appoint a Select Committee of One to amend the joint resolution as follows:

AMENDMENT NUMBER ONE

In line 2 of the title, after the word "soldiers'", strike out the word "homes", and insert in lieu thereof the word "home", and after the word "Sawtelle", strike out the words "and at Yountville".

AMENDMENT NUMBER TWO.

In line 4 of the printed resolution, after the word "soldiers", strike out the word "homes", and insert in lieu thereof the word "home".

AMENDMENT NUMBER THREE.

In line 5 of the printed resolution, after the word "Sawtelle" strike out the words "and Yountville".

AMENDMENT NUMBER FOUR.

In line 11 of the printed resolution, after the word "soldiers" strike out the words "homes" and insert in lieu thereof the word "home".

AMENDMENT NUMBER FIVE.

In line 12 of the printed resolution, after the word "Sawtelle", strike out the words "and at Yountville".

AMENDMENT NUMBER SIX.

In line 16 of the printed resolution, after the words "to the", strike out the word "governors", and insert in lieu thereof the word "governor".

AMENDMENT NUMBER SEVEN.

In line 17 of the printed resolution, after the word "diers", strike out the word "homes" and insert in lieu thereof the word "home".

AMENDMENT NUMBER EIGHT.

In line 17 of the printed resolution, after the word "Sawtelle", strike out the words "and at Yountville".

Motion carried.

The Speaker appointed Mr Christian as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Joint Resolution No. 12, with instructions, reports that the instructions of the Assembly have been carried out.

CHRISTIAN, Select Committee.

Report of Select Committee of One and amendments adopted.

Senate Joint Resolution No. 12 ordered to reprint, re-engrossment, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Ball asked for and was granted unanimous consent to take up Assembly Bill No. 427, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED TWENTY-SEVEN.

Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Ball moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in lines 7 and 8, strike out the words "by code numbers to the state board of medical examiners" and in lieu thereof insert the following: "to the bureau of vital statistics of the state board of health".

Motion carried.

The Speaker appointed Mr. Ball as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 427, with instructions, reports that the instructions of the Assembly have been carried out.

BALL, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Christian asked for and was granted unanimous consent to take up Senate Bill No. 34, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER THIRTY-FOUR.

Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Christian moved that the Speaker appoint a Select Committe of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "*provided* that this section shall not affect nor apply

to any female who shall have attained the age of eighteen years prior to the going into effect of this section."

Motion carried.

The Speaker appointed Mr. Christian as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 34, with instructions, reports that the instructions of the Assembly have been carried out.

CHRISTIAN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California to amend section 13 of article XIV of the constitution of said State, relating to basis of taxation for State purposes.

Assembly Constitutional Amendment No. 1 read.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "thirteen of article fourteen", and insert in lieu thereof the following: "fourteen of article thirteen".

AMENDMENT NUMBER TWO

On page 5 of the printed bill, strike out all of line 9 following the period and insert in lieu thereof the following: "The state shall reimburse any and".

AMENDMENT NUMBER THREE.

On page 5, line 11, of the printed bill, strike out the word "railroad", and insert in lieu thereof the word "any".

AMENDMENT NUMBER FOUR.

On page 5, line 12, of the printed bill, strike out the word "railroad" and insert in lieu thereof the word "such".

AMENDMENT NUMBER FIVE.

On page 5, line 13, of the printed bill, after the period insert the following: "The legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for state purposes only."

Amendments adopted.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During reading of the constitutional amendment, Mr. Coombs moved that the Speaker appoint a Select Committee of One to amend the constitutional amendment as follows:

AMENDMENT NUMBER ONE

On page 1, line 9, of the printed amendment, strike out the comma after the word "railroads".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed amendment, strike out the word "including" and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 4, line 49, of the printed amendment, after the word "thereof" insert the following: "Subject to the provisions of this section, by a like two-thirds vote of the legislature, or by initiative legislation, other incomes may be taxed and the rates thereof be determined for state purposes."

AMENDMENT NUMBER FOUR.

On page 4, line 20, of the printed amendment, after the word "state" insert the following "subject to the provisions of this section, by a two-thirds vote of the legislature, or by initiative legislation, other properties may be taxed and the rates thereof determined for state purposes."

Motion carried.

The Speaker appointed Mr. Coombs as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER. Your Select Committee of One, to which was referred Assembly Constitutional Amendment No. 1, with instructions, reports that the instructions of the Assembly have been carried out.

COOMBS, Select Committee.

Report of Select Committee of One and amendments adopted.

Assembly Constitutional Amendment No. 1 ordered to reprint, re-engrossment, and on file for adoption.

MOTION TO RE-REFER.

Mr. Bernard moved that Assembly Bill No. 1031 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

Motion carried.

Assembly Bill No. 1031 re-referred to Committee on Public Utilities.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public

purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

The question being on the motion by Mr Kline to refer the bill to a Select Committee of One for the purpose of amending.

Amendments read.

AMENDMENT NUMBER ONE

On page 3, line 12, of the printed bill, strike out the word "eighteen" and insert in lieu thereof the word "fourteen".

AMENDMENT NUMBER TWO.

On page 4, line 39, of the printed bill, before the word "nine" at the beginning of the line, insert the word "fifty".

AMENDMENT NUMBER THREE.

On page 5, line 16, of the printed bill, strike out the words "Six hundred fifty" and insert in lieu thereof the words "seven hundred sixty-one".

AMENDMENT NUMBER FOUR.

On page 12 of the printed bill, strike out all of lines 5 and 6.

AMENDMENT NUMBER FIVE.

On page 5, of the printed bill, after line 43, insert the following

"For salaries, state building and loan commissioner, deputies and employees, twenty thousand seven hundred sixty dollars.

For support, bureau of building and loan supervision, seven thousand four hundred dollars."

AMENDMENT NUMBER SIX.

On page 6 of the printed bill, after line 15, insert the following:

"For salaries of employees of commission of immigration and housing of California, eighty-three thousand two hundred eighty dollars.

For support, commission of immigration and housing of California, forty-one thousand six hundred ten dollars"

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, after line 42, insert the following:

"For salaries of officers and employees, state board of charities and corrections, thirty-two thousand two hundred eighty dollars.

For support, state board of charities and corrections, sixteen thousand eight hundred dollars."

AMENDMENT NUMBER EIGHT.

On page 10 of the printed bill, after line 43, insert the following

"For salaries, state mineralogist, deputies and employees, fifty thousand seven hundred dollars.

For support, state mining bureau, twenty-three thousand one hundred dollars."

Motion carried.

The Speaker appointed Mr. Kline as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

KLINE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER SET.

On motion of Mr. Kline the consideration of Assembly Bill No. 999 was made a special order for Wednesday, April 18, 1923, at eleven o'clock a.m.

THIRD READING OF SENATE BILLS.

Senate Bill No. 69—An act to add a new section to the Political Code, to be numbered 2609, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 69 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 70—An act to amend section 2605 of the Political Code, relating to San Diego Bay.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Duval, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 237—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 237 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Burns, Clarke, Cleary, Connolly, Coombs, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Rock, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 77—An act authorizing counties to improve or assist in the improvement of streets lying in municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Burns, Carlson, Christian, Cleary, Croter, Dawson, Dean, Dorris, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 310—An act authorizing the State Highway Commission to use certain land belonging to the State of California in Sonoma County for highway purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 497—An act to amend section 384 of the Penal Code, relating to fires.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 497 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 119—An act declaring insect pests, insect infestations and pine beetles to be a nuisance, and providing for the control, eradication and destruction of said insect pests.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 119 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Dorris, Emme, Foster, Fulwider, Graves, Heisinger, Johnson, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Saylor, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 320 finally passed by the following vote:

AYES—Badham, Ball, Bromley, Broughton, Carlson, Carter, Christian, Cleary, Coombs, Croter, Davis, Dean, Dorris, Duval, Emme, Erb, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653*aa* to 653*xx* inclusive, and relating to non-profit cooperative associations with or without capital stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Fimme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Woodbridge, Wright, and Mr. Speaker—54

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No 496—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*c*, relating to acquisition of rights by appropriation to the use of water, and 1*d*, relating to matters prerequisite to the issuance of a permit to appropriate water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 496 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Dorris, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott Snyder, Spalding, Spence, West, Woodbridge, and Mr. Speaker—49.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 495—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections to be numbered 1*a*, relating to hearings upon applications for a permit to appropriate water, and 1*b*, relating to actions for review and to priority of right.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 495 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bromley, Broughton, Carlson, Christian, Clarke Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Fellom, Fulwider, Hawes, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Spalding, Spence, West, Whitacre, Williams, and Mr Speaker—46

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO SUSPEND RULE

Mr. Scott moved that Rule 71 be suspended for the remainder of the day.

Motion carried

REPORT OF COMMITTEE ON FREE CONFERENCE

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 19—An act providing for the organization and government of drainage districts and providing for the acquisition, construction, maintenance and operation of drainage works to drain or protect lands and other property within the district from the effects of water and providing for the levying of assessments and the collecting of funds for paying the costs thereof and for the issuing and sale of bonds and providing for the control and disposition of drainage water—reports that we have met a like committee of the Senate, consisting of Senators Eden, Harris and Handy, and we report that the Committee on Free Conference agreed upon and recommends that the following amendment be adopted

AMENDMENT NUMBER ONE.

On page 11, line 52, of the printed bill as amended in the Assembly, strike out all after the word "improvement", and on page 12, lines 1 and 2, and insert in lieu thereof the words "at a uniform amount per acre."

SPALDING,
SNYDER,
PRENDERGAST,
Assembly Committee on Free Conference.

EDEN,
HARRIS,
HANDY,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendment.

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Mr. Speaker—56.

NOES—None.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 240—An act granting certain tidelands and submerged lands of the State of California to the county of Orange in said State upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 242—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 242 finally passed by the following vote

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Clarke, Cleary, Connolly, Coombs, Croter, Dean, Dorris, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 426—An act to amend section 2191 of the Political Code, relating to the deportation of nonresidents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 426 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Dorris, Duval, Emme, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 468—An act to amend section 1168 of the Penal Code, relating to terms of imprisonment.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No 468 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Duval, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller Noyes, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 862—An act to amend section 626c of the Penal Code, relating to protection of deer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 862 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Prendergast, Reindol-

lar, Saylor, Scott, Smith, Spalding, Stevenot, Whitacre, Williams, Woodbridge, Wright and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts.' approved March 21, 1911, and all acts or parts of acts inconsistent therewith." approved May 26, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1092 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Prendergast, Reindollar, Saylor, Schmidt, Smith, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 324—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 324 passed by the following vote:

AYES—Badham, Broughton, Burns, Carlson, Clarke, Cleveland, Connolly, Coombs, Croter, Dawson, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Saylor, Schmidt, Smith, Snyder, Spalding, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—Badaracco, and Bernard—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 611 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Croter, Dawson, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Prendergast, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered transmitted to the Senate.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation.

Also: Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869a, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or truster against the grantee or grantees of the person so designated "trustee" or "as trustee".

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this state, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act:

Also: Assembly Bill No. 38—An act to amend section 953c of the Code of Civil Procedure, relating to record on appeal.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051a, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code;

Also: Assembly Bill No. 424—An act to add a new section to the Penal Code, to be numbered 1599a, relating to prisoners in city and county jails;

Also: Assembly Bill No. 488—An act to amend sections 1 and 2 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution;

Also: Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 361—An act to amend section 4977 of the Political Code, relating to claims against counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CHRISTIAN, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class,

Also Assembly Bill No 590—An act to amend section 4253 of the Political Code relating to salaries, fees and expenses of officers in counties of the twenty-fourth class,

Also, Assembly Bill No 730—An act to amend sections 4249a and 4250 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-first class

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CHRISTIAN, Vice Chairman

The above reported bills ordered on file for second reading.

ON CONSERVATION

ASSEMBLY CHAMBER SACRAMENTO, April 17, 1923

MR. SPEAKER Your Committee on Conservation, to which was referred Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel mountains and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means

McMILLAN, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER Your Committee on Conservation, to which was referred Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor,' approved March 18, 1905, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Conservation, to which was referred Assembly Bill No 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel mountains, California, and to make an appropriation

therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

McMILLAN, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel mountains, California, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

McMILLAN, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel mountains, California, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

McMILLAN, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 390—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives upon extradition;

Also: Assembly Bill No. 352—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident;

Also. Assembly Bill No. 290—An act to amend section 2192 of the Political Code, relating to the admission of persons into the Home for Feeble-Minded and to the support of persons admitted to said home;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of April, 1923, at eleven o'clock a.m

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 14—An act to add a new section to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, to be numbered 16*a*;

Also: Assembly Bill No. 93—An act conveying certain tide lands and lands lying under inland navigable waters, situate in the bay of San Diego to the city of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof

Also: Assembly Bill No 72—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 227—An act to amend section 28 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of April, 1923, at eleven o'clock a.m.

ROBERTS, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 149—An act to amend sections 2, 3, 4, 9, 11, 13, 16, 17, and 18 of an act entitled "An act to pro-

vide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds,' approved April 7, 1911, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 318—An act to add chapter II to title V of part III of the Political Code embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, and to repeal sections 2237, 2238, 2239, 2240, 2243, 2244, 2254, 2255, 2257, 2267, 2268, 2270, 2280, and 2282 of said code relating to the education of the deaf and the blind.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 81—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing, and maintaining their harbors and for the construction of wharves and piers, sea wall, state or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to the governing bodies of said district which are necessary and convenient to accomplish said purposes and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction or any part thereof

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act" approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State;

Also Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 141 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 142 read first time, and referred to Committee on Public Utilities,

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians;

Also: Senate Bill No. 96—An act to amend section 70 of the Civil Code relating to the solemnization of marriages;

Also: Senate Bill No. 361—An act to regulate the use of purse seine nets, drag nets, lampara nets or round haul nets in and providing a penalty for the violation thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 126 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 96 read first time, and referred to Committee on Judiciary.

Senate Bill No. 361 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended;

Also: Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 95 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 698 read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At four o'clock and eleven minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, April 18, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 18, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Miss Miller, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Erb:

Hon. Louis F. Erb,
578 Seventh avenue, San Francisco.

SIR: We, the teachers of Hillside School, believing in keeping up California's high standard in education, ask your earnest consideration of the following: No curtailment in the budget for education, Americanization and welfare work; the new teachers' pension bill; the killing of Senate Bill No. 123 and Assembly Bill No. 534.

Respectfully,

JOSEPHINE KELLOGG,
And ten others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Also, Assembly Bill No. 29—An act authorizing the establishment and government of port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Also, Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies;

Also, Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended·
And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also·

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the national guard of the State of California;

Also· Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California;

Also· Assembly Bill No 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872;

Also, Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921;

Also· Assembly Bill No 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15*a*, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER· Your Committee on Engrossment and Enrollment has examined the following.

Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to legislative reapportionment;

Also· Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to legislative reapportionment;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendments ordered on file for adoption.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER· Your Committee on Education, to which was referred Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734*c*, relating to the change of boundaries of high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER, Your Committee on Education, to which was referred Assembly Bill No. 366—An act to repeal sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

BAKER, C C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 44—An act relating to liability for injury to school children;

Also: Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

BAKER, C. C., Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district;

Also: Assembly Bill No. 998—An act to amend an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards, defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909", approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

STEVENOT, Vice Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

Also: Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 523 read first time, and referred to Committee on Elections.

Senate Bill No. 717 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No. 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California;

Also: Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code relating to the viewing of the body by a coroner's jury;

Also: Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses;

Also: Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 31—An act to amend section 19*x*10 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 38—An act to amend section 953*c* of the Code of Civil Procedure, relating to record on appeal.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 3—An act to add a new section to the Civil Code, to be numbered 3051*a*, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 4 to 13, inclusive, and in lieu thereof insert the following

"3051*a*. No lien, as provided for in the next preceding section, in excess of one hundred dollars, for any work, services, care, or safe-keeping rendered or performed at the request of any person other than the holder of the legal title, shall be valid, unless prior to commencing any such work, service, care, or safe keeping, the person claiming such lien shall give actual notice in writing to the holder of the legal title to such property, if known. In the case of automobiles, the person named as legal owner in the registration certificate, shall be deemed for the purpose of this section, as the holder of the legal title."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 424—An act to add a new section to the Penal Code, to be numbered 1599*a*, relating to prisoners in city and county jails.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 1 of the title, strike out the words "a new section", and insert in lieu thereof the words "two new sections".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, lines 2 and 3 of the title, strike out the words "one thousand five hundred ninety-nine *a*, relating to prisoners in city and county jails", and insert in lieu thereof the following: "one thousand five hundred ninety-nine *a* and one thousand five hundred ninety-nine *b*, relating to property taken from persons detained in city, county, or city and county jails".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of line 4 following the period, and all of lines 5, 6 and 7, and insert in lieu thereof the following

"It is hereby made the duty of every peace officer in the State of California, whenever an arrest is made by such officer, to immediately search the arrested person and to take possession of any dangerous weapon which he may find upon such person

SEC. 2. A new section is hereby added to the Penal Code, to be numbered one thousand five hundred ninety-nine *b*, and to read as follows

1599*b*. Whenever any weapon or other personal property is taken from an arrested person, it shall be the duty of the desk clerk or other proper officer of any city, county or city and county jail, to which such person is committed for detention, to give a receipt to such person without delay for the property taken."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 488—An act to amend sections 1 and 2 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance: providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and

treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On line 1 of the title of the printed bill strike out the words "sections one and two" and in lieu thereof insert the following "section nineteen x twelve."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill strike out the word "one" and insert in lieu thereof the words "nineteen x twelve."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill strike out all of lines 12 to 31 inclusive and all of page 3 of the printed bill and in lieu thereof insert the following.

"19x12. In counties of the twelfth class there shall be one probation officer, whose salary shall be one hundred and fifty dollars per month, and also an assistant probation officer, whose salary shall be one hundred and twenty-five dollars per month."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On line 3 of the title of the printed bill strike out the period (.) after the word "execution" and insert in lieu thereof the following: "or power under deed of trust."

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the comma (,) after the word "execution" and insert in lieu thereof the following "or under power contained in any deed of trust"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 1, after the period add the following. "Section two thousand nine hundred twenty-four of the Civil Code is hereby amended to read as follows

2924. Every transfer of an interest in property, other than in trust, made only as a security for the performance of another act, is to be deemed a mortgage, except

when in the case of personal property it is accompanied by actual change of possession, in which case it is to be deemed a pledge.

Where by a mortgage created after July 27, 1917, of any estate in real property, other than an estate at will or for years, less than two, or in any transfer in trust made after July 27, 1917, of a like estate to secure the performance of an obligation, a power of sale is conferred upon the mortgagee, trustee, or any other person, to be exercised after a breach of the obligation for which such mortgage or transfer is a security, such power shall not be exercised (except where such mortgage or transfer is made pursuant to an order, judgment, or decree of a court of record, or to secure the payment of bonds or other evidences of indebtedness authorized or permitted to be issued by the commissioner of corporations, or is made by a public utility subject to the provisions of the public utilities act), until, (*a*) the trustee, mortgagee or beneficiary shall first record, in the office of the recorder of the county wherein the mortgaged or trust property or some part thereof is situated, a notice of such breach and of his election to sell or cause to be sold such property to satisfy the obligation; (*b*) not less than three months shall thereafter elapse; and (*c*) the mortgagee, trustee or other person authorized to make the sale shall give notice of the time and place thereof, in the manner and for a time not less than that required by law for sales of real property upon execution."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, between lines 4 and 5, insert the following

"2. The traffic officer, two thousand four hundred dollars per annum, *provided*, that the traffic officer shall have the power to appoint one deputy which office is hereby created, at a salary of two thousand four hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers are paid; *and provided further*, that the said salaries shall be payment in full for all services rendered and expenses incurred in the performance of the duties of the said traffic officer and deputy, respectively."

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "4".

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER FIVE.

On page 2, line 22, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "7".

AMENDMENT NUMBER SIX.

On page 2, line 27, of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the printed bill, strike out the figure "8" and insert the figure "9".

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, strike out the figure "9" and insert the figure "10".

AMENDMENT NUMBER NINE.

On page 3, line 5, of the printed bill, strike out the figure "10" and insert in lieu thereof the figure "11".

AMENDMENT NUMBER TEN.

On page 3, line 7, of the printed bill, strike out the figure "11" and insert in lieu thereof the figure "12".

AMENDMENT NUMBER ELEVEN.

On page 3, line 10, of the printed bill, strike out the figure "12" and insert in lieu thereof the figure "13".

AMENDMENT NUMBER TWELVE.

On page 3, line 12, of the printed bill, strike out the figure "13" and insert in lieu thereof the figure "14".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 35, of the printed bill, strike out the figure "14" and insert in lieu thereof the figure "15".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 50, of the printed bill, strike out the figure "15" and insert in lieu thereof the figure "16".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 3, of the printed bill, strike out the figure "16" and insert in lieu thereof the figure "17".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 16, of the printed bill, strike out the figure "17" and insert in lieu thereof the figure "18".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 25, of the printed bill, strike out the figure "18" and insert in lieu thereof the figure "19".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 27, of the printed bill strike out the figure "19" and insert in lieu thereof the figure "20".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

After the number "4253" in line 3 of the printed bill, add the following, to wit: "In counties of the twenty-fourth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their offices, the following salaries, fees and expenses, to wit:

1. The county clerk, three thousand dollars per annum, *provided* that he shall have the power to appoint two deputies at a salary of two thousand one hundred dollars each per annum, and one deputy at a salary of one thousand five hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers are paid; *provided, further*, that the county clerk shall receive for compiling the great register, and for services in connection with elections, the additional sum of one thousand two hundred dollars per annum; *and provided, further*, that he shall also receive and retain, for his own use and benefit, all such fees and commissions as now are, or which hereafter may be, allowed by law.

2. The sheriff, three thousand five hundred dollars per annum; *provided*, that he shall have the power to appoint three deputies, which offices are hereby created, at a salary of one thousand eight hundred dollars each per annum, payable at the same time and in the same manner as that of other county officers. The sheriff shall also receive and retain in all civil cases for his own use and benefit, fees, commissions and mileage which now are or which may hereafter be allowed by law; and also all expenses incurred in the pursuit of criminals or transacting any criminal business. The sheriff shall also receive and retain for his own use and benefit mileage and fees for the service of process or papers issued by any court in the state.

3. The traffic officer, two thousand one hundred dollars per annum; *provided*, that the traffic officer shall have the power to appoint three deputies, which offices are hereby created, at a salary of two thousand one hundred dollars each per annum, payable at the same time and in the same manner as the salaries of other county officers are paid; *and provided, further*, that the said salaries shall be payment in full for all services rendered and expenses incurred in the performance of the duties of the said traffic officer and deputies, respectively.

4. The recorder, two thousand four hundred dollars per annum; *provided, however*, that in counties of this class the recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents in his office not exceeding six cents per folio for each paper and document so recorded and two cents per name for each and every name indexed. It is hereby found as a fact that the salaries provided for in this subdivision do not work an increase in compensation and the same shall apply immediately to incumbents.

5. The county auditor, two thousand four hundred dollars; *provided*, he shall have two deputies at a salary of one thousand five hundred dollars per annum each, and one deputy at a salary of one thousand two hundred dollars per annum, and one deputy at a salary of one thousand eighty dollars per annum, all of which offices are hereby created; *and provided, further*, that in counties of this class there shall be and hereby is allowed to the county auditor, such additional assistants as the auditor may require during the months of July, September and December of each year, and whose compensation in the aggregate shall not exceed two hundred dollars in any one year. Said county auditor shall also in the event that he performs the duties of county purchasing agent, which office is hereby created, receive the sum of nine hundred dollars per annum for his services as county purchasing agent which shall be in full for all services as purchasing agent.

6. The treasurer, three thousand dollars per annum; *provided*, that he shall have power to appoint one deputy, which office is hereby created, at a salary of one thousand five hundred dollars per annum, payable at the same time and in the same manner as that of other county officers. The treasurer shall receive and retain for his own use the fees and commissions now or hereafter to be allowed him by law.

7. The tax collector, two thousand four hundred dollars per annum; he shall have one deputy which office is hereby created at a salary of one thousand five hundred dollars per annum payable at the same time and in the same manner as that of other county officers; *and provided, further* he shall have one deputy during the months of August, September, October, November and December of each year, which office is hereby created, at a salary of one hundred dollars per month, payable at the same time and in the same manner as that of other county officers.

8. The assessor, four thousand two hundred dollars per annum; he shall have one chief deputy which office is hereby created at a salary of one thousand eight hundred dollars per annum; one deputy assessor at a salary of one thousand two hundred dollars per annum; four field deputy assessors, for not exceeding three months of each year at a salary of two hundred dollars per month and four field deputies for not exceeding two months of each year at two hundred dollars per month, all of which said offices are hereby created; all said deputies and assistants shall be paid monthly in the same manner and from the same fund as the county officers are paid. All necessary maps, plats or drawings essential for use in the assessor's office shall be furnished by the county engineer as heretofore. He shall deposit all fees received by him in the county treasury.

9. The district attorney, two thousand four hundred dollars per annum, and his actual traveling expenses when prosecuting criminals, within the county; *provided*, that he shall have power to appoint two deputies, which offices are hereby created, one of said deputies to receive a salary of one thousand five hundred dollars per annum and the other deputy to receive a salary of one thousand two hundred dollars per annum, the salary of each of said deputies to be payable in the same manner and at the same time as that of other county officers.

10. The coroner, one thousand five hundred dollars per annum and his actual necessary expenses in traveling outside of the county seat, including mileage at the rate of twenty-five cents for each mile necessarily traveled in going to the place of inquest, together with two dollars for summoning a jury. He shall be allowed two deputies which offices are hereby created who shall act without compensation except that they shall be allowed their necessary traveling expenses for necessary travel outside the county seat in performance of their duties. Said salary and allowances shall be in full for all services rendered by the coroner, and he shall be allowed no other fees than those herein enumerated, except that when acting as or in place of the sheriff he shall be allowed the same fees as are allowed the sheriff for like services.

11. The public administrator, such fees as are now or may hereafter be allowed by law.

12. The superintendent of schools, two thousand seven hundred dollars per annum, and his actual traveling expenses when visiting schools of the county; *provided*, that

he shall have the power to appoint two deputies which offices are hereby created, at a salary of one thousand five hundred dollars and one thousand two hundred dollars per annum, respectively, payable at the same time and in the same manner as other county officers are paid

13. The surveyor one thousand eight hundred dollars per annum for all work performed for the county, and in addition thereto his actual and necessary traveling and other expenses in connection with field work, and the cost of preparing maps, plats, block-books and tracings for the assessor when directed by him to do so.

14. The justices of the peace shall receive the following monthly salaries to be paid each month as the salaries of the county officers are paid, which shall be in full for all services rendered by them: (1) in townships having a population of five thousand or more, one hundred fifty dollars per month, *provided*, that where there is now or may be hereafter created in such township more than one justice of the peace, the monthly salary of said two justices shall be each one hundred dollars per month; (2) in townships having a population of two thousand five hundred and less than five thousand, sixty-five dollars per month; (3) in townships having a population of one thousand five hundred and less than two thousand five hundred, sixty dollars per month; (4) in townships having a population of one thousand and less than one thousand five hundred, forty-five dollars per month; (5) in townships having a population of five hundred and less than one thousand, thirty-five dollars per month; (6) and in townships having a population of less than five hundred, thirty dollars per month. Each justice must pay into the county treasury once a month all fees and fines collected by him; *and provided further*, that the county board of supervisors may, in its discretion, furnish and provide suitable offices for the transaction of the business of any one or more of the justices of the peace

15. The constables shall receive the following salaries to be paid each month as salaries of the county officers are paid, which shall be in full for all services rendered by them in criminal cases and in all other criminal matters: (1) in townships having a population of five thousand or more, one hundred dollars per month (2) in townships having a population of two thousand five hundred, and less than five thousand, fifty dollars per month; (3) in townships having a population of one thousand five hundred or less than two thousand five hundred, forty-five dollars per month; (4) in townships having a population of one thousand and less than one thousand five hundred thirty-five dollars per month; (5) in townships having a population of five hundred and less than one thousand, thirty dollars per month (6) in townships having a population of less than five hundred, twenty dollars per month; *provided*, that in addition to the salary herein allowed, each constable shall be paid out of the treasury of the county for necessary traveling expenses in his own district, for the service of a warrant of arrest or any other process in a criminal case, or other criminal matters, when such service is in fact made, both going and returning, ten cents per mile; for each mile traveled out of his county, both going and returning from the place of arrest in the service of process, five cents per mile and for transporting persons to the county jail ten cents per mile each way. In addition to the monthly salary allowed him herein each constable shall receive for his own use, the fees in civil cases, which now or may hereafter be allowed by law.

16. The supervisors, each, the sum of one thousand two hundred dollars per annum, and twenty cents per mile for all distances actually traveled, in the performance of his duty as road commissioner, not to exceed two hundred dollars per annum, together with mileage at the rate of twenty cents per mile, in going only, from his place of residence to the county seat at each session of the board

17. In counties of this class the official phonographic reporter of the superior court shall receive as compensation for his services the fees and compensation now or hereafter provided by law, and in addition thereto shall receive five dollars per day when not actually engaged in reporting in said court, but when in attendance on court in compliance with and as provided by section two hundred seventy-one of the Code of Civil Procedure, the said per diem of five dollars to be paid in the same manner as provided in criminal cases

18. The county librarian shall receive two thousand one hundred dollars per year.

19. For the purpose of subdivisions thirteen and fourteen of this section, the population of the several townships shall be ascertained and determined by the board of supervisors by multiplying by three and one-half, the vote cast for presidential electors in each township at the next preceding election therefor.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 790—An act to amend sections 4249*a* and 4250 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-first class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, strike out the words "sections four thousand two hundred forty-nine *a* and" and in lieu thereof insert the word "section".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 11, both inclusive, and in lieu thereof insert the following:

"Section 1. Section four thousand two hundred fifty of the Political Code is hereby amended to read as follows."

AMENDMENT NUMBER THREE

On page 1 of the printed bill, after line 15, add the following:

"1. The county clerk, three thousand five hundred dollars per annum, and such fees as are now, or may be hereafter allowed by law, and in any year when a new great register of voters is required by law, he shall receive, in addition thereto, ten cents per name for each person registered. He may appoint one deputy who shall receive a salary of two thousand one hundred dollars per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; three deputies who shall each receive a salary of one thousand two hundred dollars per annum; a copyist at a salary of one thousand two hundred dollars per annum; and during any year when an official primary election is held in the county, he may appoint one additional deputy, to serve for a period of four months only, at a monthly salary of seventy-five dollars. The deputies, clerks and stenographer herein provided for shall be paid by the county at the same time and in the same manner and out of the same fund as the county clerk is paid. In any year when a new registration of voters is required by law, he may appoint such number of deputies as may be necessary for the convenient registration of voters in their respective precincts, such deputyships and offices being hereby created. Each of said deputies shall be paid by the county the sum of ten cents per name for each elector registered by him. Said compensation to be paid out of the general fund of the county, on the presentation and filing with the board of supervisors of the county, of a duly verified claim therefor, approved by the county clerk. On and after January 6, 1919, all fees, commissions and perquisites from whatever source received and collected by the county clerk, except the said sum of ten cents per name received by him for each person registered, shall be paid into the county treasury, and shall belong to the county.

2. The sheriff, four thousand five hundred dollars per annum; *provided*, there shall be and there hereby is allowed to the sheriff the following deputies, which offices are hereby created who shall be appointed by the sheriff, and shall be paid salaries as follows: One chief deputy at a salary of one hundred seventy-five dollars per month, one deputy at a salary of one hundred fifty dollars per month, and one deputy to act as jailer at a salary of one hundred fifty dollars per month. The salaries of the deputies and employees herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the sheriff is paid. In criminal cases, and actions in which the county is interested, the sheriff shall receive only actual expenses incurred and no more. All claims against the county shall be itemized and sworn to by the sheriff or chief deputy, and filed with the board of supervisors monthly before the tenth day of each month. Expense accounts to be sworn to and filed as separate claims. A monthly statement of all fees collected from whatever source derived, duly subscribed and sworn to by the sheriff or chief deputy shall be filed with the county treasurer on or before the tenth day of each month. The board of supervisors may allow the sheriff a sum not to exceed thirty-seven and one-half cents per day for feeding each prisoner committed to his custody. Prisoners shall be fed three meals each day The changes in this subdivision made shall apply to the incumbent and shall be in lieu of all fees, commissions, and mileage

3. The recorder three thousand five hundred dollars per annum; and said recorder may appoint two deputy recorders, one of whom shall receive a salary of one thousand eight hundred dollars per annum, and one who shall receive a salary of one thousand two hundred dollars per annum. He may appoint such copyists as may be required for the recording of all papers, notices or documents in his office except maps or plats, who shall receive for their services the sum of

six cents per folio, and for copies of any paper or record six cents per folio. The salaries and compensation of all deputies and copyists herein provided for shall be paid by the county in monthly installments out of the same fund as the recorder is paid. All fees, commissions and perquisites collected by the recorder, from whatever source received, shall be paid into the county treasury. The recorder shall file monthly, on or before the tenth day of each month, with the county auditor, a verified statement showing in detail the fees received by him, and the amounts paid to copyists or other employees in his office, and the names of the persons to whom the same were paid.

4. The auditor, three thousand five hundred dollars per annum. He may appoint one deputy, who shall receive a salary of two thousand one hundred dollars per annum, and one clerk at a salary of one hundred dollars per month, and four copyists for one month in each year, at a salary of one hundred dollars per month each. The deputy, clerk and copyists herein provided for shall be paid by the county in monthly installments in the same manner and out of the same fund as the auditor is paid.

5. The treasurer, three thousand five hundred dollars per annum.

6. The tax collector, three thousand five hundred dollars per annum. He may appoint one deputy, which office is hereby created, at a salary of one thousand eight hundred dollars per annum, and such additional clerks and copyists as the tax collecter may appoint at a salary not to exceed five dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such additional clerks and copyists, who receive a per diem, shall not exceed the sum of three thousand dollars per annum. Said additional clerks and copyists to be paid by the county on the presentation and filing with the board of supervisors of duly verified claims showing the services rendered, approved by the tax collector. The salaries of all deputies, clerks, and indexers to be paid by the county at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid.

7. The assessor, four thousand dollars per annum. In counties of this class there shall be and there hereby is allowed to the assessor the following clerks, deputies and employees, who shall be paid salaries as follows: One chief deputy assessor at a salary of one thousand eight hundred dollars per annum; one deputy assessor at a salary of one hundred twenty-five dollars per month, and such additional field deputy assessors and clerks as the assessor may appoint at a salary not to exceed five dollars per day each, *provided, however*, that the total amount of salary and compensation paid to such additional deputies and clerks who receive a per diem shall not exceed the sum of three thousand dollars per annum. Said additional deputies and clerks to be paid by the county on the presentation and filing with the board of supervisors of duly verified claims, showing the services rendered, approved by the assessor. The salaries of all deputies, clerks and employees shall be paid by the county, at the same time and in the same manner and out of the same fund as the salary of the assessor is paid. The assessor shall receive no compensation or commissions for the collection of personal property taxes, or compiling the military roll, and all commissions, perquisites and fees from whatever source received, collected by him, shall be paid into the county treasury, and shall belong to the county. The changes herein made are intended to place the office of the assessor on a fixed salary basis, in lieu of the assessor's present compensation, fees and commissions allowed him by law, and shall apply to the incumbent.

8. The district attorney, three thousand five hundred dollars per annum; and said district attorney may appoint a stenographer, which office is hereby created, who shall receive a salary of one hundred dollars per month; and one deputy district attorney, which office is hereby created, who shall receive a salary of two thousand one hundred dollars per annum. Said stenographer and deputy shall be paid by the county at the same time and in the same manner and out of the same fund as the district attorney is paid. The district attorney shall be allowed, in addition to the monthly salary herein allowed, the sum of sixty dollars per month, which shall be in full for all his traveling and other personal expenses in criminal cases and civil actions in which the county is interested, as provided for in subdivision two of section four thousand three hundred seven of the Political Code.

8a. The county librarian, two thousand one hundred dollars per annum, payable at the same time and in the same manner and out of the same fund as the salaries of other county officers, *provided*, that there shall be and there hereby is allowed to the county librarian one deputy whose salary shall be one thousand five hundred dollars per annum and one deputy whose salary shall be one thousand three hundred twenty dollars per annum, and the board of supervisors may appoint all other necessary employees for the county library as provided by law. The county librarian shall also be allowed actual and necessary traveling expenses.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, three thousand five hundred dollars per annum, and said superintendent of schools may appoint a clerk, which office is hereby created, who shall receive a salary of one hundred dollars per month. Said clerk

shall be paid by the county at the same time and in the same manner and out of the same fund as the superintendent of schools is paid. In counties of this class the superintendent of schools shall receive his actual and necessary traveling expenses for visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools.

12. The surveyor shall receive two thousand seven hundred dollars per annum for all work performed for the county, and, in addition thereto, actual traveling and other necessary expenses incurred in connection with field work. Whenever the surveyor is directed by the board of supervisors or assessor to plat, trace or otherwise prepare maps, plats or block-books for the use of the county assessor or said board, he shall be allowed only the actual cost of preparing the same.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month as salaries of the county officers are paid, which shall be in full for all services rendered by them and of all fees. In townships having a population of three thousand five hundred or more, one hundred ten dollars per month; in townships having a population of not less than one thousand five hundred and not more than three thousand five hundred eighty-five dollars per month; in all townships having a population less than one thousand five hundred, fifty dollars per month. All fees collected by justices of the peace shall be paid into the county treasury, and shall belong to the county. The provisions of this subdivision shall apply to the incumbents.

14. Constables shall receive the following monthly salaries, to be paid each month as salaries of the county officers are paid, which shall be in full for all services rendered by them in criminal cases. In townships having a population of three thousand five hundred or more, one hundred twenty-five dollars per month; in townships having a population of not less than one thousand five hundred nor more than three thousand five hundred, one hundred ten dollars per month; in all townships having a population of less than one thousand five hundred, seventy dollars per month. In addition to the monthly salary allowed herein, each constable may collect and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil actions; and he shall also be allowed his actual and necessary expenses incurred in executing any warrant outside of his county issued by a magistrate or justice of his county. Constables shall also be allowed all necessary expenses actually incurred in arresting and conveying prisoners to the county jail, which said expenses shall be audited and allowed by the board of supervisors, and paid out of the county treasury.

15. Each member of the board of education shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of twenty-five cents per mile one way only from his residence to the place of meeting of said board. The secretary of said board of education shall receive five dollars per day for his services for the actual time that the board may be in session. Said compensation of the members of said board, and of said secretary, shall be paid out of the same fund as the salary of the superintendent of schools is paid. Claims for such services and mileage shall be presented to the board of supervisors, and shall be allowed at the rate above named, in the same manner as other claims against the county are allowed. The compensation of the members of the county board of education herein provided is not in addition to that provided in section one thousand seven hundred seventy of this code.

16. Each supervisor, one thousand five hundred dollars per annum, and twenty cents per mile for traveling from his residence to the county seat, *provided*, that when a supervisor is also road commissioner he shall receive in addition to the twenty cents per mile allowed to him by law as such road commissioner his actual traveling expenses, the total mileage and expenses not in any one year to exceed the sum of three hundred dollars. The changes as to salary made in this subdivision shall not apply to incumbents.

17. Whenever it has been determined by the board of supervisors or by vote of the people to build, construct or repair any public road, bridge or building in the county, the board of supervisors may thereupon employ such expert machinics, draughtsman, engineers and inspectors as the board deems necessary to render skilled or technical services in connection with and for the purposes of such work, and shall define their duties and fix their compensation. At any time deemed necessary, the board of supervisors shall have power to employ road masters who shall patrol the highways of the county as directed by the board and who shall have and exercise the powers of peace officers. The compensation of such employees shall be designated by the board, upon claims presented to and approved by said board.

18. The county traffic officer, two thousand one hundred dollars per annum, payable at the same time and in the same manner and out of the same fund as salaries of other county officers are paid; *provided* that there shall be and there is hereby allowed to the county traffic officer six deputies, which offices are hereby created. Said deputies shall be appointed by said traffic officer and shall each receive a salary of one thousand eight hundred dollars per annum; the salaries of such deputies shall be paid at the same time and in the same manner as the salaries of county officers are paid. The board of supervisors shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same for such traffic officers and

shall pay all of the expense of the upkeep of said machines All of the provisions of this paragraph are to apply to the office of county traffic officers and his deputies whenever said office of county traffic officer is created by law

19. In townships having a population of three thousand five hundred or more, justices of the peace shall be allowed for their office rent, and expenses, the sum of forty dollars each per month, in addition to the monthly salaries herein allowed. In townships having a population of less than three thousand five hundred, justices of the peace shall be allowed for their office rent, and expenses the sum of twenty-five dollars each per month in addition to the monthly salaries herein allowed. Each justice of the peace must pay into the county treasury monthly, all fees and fines collected by him, and he must keep a book open for the inspection of the public, during office hours, in which must be entered at once and in detail the amount of all fees and fines collected by him. The auditor must withhold warrants for salary and office rent until a sworn statement has been filed with him, of all cases tried, and fees and fines collected; and the same are paid into the county treasury. No justice of the peace shall draw or receive any monthly salary unless he shall make and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court remains pending and undecided, that has been submitted to him for decision for a period of thirty days; said affidavit to be filed with the auditor of the county.

20. In counties of this class, grand jurors and trial jurors in the superior court shall each receive for each day's attendance, per day, the sum of three dollars, and for each mile actually and necessarily traveled from their residence to the county seat, in going only, per mile, the sum of twenty cents; such mileage to be allowed but once during each session such jurors are required to attend.

21. In counties of this class there shall be appointed by the sheriff a suitable woman as jail matron, who shall have care of female prisoners confined in the county jail. She shall be paid a salary of seventy-five dollars per month, to be paid by the county in monthly installments at the same time, in the same manner, and out of the same fund that the salary of the sheriff is paid.

SEC 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

SECOND READING OF SENATE BILLS

Senate Bill No 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border

Bill read second time, and ordered on file for third reading

Senate Bill No 184—An act to add two new sections to the Political Code, to be numbered 4463 and 4464, relating to newspapers of general circulation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869*a*, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions, in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or trustor against the grantee or grantees of the person so designated "trustee" or "as trustee."

Bill read second time, and ordered on file for third reading.

Senate Bill No 136—An act to amend section 164 of the Civil Code, relating to community property.

Bill read second time, and ordered on file for third reading

Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, after the period (.) insert the following: "The secretary of state shall issue and file in his office a duplicate of the certificate herein above provided for and copies thereof, duly certified by the secretary of state, shall have the same force and effect in evidence as the original."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers, subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 17 1923.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 1222—An act to amend section 361a of the Political Code, relating to the Department of Agriculture—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended

STOW, Chairman

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 191—An act to authorize the board of supervisors of any county to establish sewerage districts within the said county, to be known as metropolitan sewerage districts and to define the purposes, powers, officers, government, and jurisdiction thereof—has had the same under consideration, and respectfully reports the same back without recommendation, and that it be re-referred to Committee on County Government

DOZIER, Chairman

The above reported bill ordered re-referred to Committee on County Government

Also:

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 190—An act to create a sewerage district to be called "Los Angeles Metropolitan Sewerage District", and to define the purposes, powers, officers, government, and jurisdiction thereof—has had the same under consideration,

and respectfully reports the same back without recommendation, and that it be re-referred to Committee on Municipal Corporations.

DOZIER, Chairman.

The above reported bill ordered re-referred to Committee on Municipal Corporations.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theatres and moving picture houses, and providing penalties for its violation," approved June 3, 1921—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Public Health and Quarantine, to which was referred Senate Bill No 192—An act to amend sections 2, 3, 4, and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof" and for the appointment of a board to be known as the California State Board of Pharmacy", approved March 20, 1905, as amended March 21, 1907, and April 21, 1909—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DOZIER, Chairman

The above reported bill ordered on file for second reading.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923

MR SPEAKER Your Committee on Agriculture to which was referred Senate Bill No. 488—An act to amend section 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h* 2322*i* and 2322*j* of the Political Code, relating to agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ASSISTANT CLERK POWERS READING

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER SACRAMENTO, April 17, 1923.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children—and respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 959?

AMENDMENT NUMBER ONE.

On page 1, line 28, of the printed bill, strike out the word "alien" and insert in lieu thereof the word "person".

The roll was called, and Senate amendment to Assembly Bill No. 959 was concurred in by the following vote:

AYES—Badham, Baker, Edwin: Ball, Bromley, Broughton, Burns, Carter, Clarke, Connolly Crittenden, Dawson, Dean, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Noyes, Pomeroy Reindollar, Rock, Rosenshine,

Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—45

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 7, 90, and 130 thereof and by adding a new section thereto to be numbered section 132a thereof, all relating to the definition and regulation of the business of banking—and respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1119?

AMENDMENT NUMBER ONE.

On page 3, line 4, of the printed bill, after the word "served" insert the word "upon".

AMENDMENT NUMBER TWO.

On page 4, line 45, of the printed bill, strike out the word "section" and insert the word "sections"

AMENDMENT NUMBER THREE.

On page 4, line 47, of the printed bill, after the word "must" strike out the words "also apportion and", and all of lines 48, 49 and 50

AMENDMENT NUMBER FOUR.

On page 5, line 26, of the printed bill, after the word "were" insert the word "respectively".

AMENDMENT NUMBER FIVE.

On page 5, line 32, of the printed bill, strike out the word "authorized" and insert the word "subscribed".

AMENDMENT NUMBER SIX.

On page 6, line 41, of the printed bill, after the words "reserve and" insert the word "any".

AMENDMENT NUMBER SEVEN

On page 8, line 5, of the printed bill, strike out the word "wherein" and insert the words "that wherein is located".

AMENDMENT NUMBER EIGHT

On page 8, line 14, of the printed bill, after the word "by" insert the words "it through".

The roll was called and Senate amendments to Assembly Bill No. 1119 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C C., Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Clarke, Cleveland, Dawson, Dean, Dozier, Emme, Erb, Fellom, Fulwider, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Moore, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR SPEAKER Your Committee on Contingent Expenses, to which was referred the following resolution

MR SPEAKER Your committee appointed pursuant to Assembly Concurrent Resolution No 17—Relative to the funeral of the late Gustave H Douglas—begs leave

to report that all necessary arrangements were perfected and the following bills contracted as per bills as listed below, and recommends the adoption of the following resolution:

Union Florist—express charges and crating	$4 50
Union Florist—floral design	50 00
M. H. Ebel—floral wreath	6 50
Sherman, Clay & Co.—drayage on piano to Assembly	10 00
Howard S. McIntire—services of male quartet and accompanist	25 00
Noack's Orchestra	30 00
E. H. Cox & Son—decorating in mourning Assembly Chamber and hall	62 00
Miller & Skelton—steel casket, box, remains to Capitol, embalming, funeral notices, opening grave, permit, 6 limousines, hearse, 3 autos for flowers, 2 tents, chairs, etc., grave concealor, lining and decorating grave, personal service	1,108 00
Total	$1,296 00

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, for the above amount, and the State Treasurer is hereby directed to pay the same.

BROMLEY,
DONOHUE,
BURNS,
CLEARY,
SNYDER,
OHNIMUS,
Assembly Committee.

NELSON,
POWERS,
OSBORNE,
BEEK,
Senate Committee

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
MITCHELL, A. G.
LYONS.
PEDROTTI.
ROCK.

Mr. Dawson moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Clarke, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson, Lyman, Lyons, McMillan, McPherson, Miller, Morris, Morrison, Noyes, Pedrotti, Prendergast, Rock, Schmidt, Scott, Smith, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44

NOES—None.

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR SPEAKER Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Carter: An act creating the office of county veterinary inspector and assistant county veterinary inspector prescribing their duties, providing for their appointment, removal, and compensation.

By Mr. Kline: An act to enable any water company organized under the laws of this state to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

FOX, Chairman.

Report read.

Mr Fox moved the adoption of the report

The question being on the adoption of the report

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Crofer,

Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedortti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Carter: Assembly Bill No. 1336—An act creating the office of county veterinary inspector and assistant county veterinary inspector, prescribing their duties, providing for their appointment, removal, and compensation.

Bill read first time, and referred to Committee on County Government.

By Mr. Kline: Assembly Bill No. 1337—An act to enable any water company organized under the laws of this state to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

Bill read first time, and referred to Committee on Irrigation.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 34 of article IV thereof, relating to the State budget.

Assembly Constitutional Amendment No. 44 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During reading of the constitutional amendment, Mr. Spence moved that the Speaker appoint a Select Committee of One to amend the constitutional amendment as follows:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out the word "amend" and on line 9 of said page 2, strike out the words "or supplement the budget and".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the words "before or after its enactment".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, strike out the words "finally enacted" and insert in lieu thereof the words "passed by both the Senate and the Assembly".

Motion carried.

The Speaker appointed Mr. Spence as such Select Committee:

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Constitutional Amendment No. 44, with instructions, reports that the instructions of the Assembly have been carried out.

SPENCE, Select Committee.

Report of Select Committee of One and amendments adopted.

Assembly Constitutional Amendment No. 44 ordered to reprint, re-engrossment, and on file for adoption.

Assembly Joint Resolution No. 11—Relating to national parks.

Assembly Joint Resolution No. 11 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 11 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, McDowell, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 11 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 11

Relating to national parks.

WHEREAS, There are large areas of redwood timber lands in California, through which extend roads and State highways, such redwoods being of great natural beauty and interest to residents of California and persons throughout the entire United States; and

WHEREAS, Said redwood trees are being rapidly cut down and destroyed, and unless preserved in their virgin state, the growth of the centuries will be forever lost, and

WHEREAS, Citizens throughout the entire United States have made personal contributions, and the State of California has heretofore, to the extent of its ability, appropriated funds and acquired considerable areas of such lands for redwood park purposes; and

WHEREAS, Said trees are a natural asset, and the establishment of a park to set aside a suitable area for the preservation of such trees to our posterity is a truly national undertaking, and funds for the acquisition of such lands as might be necessary and desirable for national park purposes should be provided by the national government, now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California requests the government of the United States to make such appropriation for the purchase of such redwood timber lands along said roads and highways and suitable areas adjacent thereto as a national park as may be necessary for the purposes here set forth; and be it further

Resolved, That copies of this resolution be transmitted to the President of the Senate and the Speaker of the House of Representatives of the United States, and to each of our senators and representatives in Congress.

Assembly Joint Resolution No. 13—Relative to the indorsement of H. R. 13298 and Senate Bill No. 4142; to amend the war risk insurance and the vocational rehabilitation act so as to include disabled veterans, of all the wars of the United States, and their dependents.

Assembly Joint Resolution No. 13 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 13 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Fox, Fulwider, Hawes, Hornblower, Johnson, Johnston, Jones, Mathews, McDowell, McPherson, Mitchell, T. A., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 13 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 13

Relative to the indorsement of H. R. 13298 and Senate Bill No. 4142; to amend the War Risk Insurance and the Vocational Rehabilitation Act so as to include disabled veterans, of all the wars of the United States, and their dependents.

WHEREAS, There is now pending before the Congress of the United States a bill known as H. R. 13298 and S. 4142, which bills have the same object, namely to

amend the War Risk Insurance Act and the Vocational Rehabilitation Act in order to include as beneficiaries of said act in all its several provisions, all disabled veterans of all wars of the United States of America and their dependents, and

WHEREAS, This amendment is one which in due justice and consideration to all veterans of all the wars of the United States should be added to the said acts, now, therefore, be it

Resolved by the Assembly and the Senate jointly, That the Legislature of the State of California at its forty-fifth session urges upon the Congress of the United States the adoption of such bills and the justice and fairness attendant upon the enactment of the same, and be it further

Resolved, That a copy of this joint resolution be sent, by the Chief Clerk of the Assembly, to the President of the United States and to each member of the Congress of the United States from the State of California

Assembly Bill No 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No 592 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Dean, Donohue, Dozier, Emme, Foster, Fox, Graves, Hawes, Johnston, Lyman, Mathews, McDowell, Mitchell, T. A., Moore, Morrison, Muellet, Pomeroy, Reindollar, Roberts, Rock, Saylor, Scott Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47

NOES—Broughton, Burns, Carlson, Dorris, Fellom, Fulwider, Heisinger, McMillan, and Noyes—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 197—An act to provide for the survey and creation of camp sites on State lands

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 197 passed by the following vote:

AYES—Anderson, Badham Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Dean Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast,, Reindellar, Roberts, Rosenshine, Saylor, Schmidt, Scott,

Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—63.
NOES—Graves—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 620 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Whitacre, Woodbridge, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 622 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.
Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.
Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.
Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day.

Motion carried.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Waestman reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, EDWIN, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor, also authorizing any county or city and county to contribute money or

property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STEVENOT, Vice Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER. Your Committee on Labor and Capital, to which was referred Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER Your Committee on Insurance, to which was referred Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors.

Also Senate Bill No 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER Your Committee on Public Utilities, to which was referred Senate Bill No 546—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Public Utilities, to which was referred Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the public utilities act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof;

Also Senate Bill No 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHRISTIAN, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923

MR. SPEAKER Your Committee on Labor and Capital, to which was referred Senate Bill No 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

Also, Senate Bill No 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903

Also Senate Bill No 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechan-

ical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment, and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BURNS, Chairman

The above reported bills ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 456—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 1¼ of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER)

The following request for permission to introduce bill was presented:

By Mr. Donohue:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Referred to Committee on Introduction of Bills.

ASSISTANT CLERK POWERS READING.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Smith asked for and was granted unanimous consent to take up Assembly Bill No. 798, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED NINETY-EIGHT.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved —.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, last line of title of the printed bill, following the word "approved", insert the words and figures "June 16, 1913."

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, strike out the words following "Section 1." to and including the word "optometry" on line 28 thereof, and insert in lieu thereof the following

"SECTION 1. Section eight of "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, is hereby amended so as to read as follows

Sec. 8. Every person holding a certificate of registration issued under the provisions of this act must have it registered in the office of the county clerk of the county or city and county in which his regular place of business is maintained and the fact and date of such registration shall be endorsed on the said certificate by the county clerk registering the same. Registration shall be made in a register kept by the clerk for such purposes, which register shall be alphabetically arranged and shall show the name of the person to whom the certificate is issued, the number and date of said certificate and the date of registration of said certificate. Any person so registered who shall remove his regular place of business from one county or city and county to another in this state shall before engaging in the practice of optometry in such other county or city and county register his certificate of registration in the office of the county clerk of such county or city and county, in the same manner as hereinabove provided, and the fact and date of such registration shall be endorsed on said certificate by the county clerk registering the same. Any failure, neglect or refusal on the part of any person holding such certificate of registration, or a certified copy of such certificate of registration, to register the same as hereinabove provided, for six months after the issuance of said certificate of registration or from the date of removal of his or her practice to a county other than the one in which his or her certificate is registered shall ipso facto work the forfeiture of his certificate of registration and it shall not be restored except upon the payment of twenty-five dollars ($25) to the California state board of examiners in optometry."

Motion carried.

The Speaker appointed Mr. Smith as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 798, with instructions, reports that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Crittenden moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out the word "five" in line 3, and all of line 4 and in lieu thereof insert the following "six hundred seventy-four thousand three hundred and forty dollars".

REQUEST FOR ROLL CALL

On request of Messrs. Crittenden, West, Mathews, Miss Broughton, and Mrs. Dorris, the Speaker ordered a roll call taken on the motion to appoint Select Committee of One.

The question being on the motion to appoint Select Committee of One.

The roll was called, and the motion to appoint Select Committee of One lost by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Crittenden, Ctotel, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—39.

NOES—Anderson, Badham, Baker C. C., Baker, Edwin, Bromley, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—40

MOTION.

Mr. Kline moved that further consideration of Assembly Bill No. 999 go over until this evening.

Motion carried.

ASSISTANT CLERK WAESTMAN READING.

MOTION TO RE-REFER.

Mr. Mathews moved that Assembly Bill No 1219 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

Motion carried.

Assembly Bill No 1219 re-referred to Committee on Public Utilities.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1073—An act to amend paragraph "n" of section 20 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California to amend section 16 of article IV of the constitution, relative to the veto—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

MOTION TO RE-REFER

Mr. Lyman moved that Assembly Bill No. 1073 be withdrawn from the file, and ordered re-referred to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 1073 re-referred to Committee on Motor Vehicles.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 101—An act to amend section 4239 of the Political Code, relating to the compensation of officers in counties of the tenth class.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined;

Also: Assembly Bill No. 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin, in Marin County, California, to be a State highway;

Also: Assembly Bill No. 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway;

Also: Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may here-

after die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended;

Also Assembly Bill No. 328—An act to add a new section to be numbered 1a to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts," approved March 6, 1909, as amended,

Also Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers,

Also Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District;

Also. Assembly Bill No. 896—An act to provide for the organization and government of public park districts;

Also· Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester:

Also Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act,

Also· Senate Bill No 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 401 read first time, and referred to Committee on Conservation.

Senate Bill No. 486 read first time, and referred to Committee on Irrigation.

Senate Bill No. 709 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following·

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway,

Also· Senate Bill No 174—An act declaring and establishing a State highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon state line,

Also Senate Bill No 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County

Also Senate Bill No 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No 633 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 174 read first time, and referred to Committee on Roads and Highways

Senate Bill No 275 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 305 read first time, and referred to Committee on Roads and Highways.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr Weller: Assembly Concurrent Resolution No. 22—Relative to approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923.

Introduced, and referred to Committee on Municipal Corporations.

RECESS

At five o'clock and two minutes p.m , on motion of Mr. Coombs, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr Bromley:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act providing for a comprehensive study of the state highway system of the State of California and providing for the appointment of an advisory committee to co-operate in making a study for the purpose of making a recommendation for the extension or reduction of the state highway system and for future financing of the same.

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER Your Committee on Public Utilities, to which was referred Assembly Bill No 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 149?

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the word "any" and insert in lieu thereof the words "a substantial".

The roll was called and Senate amendment to Assembly Bill No. 149 was concurred in by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Broughton, Clarke, Cleary, Coombs, Davis, Donohue, Dorris, Duval, Eksward, Emme, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17, of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof, and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24*a*, relating to the powers and duties of the Commissioner of Corporations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 983?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 1 after the word "entitled", all of lines 2 and 3, and insert in lieu thereof the following: " "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a state corporation department and the office of commissioner of corporations," approved May 18, 1917, as amended, is hereby amended to read as follows: ".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out all of lines 35 and 36, and insert in lieu thereof the following:

"SEC. 2. Section five of said act approved May 18, 1917, as amended, is hereby amended to read as follows: "

AMENDMENT NUMBER THREE.

On page 5, line 36, of the printed bill, after the word "act", insert the following: "approved May 18, 1917, as amended."

AMENDMENT NUMBER FOUR.

On page 6, line 10, of the printed bill, after the word "act", insert the following: "approved May 18, 1917, as amended.".

AMENDMENT NUMBER FIVE

On page 7 of the printed bill, strike out all of line 11 following the comma after the word "may", and insert in lieu thereof the following: "after four years from date of filing and with the approval of the board of control.".

The roll was called and Senate amendments to Assembly Bill No 983 were concurred in by the following vote:

AYES—Anderson, Baker, Edwin, Ball, Bromley, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Dorris, Eksward, Fester, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Wright, and Mr Speaker—48

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 150—An act declaring the improved county highway extending from a point in Napa County where such highway intersects the State highway leading to Sacramento, to the north boundary of Vallejo in Solano County, and the improved county highway extending from the south boundary of Vallejo to the Straits of Carquinez to be State highways—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 150?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 1, 2, 3, 4 and 5 of the title and in lieu thereof insert the following

"An act declaring the improved county highway extending from a point in Napa county where such highway intersects the state highway leading to Sacramento, to the north boundary of Vallejo in Solano county, and the improved county highway extending from the south boundary of Vallejo to the Straits of Carquinez to be state highways"

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 1 to 16, both inclusive, and in lieu thereof insert the following.

"SECTION 1. That certain improved county highway extending in a general southerly direction from a point in Napa county where such highway intersects the state highway leading to Sacramento, to the north boundary of the city of Vallejo in Solano county, and that certain improved county highway extending in a general southerly direction from the south boundary of the city of Vallejo to the Straits of Carquinez, are hereby declared to be state highways and placed under the supervision and control of the state highway commission"

The roll was called and Senate amendments to Assembly Bill No. 150 were concurred in by the following vote:

AYES—Anderson, Badaracco, Fadham, Baker, C. C., Baker, Edwin Ball, Bernard, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Eksward, Erb, Fellom, Fulwider, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, McPherson, Miller, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof—and respectfully requests your honorable body to concur in said amendment.

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1148?

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "Department of Public Works" and insert in lieu thereof the following: "California Highway Commission".

The roll was called and Senate amendment to Assembly Bill No. 1148 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Coombs, Crittenden, Davis, Dean, Dorris, Eksward, Emme, Fulwider, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 448—An act declaring the Kings River Canyon State highway to be a part of the highway system, and providing for the construction and maintenance thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 448?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill in line 1 of the title after the word "canyon" insert the word "State".

AMENDMENT NUMBER TWO.

In line 2 of the title strike out the words "seven per cent".

AMENDMENT NUMBER THREE.

In line 2, after the word "*a*", strike out the three words "seven per cent".

AMENDMENT NUMBER FOUR.

In line 7, after the word "of" insert the words "seven per cent".

AMENDMENT NUMBER FIVE.

In line 8 strike out the word "together" and insert in lieu thereof the word "or".

The roll was called, and Senate amendments to Assembly Bill No. 448 were concurred in by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Fellom, Fulwider, Heisinger, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None

The above reported bill ordered to enrollment.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mrs Saylor moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 13, line 7, of the printed bill, strike out the words "twenty-three thousand three hundred sixty-four" and insert in lieu thereof the words "fifty-three thousand".

REQUEST FOR ROLL CALL

On request of Mrs Saylor, Messrs. Kline, Fox, Fellom and Schmidt, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Kline moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Spence, Kline, West, Fellom and Schmidt, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the house carried by the following vote.

AYES—Badaracco, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Stow, Weller, Williams, and Mr Speaker—39.

NOES—Anderson, Badham, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—38.

Time eleven o'clock and eight minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed and the Chief Clerk was directed to call the roll

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

Anderson, Badaracco Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—77

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and fifteen minutes p m, Mr. Wright moved that further proceedings under the call of the House be dispensed with,

REQUEST FOR ROLL CALL

On request of Messrs. Eksward, Lyons, Pedrotti, Bromley, and Baker, Edwin, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under the call of the House.

The question being on the motion to dispense with further proceedings under the call of the House.

The roll was called, and the motion to dispense with further proceedings under the call of the House lost by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—38

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Stow, Weller, Williams, and Mr. Speaker—39.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and twenty-seven minutes p.m., Mr. Lyman moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Messrs. Baker, Edwin; Lyons, Badham, Lyman and Pedrotti, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under the call of the House.

The question being on the motion to dispense with further proceedings under the call of the House.

The roll was called, and the motion to dispense with further proceedings under the call of the House carried by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—39.

NOES—Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Stow, Weller, Williams, and Mr. Speaker—38.

The roll of absentees was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—39.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Stow, Weller, Williams, and Mr. Speaker—38.

The Speaker appointed Mrs. Saylor as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

SAYLOR, Select Committee.

The question being on the adoption of the report of Select Committee of One and amendment.

REQUEST FOR ROLL CALL.

On request of Messrs Rock, Morris, Eksward, Lyons and Pedrotti, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Kline moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Wright, Moore, Rock, Heisinger and McDowell, the Speaker ordered a roll call taken on the motion for the call of the House.

The question being on the motion for the call of the House

The roll was called, and the motion for the call of the House lost by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Stow, Weller, Williams, and Mr. Speaker—38

NOES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—39.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40

NOES—Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Stow, Weller, Williams, and Mr. Speaker—37.

NOTICE OF RECONSIDERATION.

Mr. Carter gave notice that on the next legislative day he would move to reconsider the vote whereby the report of Select Committee of One and amendment was this day adopted.

MOTION.

Mr. Kline moved that further consideration of Assembly Bill No. 999 be postponed until next legislative day.

Motion carried.

ADJOURNMENT.

At eleven o'clock and forty-nine minutes p.m., on motion of Mr. Wright, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, April 19, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 19, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Cloter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—79.

Quorum present

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Wright, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITION.

The following petition was presented and ordered printed in the Journal:

By Mr. Kline:

Honorable Assemblyman Chester M. Kline,
Sacramento, California.

SIR: WHEREAS, The future of the Palo Verde Valley depends upon the organization of an irrigation district in that the canal system will have to be rebuilt and it is impossible to raise money for that purpose by direct assessment upon the farmers of the valley,

WHEREAS, At the annual meeting of the stockholders of the Palo Verde Mutual Water Company, held on September 21, 1922, at which were present and voting 31,144 shares, representing more than three-fourths of the assessed valuation of the valley, unanimously voted to organize an irrigation district and instructed this board of directors to proceed with the organization of such district by special legislative enactment, owing to the peculiar features applicable to this section and other problems making it impossible to organize under any general law, now therefore, be it

Resolved, That you are respectfully urged to use every endeavor to secure the passage of the bill which is now before the Legislature to create the Palo Verde Irrigation District.

The above resolution was adopted at the regular meeting of the board of directors of the Palo Verde Mutual Water Company, held at Blythe, California, April 10, 1923.

PALO VERDE MUTUAL WATER CO.
By P. R. ASMUSSEN, Assistant Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties;

Also: Assembly Bill No. 1039—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools;

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also: Assembly Bill No. 38—An act to amend section 953*c* of the Code of Civil Procedure, relating to record on appeal;

Also: Assembly Bill No. 1123—An act to amend section 2079 of the Political Code, relating to the national guard of the State of California;

Also: Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act;

Also: Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the veterans' welfare board in respect thereto and making an appropriation therefor," approved May 30, 1921;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 542—An act to fix and determine titles to real property held subject to rights of way not definitely located—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 148—An act to amend section 1667 of the Political Code, relating to instruction in the public schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1780, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools;

Also Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

BAKER, C. C., Chairman

The above reported bills ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mr. Kline:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11*g*, embracing sections 365 to 365*c*, both inclusive, relating to the California Highway Commission.

Referred to Committee on Introduction of Bills.

By Mr. Rock:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act making an appropriation to defray the expenses of Legislature printing for the forty-fifth session of the Legislature of the State of California.

Referred to Committee on Introduction of Bills.

By Mr. Davis:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 190 of the Penal Code, relating to punishment of murder

Referred to Committee on Introduction of Bills.

MOTION TO RE-REFER.

Mr. Pedrotti moved that Senate Joint Resolution No. 14 be withdrawn from the file, and ordered re-referred to Committee on Federal Relations.

Motion carried.

Senate Joint Resolution No. 14 re-referred to Committee on Federal Relations.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McDowell asked for and was granted unanimous consent to take up Assembly Bill No. 1314, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FOURTEEN.

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McDowell moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill as amended April 13, 1923, after the figures 4149e, strike out the remainder of line 4 and also lines 5, 6, 7, 8, 9, 10, 11 and 12 and insert in lieu thereof the following.

"The board of supervisors of each county must appoint a traffic officer to serve for a period of two years from and after the date of his appointment and until the appointment and qualification of his successor. Such traffic officer shall, before entering upon the discharge of his duties, take the oath of office prescribed by law for a county officer, and execute a bond at such sum as may be required by the board of supervisors for the faithful and proper discharge of his duties as such traffic officer, said bond to be approved, recorded and filed as provided by law for other county officers."

Motion carried.

The Speaker appointed Mr. McDowell as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1314, with instructions, reports that the instructions of the Assembly have been carried out.

McDOWELL, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Spalding asked for and was granted unanimous consent to take up Assembly Bill No. 354, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED FIFTY-FOUR.

Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Spalding moved that the Speaker appoint a Select Commitee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, strike out the period following the word "fund" and insert in lieu thereof the following, "; *provided*, that in every city and county which constitutes a separate school district, as provided in section one thousand five hundred seventy-six of the Political Code, the payments herein provided to be made shall be made to the superintendent of schools who shall issue his receipt therefor in duplicate. In such case the teacher shall file his duplicate receipt with the board of education of such city and county and no official, board, or commission whose duty it is to draw warrants or demands for the payment of said teacher's salary, shall draw such warrant or demand for the school month ending December thirty-first unless the duplicate receipt for the half year ending December thirty-first is on file, nor for the last month of teaching of the current school year, unless the duplicate receipt for the half year ending June thirtieth is on file."

Motion carried.

The Speaker appointed Mr. Spalding as such Select Committeee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 354, with instructions, reports that the instructions of the Assembly have been carried out.

SPALDING, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for and was granted unanimous consent to take up Assembly Bill No. 1184, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED EIGHTY-FOUR.

Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California, to be numbered 1350*a* and 1350*b* respectively, relating to the competency of executors of estates.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Jones moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the period and insert in lieu thereof a semicolon and add the following: "*provided*, that this section shall not apply to any will bearing date prior to the taking effect hereof".

Motion carried.

The Speaker appointed Mr. Jones as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1184, with instructions, reports that the instructions of the Assembly have been carried out.

JONES, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 507 was refused passage be continued until the next legislative day

Motion carried

MOTION TO RECONSIDER

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day

Motion carried.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Friday, April 6, 1923, Saturday, April 7, 1923, Monday, April 9, 1923, Tuesday, April 10, 1923, Wednesday, April 11, 1923, Thursday, April 12, 1923, Friday, April 13, 1923, and Saturday, April 14, 1923, be approved as corrected by the minute clerk

Motion carried

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 366—An act to repeal sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title, insert after the word "repeal" the following: "Chapter two hundred ten, statutes of 1893, chapter ninety-nine, statutes of 1897 chapter three hundred twenty-one, statutes of 1909, chapter four hundred seventy-seven, statutes of 1921, and".

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word "districts", add the following: "joint school districts".

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, after the period ( ) add the following: "The following chapters of the general law to wit, chapter two hundred ten, statutes of 1893, chapter ninety-nine, statutes of 1897, chapter three hundred twenty-one, statutes of 1909, chapter four hundred seventy-seven, statutes of 1921, are hereby repealed."

AMENDMENT NUMBER FOUR.

On page 8, line 31, of the printed bill, after the period (.) add the following "The board of supervisors, in their discretion, in lieu of advertising the sale of said bonds as hereinabove provided, may, by order, direct that notice be given in such manner as said board may prescribe, inviting bids for said bonds, or any thereof, and may direct in said notice that the bidder shall specify the lowest interest rate (either with or without premium) at which they will accept and pay for said bonds at a price not less than the par value thereof with accrue interest thereon to the date of delivery. The board may at the time specified in such notice for the opening of bids, or at any subsequent time to which such sale may be postponed, sell said bonds to the bidder who, in the opinion of said board, shall offer the lowest and best bid for said bonds, and the board shall thereafter, by order, fix the rate of interest on said bonds at the rate specified in the bid of the successful bidder; *provided*, that in no case shall such rate exceed six per centum per annum, payable semi-annually."

AMENDMENT NUMBER FIVE.

On page 8, line 33, of the printed bill, strike out the period (.) after "United States", and in lieu thereof insert "or in United States gold coin, as the board of supervisors may direct."

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, strike out lines 17 to 24 inclusive, and insert in lieu thereof the following:

"The principal and interest on such bonds shall be paid by the county treasurer of the county aforesaid out of the fund provided therefor, on presentation and surrender of warrants drawn by the auditor of said county and accompanied by the bonds and coupons. The auditor shall cancel such bonds and attach them to or otherwise transmit them with such warrants, *provided, however*, that if such bonds or coupons are made payable at any place or places other than the office of the treasurer, it shall be lawful for the treasurer to pay such bonds and coupons at such other place or places and to present such paid bonds and coupons to the auditor, who shall draw his warrant therefor to the order of the treasurer and shall attach or transmit such bonds and coupons as hereinbefore directed. *provided, further*, that coupons shall not be required for interest on registered bonds."

AMENDMENT NUMBER SEVEN.

On page 12, line 2, of the printed bill, after the period in line 2 insert the following: "*provided, however*, that notwithstanding anything to the contrary in this section contained, no district or territory united or annexed to or merged with any other district shall be liable for any outstanding bonded indebtedness of any district to which it shall be united or annexed or with which it shall be merged, unless at least two-thirds of the electors of the district or territory proposed to be so united, annexed or merged, voting at an election called for the purpose shall vote in favor of authorizing and assuming such bonded indebtedness or portion thereof determined as in this section provided. Such election shall be called by the board of supervisors of the county whose superintendent of schools has jurisdiction over such districts and shall be held as provided in section one thousand seven hundred forty-five of the code, except that the returns shall be made to the board of supervisors."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Beginning in line 3 of the printed bill after the period following the figures, 1687, strike out the remainder of the bill and insert in lieu thereof the following: "In all schools having more than two teachers, beginners shall be taught by teachers who have had at least two years experience, or by normal school graduates; and in cities such teachers shall rank, in point of salary, with those of the assistant teachers in the highest grade in the grammar schools, *provided, however*, that the provisions of this section shall not apply to teachers of classes established and maintained under the provisions of section one thousand six hundred and sixty-two and of section one thousand six hundred eighteen of the Political Code, *and, provided, further*, that uniform allowance may be made in any schedule of salaries for experience and years of service; and in no

case shall boards of education or boards of school trustees draw orders for the salary of any teacher in violation of this provision, nor shall any superintendent draw any requisition for the salary of any teacher in violation thereof."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out lines 1 to 7, both inclusive, of the title of the printed bill and insert in lieu thereof the following "An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1 on said page and insert in lieu thereof the following

"SECTION 1. Any portion of a county not contained in a road district under the provisions of this act, may be formed into a road district, and when so formed shall be known and designated by the name and style of _____ road district (using the name of the district) of _____ county (using the name of the county in which said district is located), and shall have the rights herein enumerated, and such as may hereafter be conferred by law.

SEC. 2. A petition for the formation of such road district (naming it) may be presented to the board of supervisors of the county wherein the district is proposed to be formed, which said petition shall be signed by not less than ten freeholders, owning land within the proposed district and shall contain

(1) The boundaries of the proposed district.

(2) An estimate of the number of acres contained therein and the assessed value thereof:

(3) A request that an election be called within said district for the purpose of determining the question of the formation of said road district, for the construction and maintenance of a road or roads therein under the provisions of this act.

There shall be filed with said board of supervisors at the time of the filing of the petition for the organization of said road district with said board, a bond in the sum of not more than three hundred dollars, with two sufficient sureties, to be approved by said board, who shall each qualify in double the amount of said bond, conditioned that they will pay the expense and cost of said election in an amount not exceeding the amount mentioned in said bond, in case the proposition to organize said district shall be defeated at said election

SEC. 3. Such petition must be presented at a regular meeting of said board of supervisors and they shall thereupon fix a time for hearing said petition, not less than twenty, nor more than sixty days after the date of presentation thereof, and shall publish a notice of the fact that such petition has been filed (referring to the same on file with the clerk of the board of supervisors for further particulars) and giving the time and place at which said petition will be heard, and directing all parties interested to appear at said time and place, and show cause, if any they have, why said petition should not be granted, which said notice shall be published at least once a week for two consecutive weeks in some newspaper published and circulated in said proposed district, *provided*, that if no newspaper be so published in said district, then said notice shall be so published in some newspaper published and circulated at the county seat of the county in which said proposed district is located

SEC. 4. Upon the day named for the hearing of said petition, the board of supervisors shall hear the same and any objections thereto, and may adjourn such hearing from time to time, not more than thirty days in all. If the board find that lands have been improperly included, it may in fixing the final boundaries exclude from such district any lands which may have been so included, or the

board may, as it deems for the best interests of such district, include any adjacent lands outside the boundaries described in said petition, either on petition of the owners of such lands, or upon notice of its intention to include such adjacent lands by publication once a week for two successive weeks in a newspaper of general circulation published either in said district or at the county seat, which notice shall refer to the petition for the formation of the district on file with the board of supervisors, shall describe the adjacent territory intended to be included within the proposed boundaries of said proposed district and shall direct all persons interested therein to appear at a specified time and place and show cause if any there by why said adjacent lands should not be so included. Upon the petition and evidence produced at such hearings the board shall determine and fix the boundaries of such district and must thereupon, by order, define and establish such boundaries: *provided*, that the board shall not exclude from the district any land included therein in the description contained in the petition if the owner or owners of such land signed the petition.

SEC 5. The board of supervisors thereupon, and not later than thirty days after the establishment of said boundaries, as hereinbefore provided, shall by order, call an election to be held in such proposed road district for the purpose of determining whether such district shall be formed. The order must fix the day of such election, which must be within sixty days from the date of the order, and must show the boundaries of the proposed district, and must state that at such election five members of the district board of directors will be voted for. This order shall be entered in the minutes of the board. Notice of such election shall be given by posting a copy of such order for three successive weeks prior to the election, in three public places within the proposed district, and by publication of a copy of such order at least once a week for three successive weeks prior to the election in some newspaper published in the proposed district, if there be one, and if not, in some newspaper published at the county seat.

SEC 6 The board of supervisors, at least fifteen days prior to the election, shall select one, and may select two, polling places within the proposed district, and make all suitable arrangements for the holding of such election. They must select and appoint, from among the qualified electors of the proposed district, one inspector and two judges of election in each polling place, who shall constitute the officers of said election and the election board; if none are so appointed or if any officer appointed does not attend at the opening of the polls on the morning of election, the electors present may appoint substitutes to fill the election board The ballot shall contain the words "road district—yes," and "road district—no," and shall also make provision for voting for five members of the board of directors of said district. At such election there shall be elected five members of the board of directors, who shall serve until the election, or appointment, and qualification of their successors Elections held under and pursuant to the provisions of this act shall be conducted, so far as practicable, in conformity with the general election laws of this state, in so far as the same are not inconsistent with the provisions of this act.

The said officers of election must make return of the election to the board of supervisors of said county, which shall canvass said returns as by law provided, and if a majority of the votes cast at such election shall be in favor of a _____ district the board of supervisors shall make and cause to be entered in the minutes of said board an order that the district of the name, and with the boundaries theretofore established by said board (setting forth such boundaries), has been duly established, and shall declare the five persons receiving the highest number of votes for members of the district board duly elected as such directors and said order shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided for by this act or by law, and of the existence and validity of the district; *provided, however*, that if the proposed district includes incorporated and unincorporated territory, the board of supervisors shall designate at least one polling place in the incorporated and one in the unincorporated territory, and shall make its order that the district has been established if the majority of the votes cast both in the incorporated and in the unincorporated territory respectively be in favor of the district and not otherwise.

No person shall be entitled to vote at any election held under the provisions of this act unless he possesses all the qualifications required of electors under the general election laws of this state.

SEC 7. The officers of the district shall be a board of five directors and a secretary. Their term of office shall be two years Each must be a person entitled to vote at the road district elections Any vacancy in the office of director shall be filled by appointment for the unexpired term by the board of supervisors of the county in which the district is situated Each director shall make and execute to the district a good and sufficient bond for the faithful performance of his duties in the penal sum of five thousand dollars to be approved by the judge of the superior court of the county in which the district is situated. The secretary shall be appointed by the board of directors, shall receive such salary as said board may determine,

and shall execute to the district a good and sufficient bond to be approved by the board in an amount not less than five thousand dollars, to be fixed by the board.

SEC. 8. An election shall be held in each road district on the first Monday after the first Tuesday in March in the second year after the formation of the district, and in every second year thereafter at which shall be elected five directors in place of the directors whose term shall expire during such year. Not less than twenty days before the day of each such election the district board must give notice of said election by posting notice thereof in three public places in the district, which notice must specify the time and place of election, the hours during which the polls will be kept open, and the officers to be elected. They shall select one, and may select two polling places within the district; shall appoint one inspector and two judges of election in each polling place, and make all necessary and proper arrangements for holding the election. Said election officers shall constitute the election board. If no election officers are so appointed, or if any of those appointed are not present at the time of the opening of the polls, the electors present may appoint all, or any, of them so absent or not appointed and they shall conduct the election as if so appointed by said board and present. The officers of the election must publicly canvass the votes immediately after the closing of the polls, and must make return of the election within twenty-four hours after the closing of the polls to the district board. Said board at its first meeting after receiving said returns shall canvass the same and shall make, sign and deliver a certificate of election to the persons elected.

SEC. 9. The district board shall be the governing body of the district, and shall exercise all the powers thereof. At its first meeting or as soon thereafter as may be practicable, the commission shall choose one of its members as president. All contracts, deeds, warrants, releases, receipts and documents of every kind shall be signed in the name of the district by its president, and shall be countersigned by its secretary. The board may hold such meetings, as may be convenient, all such meetings of the board must be held in the district at an appointed place. In case of the absence or inability to act of the president or secretary, the board shall, by order entered upon its minutes, choose from its members a president pro tempore, or secretary pro tempore, as the case may be. A majority of the members of the board is a sufficient number to form a commission for the transaction of business, and every decision of a majority of the members forming such board made when duly assembled, is valid as an act of said board.

SEC. 10. Every road district formed under the provisions of this act shall have power to have and use a common seal, alterable at the pleasure of the district board; to sue and be sued by its name, to lay out, establish, construct, acquire and maintain one or more road or roads within the district, and for this purpose to acquire by purchase, gift, devise, condemnation proceedings or otherwise real and personal property and rights of way within the district, and to pay for and hold the same; *provided however*, that if any road or roads are constructed with moneys raised by taxation and not from the sale of bonds as herein provided, such road or roads shall be constructed only after an election to be had in the manner herein provided for elections in said district, for the purpose of determining whether such road or roads shall be constructed and at which election a majority of the votes cast are in favor of the construction of such road or roads; to make and accept any and all contracts, deeds, releases and documents of any kind which shall be necessary or proper to the exercise of any of the powers of the district, and to direct the payment of all lawful claims and demands against it, to issue bonds as hereinafter provided, and to provide for the payment of the same and the interest thereon; and to cause to be levied taxes sufficient when directed by a vote of the election of the district for the construction, maintenance or repair of said road or roads, and all indebtedness of such district, and the running expenses of the district, to employ all necessary engineers, surveyors, agents and workmen to do the work on or in connection with the road or roads in said district, and generally to do and perform any and all acts necessary or proper to the complete exercise and effect of any of its powers or the purposes for which it was formed.

SEC. 11. Any road constructed under this act may be constructed, in whole or in part, over, along, or upon any county road or public highway, or any part thereof, and the moneys belonging to such road district may be expended in the improvement of such road or highway to conform to the width and general character of the balance of the road, and for the purposes of this act the road district, with the consent of the board of supervisors, is hereby expressly authorized and empowered to take over, control, operate, and use in whole or in part any such county road or public highway.

SEC. 12. The district board shall, before the construction of any road and before the calling of any election for the issuance of bonds, employ an engineer or engineers who shall make all necessary surveys, prepare a map or maps showing the location of the said proposed road or roads, also showing a cross-section and profile of said proposed road or roads together with specifications for the construction thereof and estimates of the cost of acquiring rights of way therefor and of the cost of the construction thereof, which said surveys, maps, specifications and estimates, shall, upon the approval of the same by said board, by order entered upon its minutes, be formally adopted by said board and filed with its secretary and constitute the plan of said

district for such proposed road or roads, *provided*, that the said district board may, at its option, and it is hereby empowered to, direct the county surveyor, or county engineer, as the case may be, to do any or all of said work herein provided to be done by an engineer or engineers.

SEC. 13. At any time, and from time to time, after the adoption of a plan for a road or roads, the district board may, by order entered in its minutes call an election for the purpose of determining whether bonds shall be issued for the acquisition of rights of way for, and the construction of, such road or roads. Such order shall fix the day of the election and shall specify the amount of such bond issue, and shall state in general terms the purposes for which the money to be raised from the sale of such bonds shall be used, which purposes shall be confined to the acquisition of rights of way for, and the construction of, a road or roads in said district, *provided, however*, that any moneys so raised which shall remain on hand after such acquisition of rights of way and construction have been completed, may and shall be expended in the betterment and maintenance of such road or roads. Notice of such election shall be given by posting a copy of such order for three successive weeks prior to the election in at least three public places within the district, and by publication of a copy thereof for at least once a week for three successive weeks prior to the election in some newspaper published within the district, if there be one, and if not, in some newspaper published at the county seat of the county in which such district is located.

SEC. 14. At any time prior to the day fixed for the election the said board shall select one, and may select two, polling places within the district, and select and appoint from among the qualified electors within the district, one inspector, and two judges for each polling place to conduct the same, and shall make all necessary and proper arrangements for holding the election. The ballots shall contain the words "bonds, yes" and "bonds, no." After the votes shall have been counted and the result announced by the election officers the ballots shall be sealed up and delivered to the secretary of the road district with the election returns, and said board shall, at its first meeting thereafter, canvass said returns and shall enter the result upon its minutes. Such entry shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided by this act or by law, and of the facts stated in such entry. If, at such election, not less than two-thirds of the votes cast be in favor of the issuance of bonds, the said board shall have full power and authority to issue and sell said bonds as proposed in the order calling the election and as hereinafter provided. If the result of the election be against the issuance of bonds no other election upon the question shall be called or held for one year after such election.

SEC. 15. All bonds issued under the provisions of this act shall be of such denomination as the district board may determine, except that no bonds shall be of less denomination than one hundred dollars nor of a greater denomination than one thousand dollars. Said bonds shall be payable in gold coin of the United States at the office of the county treasurer of the county wherein said district is situated, and shall bear interest at a rate not exceeding six per centum per annum, which interest shall be payable semiannually in like gold coin. Not less than one-thirtieth part of the total issue of bonds shall be payable each year, commencing not more than five years after the date of said bonds. Each bond shall be signed by the president and countersigned by the secretary of the board, and said bonds shall be numbered consecutively, in the order of their maturity, and shall have coupons for interest attached, attested by the facsimile signature of the secretary of said board. The bonds may be sold by the board in such manner and in such quantities as it may determine, but no bond may be sold for less than its face value. The proceeds of such sale shall be deposited with the county treasurer and shall be by him placed in the fund to be called the general fund of _____ district (naming it), the money in such fund shall be used for the purposes indicated in the order calling the election upon the question of the issuance of bonds.

SEC. 16. Whenever the issuance of bonds has been authorized at an election in any district as provided in this act, the board of directors of the district shall appoint three commissioners to assess upon the land in the district which will be benefited by the carrying out of the plans for which said bond issue was voted, an amount sufficient, as required herein, to provide for the payment of the principal of said bonds and the interest thereon, and, also, to establish a basis for the levying of assessments for the general expenses of the district and the maintenance of its roads, or to revise the existing basis for such assessments if one has previously been established. One of said commissioners may be the engineer of the district, but none of said commissioners shall have any interest direct or indirectly in any real estate in the district. Each commissioner, before entering upon the duties herein prescribed, shall take and subscribe an oath to the effect that he is not interested in any real estate within the district and that he will perform the duties of commissioner in accordance with the provisions of this act to the best of his ability. Such oath, when so subscribed, shall be filed with the secretary of the district. Said commissioners shall receive such compensation as may be agreed upon between them and the board of directors. A majority of said commissioners must concur in any action taken by them and must

sign the assessment list herein provided for. If the board of directors by unanimous vote shall so determine, only one such commissioner need be appointed, and he shall take oath as aforesaid and perform the duties herein required to be performed by the commissioners.

Said commissioners shall compute the total amount to be assessed by them by adding to the amount of the principal of said bonds the respective amounts to be paid as interest on said bonds until all of them will have been paid, and increasing the sum of said principal and interest by fifteen per cent thereof. The commissioners shall view the lands in the district and assess said total amount upon such of said lands as will be benefited by the carrying out of the plans for which said bonds were voted. Said total amount shall be apportioned to and assessed upon the respective parcels of said lands in accordance with the benefits that will accrue to the respective parcels from the carrying out of said plans. The commissioners shall segregate said assessment so as to show the amounts that will become due and payable in installments as hereinafter provided. In the plans for which said bonds were voted shall have provided for the acquisition or construction of any roads in units at various times and shall have specified certain bonds to be used for the acquisition or construction of each such unit, then the commissioners shall assess as aforesaid upon the respective parcels of land that will be benefited by the acquisition or construction of each such unit the total amount, computed as aforesaid; to provide for the payment of the principal of and interest on the bonds specified for the acquisition or construction of each such unit

Said commissioners shall also estimate the amount which will be required annually, after the carrying out of the plans for which said bonds were voted, to provide for the general expenses of the district and the cost of maintaining its roads, and shall apportion the amount of said estimate to the lands in the district in accordance with the benefits which will accrue to the respective parcels from the general operations of the district and the operation and maintenance of its said roads.

Said commissioners shall prepare a list of the lands within the district, which shall show under appropriate headings the following

1 The name of the owner, or the names of the owners, of each parcel of land separately listed. If the name of any owner is not known to the commissioners it shall be designated as "Unknown owner"

2 A description of each parcel of land separately assessed, sufficient to identify it

3. The number of acres in each parcel separately assessed

4 The amount in dollars and cents of the total assessment on each parcel of land separately assessed and the amounts of the respective installments thereof that will become due and payable at the respective dates at which they will respectively become due and payable in accordance with this act.

5. The amount in dollars and cents apportioned by the commissioners to each parcel of land as the proportion for which it should be assessed for the estimated annual cost of the general expenses of the district and of the maintenance of its roads.

The last equalized assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description and area of such land, but the commissioners may make changes from said assessment roll in accordance with any facts of which they have knowledge, or in accordance with the records in the office of the county recorder of said county. No misnomer of any owner of land and no other error in regard to the ownership, description or area of such land shall invalidate said assessment, or said apportionment, or any assessment based upon said apportionment If land is assessed according to separate units, as above provided, the apportionment referred to in subdivision five hereof shall be so arranged as to show the portion, if any, of the general expenses of the district which should be assessed upon any land before the completion of the unit of the roads for which it has been assessed

SEC. 17. When the commissioners shall have completed the assessment and apportionment list as above provided they or a majority of them, shall sign it and file it with the secretary of the district, who shall present it to the board of directors at any meeting thereof The board shall fix a time for the hearing of objections to and petitions for the modifications of said assessment or said apportionment, which time shall be not less than twenty-five days nor more than forty days from the date of the meeting at which the time was fixed The secretary shall give notice of the time and place for said hearing by publication for at least three successive weeks Said notice shall state the fact of the appointment of said commissioners and the purposes of their appointment and shall notify all persons interested in any land within the district that said assessment and apportionment list is on file at the office of the district and open for public inspection and that the board of directors of the district will meet at the office thereof at the time fixed as aforesaid to hear and act upon any objection to or application for the modification of the assessment or the apportionment, provided that such objection or application is in writing and shall have been filed in the office of the district before the time fixed for said hearing. At said time the board shall meet at the office of the district and receive all such written objections and applications and shall proceed to a hearing thereon. If a quorum of said board is not present at the time fixed, a minority of the board or the secretary may adjourn the meeting from time to time until a quorum is present, but no such adjournment shall be for more than forty-eight hours. The

board may adjourn any hearing to a place other than the office of the district if such adjournment is deemed proper to facilitate the hearing. The board shall hear all competent and relevant evidence that may be offered in support of such objections and applications and in opposition thereto and may call witnesses and make such investigations relating to said assessment or said apportionment as it may deem proper and may adjourn from time to time for such purposes. At the conclusion of the hearing the board, if it shall find that any changes in said assessment or apportionment are necessary, it shall make such changes so that said assessment and said apportionment shall be in accordance with the requirements of this act, and in so doing the board may increase or decrease the assessment upon or the apportionment to any parcel of land or change the boundaries or the area of any parcel or make any other changes in accordance with the facts shown at said hearing or by said investigation, but no increase in the assessment upon or apportionment to any parcel of land shall be made by the board unless the owner or owners of said land shall be present when such increase was proposed or discussed by the board or unless a time for the consideration of such proposed increase shall have been fixed by the board and notice to appear at said time to show cause why such increase should not be made shall have been served on the owner or owners of the land at least five days before said time. After such changes, if any, have been made the board shall by resolution confirm and adopt said assessment and apportionment as so modified, or as submitted by the commissioners if no changes have been made by the board. A copy of said assessment and apportionment list as so confirmed and adopted with a copy of the resolution of the board confirming and adopting said assessment and said apportionment shall be certified by the secretary as correct and shall be filed in the office of the county recorder of the county in which the district is situated From and after the filing of said copies of said list and said resolution in the office of said county recorders, the assessment upon each parcel of land described in said list shall be a lien thereon.

The assessment and apportionment list, when confirmed and adopted by the board of directors as aforesaid, shall be prima facie evidence of the regularity and validity of all proceedings in relation thereto and that all the requirements of law in regard to said assessment and said apportionment have been complied with, and no action attacking the regularity, correctness or validity of said assessment or said apportionment shall be maintained unless such action is commenced within thirty days after said certified copies of said apportionment and said assessment list and said resolution of the board of directors shall have been filed with said county recorder

The assessment confirmed and adopted by the board of directors as aforesaid shall be due and payable in installments as follows An installment in an amount fifteen per cent greater than the total amount of interest due on said bonds on the first day of January of any year shall be due and payable on the first Monday of the next preceding October and if any of said bonds are to mature on or after said first day of January and prior to the first day of the next ensuing July, said installment shall be increased by an amount fifteen per cent greater than the total amount of said bonds so to mature; an installment in an amount fifteen per cent greater than the total amount of interest due on said bonds on the first day of July of any year shall be due and payable on the first Monday of the next preceding May, and if any of said bonds are to mature on or after said first day of July and prior to the first day of the next ensuing January, said installment shall be increased by an amount fifteen per cent greater than the total amount of said bonds so to mature.

SEC 18 After the confirmation and adoption of an apportionment of an estimate by commissioners of the annual amount required by the district for its general expenses and the cost of maintaining its roads, as hereinbefore provided, the board of directors, whenever it shall determine that money will be needed for any of such purposes before the end of the next ensuing calendar year, shall estimate the amount that will be needed for such purposes during said period and shall increase said estimate by fifteen per cent thereof and levy said increased amount as an assessment upon the lands in the district, to be apportioned in accordance with the apportionment aforesaid. The rate of said assessment shall be determined by dividing the total amount thereof by the amount of said estimate of annual cost on which the apportionment aforesaid was based. The secretary shall compute in dollars and cents to be paid as an assessment on each parcel of land described in said apportionment list by multiplying the amount apportioned to said parcel in said apportionment by the rate of assessment On or before the twentieth day of September of each year after the levying of said assessment, the board shall, if necessary, make another assessment in like manner for said purposes. The assessments so levied shall be payable in two equal semi-annual installments, which shall be due and payable respectively on the first Monday in October next following the date of its levy and the first Monday in May next thereafter, but the board may provide in the order levying any such assessment that it shall be payable in two unequal installments and may fix the proportion of the whole of which each installment shall consist, and if the first of said assessments shall be levied before the first day of May of any year and after the first day of October of the next preceding year, the board shall make its estimate of the amount of money required for the period ending with

the month of December next after said month of May, and in that case the entire assessment shall be due and payable on the first Monday of said month of May. If any assessment due and payable under the provisions of this act in the month of October of any year is not paid before five o'clock p.m. of the third Monday in December of that year, said assessment shall then become delinquent, and if any assessment due and payable under the provisions of this act in May of any year is not paid before five o'clock p.m. of the third Monday in June of that year, said assessment shall then become delinquent. When any assessment becomes delinquent, a penalty of ten per cent of the amount thereof must forthwith be added thereto by the officer whose duty it may be to collect said assessment, and said penalty must thereafter be collected with said assessment as hereinafter provided. Any assessment or any installment of an assessment may be paid before it is due, to the officer charged with the collection of the assessments of the district.

Whenever any assessment has been confirmed and adopted by the board of directors or levied in accordance with an apportionment as aforesaid, the secretary shall file with the tax collector of the county in which the district is situated a list showing the name of each person assessed, the description of each parcel of land assessed and the area thereof, as the same appear on the assessment and apportionment list, the amount assessed against each parcel assessed, the amount of each installment of said assessment if the same is payable in installments and the date when said assessment or the dates when the respective installments thereof will be due and payable. Said list or lists shall be certified by the secretary as correct, and shall contain blank columns in which the tax collector may enter the amount and date of the payment of each assessment or installment thereof, the date of its delinquency if it becomes delinquent, the total amount due after delinquency and the date of payment and amount paid on any delinquent assessment. The secretary shall also give notice by publication for at least three weeks, beginning in the month in which any assessment or assessments or installment or installments thereof are due and payable, stating that said assessment or assessments or installment or installments of an assessment or assessments of said district are due and are payable at the office of the tax collector of the county in which the land assessed is situated, and stating also the time when said payment will become delinquent and that a penalty of ten per cent of the amount due will be added if payment is not made before said time. Failure to give such notice shall not invalidate or affect any assessment confirmed and adopted after a report by commissioners and a hearing by the board of directors. The tax collector shall receive all moneys paid on assessments of the district as shown by the list or lists filed with him or with them as above provided, and on or before the last Monday in each month shall pay to the treasurer of the county in which the district is situated all moneys so received. Said treasurer shall give receipts for all moneys so received by him and shall transmit to the secretary of the district signed duplicates of all such receipts.

SEC. 19. Before the first day of July of each year after an assessment for the payment of interest on and principal of bonds has been confirmed and adopted, any owner of land assessed may file in the office of the district a petition in writing, praying that the assessment on said land for said purposes or the apportionment of the estimate of annual expenses of the district upon said land, or both said assessment and apportionment, be changed. The petition shall describe the land and state the reasons on which said prayer is based. At the regular meeting of the board in July of said year the board shall receive all petitions so filed and shall proceed to hear them at said meeting or at such time as the board may fix for that purpose. At said hearing the board shall hear all competent and relevant evidence offered in support of or in opposition to said petitions and shall take such additional evidence and make such investigations regarding said matters as it may deem proper. The board may, also, at any time before the first day of July of any year serve written notice upon the owner or owners of any land so assessed to appear at the office of the board at a time specified in said notice, which time shall be at least three weeks after the date of the service of said notice, to show cause why the amount assessed upon said land, which must be described in said notice, should not be increased for reasons which must be stated in said notice. At the time so fixed the board shall meet and call witnesses in support of the proposal to increase said assessment, and shall also hear all competent and relevant testimony offered in opposition to such proposed increase. At the close of any such hearing or hearings, which must be concluded not later than the fifteenth day of September following said first day of July, the board shall, if it shall find that any changes in said assessment or in said apportionment are required, make an order changing said assessment or said apportionment, or both, in such particulars as may be necessary to make said assessment and said apportionment conform to the requirements of this act. A copy of said order, certified by the secretary shall be filed in the office of the county recorder of the county in which the land affected thereby is situated, or in the office of the county recorder of each county in which any of said land is situated, if it is situated in more than one county. Upon the filing of said copy or copies with said county recorder or county recorders the lien of the assessments changed in said order shall be divested

and the assessments set forth in said order shall respectively become liens upon the land affected. The secretary shall, at the time of filing a copy or copies of the annual assessment list with the county tax collector or tax collectors, note any changes in the ownership of lands within the district of which he has knowledge. The board of directors by unanimous vote may, and, upon receiving a petition therefor signed by at least twenty-five per cent of the holders of title or evidence of title to lands listed on the last apportionment list, representing at least twenty-five per cent of the total amount of said apportionment, must provide for the appointment of new commissioners to prepare a new assessment for the payment of outstanding bonds of the district or a new apportionment of the estimate of annual expenses, or both. In case such new commissioners are appointed the same procedure shall be followed as is provided in the case of an original appointment, and upon the filing of a certified copy or certified copies of the assessment list or apportionment list or both, together with a certified copy or copies of the resolution of the board of directors confirming and adopting the list or lists, the lien of all assessments for which a new assessment list may have been made shall be divested and the assessments shown on said new list shall become a lien on the land assessed, and the new apportionment list, if one has been confirmed and adopted, shall become the apportionment list for the district.

SEC. 20. On or before the tenth day of July of each year the tax collector of any county in which is situated any land in any water district whereon any assessment or installment thereof is delinquent shall prepare and publish a list of all such delinquent assessments or installments. Said list shall be prepared and published in substantially the same form as delinquent lists for county taxes. Said list shall be published for at least three successive weeks in a newspaper, published in said county, together with a notice stating that the delinquent property described in said list will be sold for the amounts specified therein in front of the courthouse of said county at a time to be specified in said notice, which shall be not more than thirty days from the date of the first publication of such notice. At the time stated in said notice, or at some other time to which said sale may have been postponed by said tax collector, the tax collector must offer said property for sale at public auction, beginning at the top of the list and offering each parcel successively until all the parcels advertised have been offered for sale. The owner or person in possession of any property advertised for sale may designate to the tax collector in writing before the sale the portion of the property which he wishes sold, if less than the whole, and if no such designation has been received, the tax collector may designate the portion to be sold. The person who will take the smallest quantity of any parcel of land, or, if an undivided interest is delinquent, the least portion of the interest, and pay the amount of the delinquent assessment and penalty, together with one dollar as costs, shall be declared the purchaser of the land or interest therein for which he made the bid. If no bid is received for a parcel advertised or for any part thereof, or if the person declared the purchaser shall fail to pay the amount required within twenty-four hours after the sale to him, the whole of the property shall be struck off to the district as the purchaser. A certificate of such sale shall be executed by the tax collector to the purchaser upon payment of the amount required, or to the district if it is the purchaser, and this certificate shall be recorded in the office of the county recorder of the county. Any person interested in said property may redeem the same at any time within one year from the date of said sale by paying to the county tax collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of said sale.

If no redemption of land sold for delinquent assessments as aforesaid shall have been made within one year from the date of said sale, the purchaser, or his successor in interest, shall be entitled to a deed to said property, and the county tax collector of the county in which said land is situated shall execute such a deed upon demand for the person entitled to the same. The effect of such a deed shall be to convey said property free and clear of all liens and encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by statutory authority, and any subsequent district assessment. The district as a purchaser at a sale for delinquent assessments shall be entitled to all the rights of a private purchaser. The board of directors may sell any property so sold to the district, or the interest of the district in such property by virtue of a certificate of sale, but such property or interest must be sold at public auction, after notice by publication for at least two successive weeks of the time and place of said sale, which notice shall describe the property to be offered for sale, and no such property shall be sold for less than the amount that would be required to redeem it if the district has not yet received a deed to it, or for less than the amount that would have been required to redeem it on the day before the district became entitled to a deed, together with interest on said amount at the rate of seven per cent per annum from that time if the district has been given a deed to the property. Any property held by the district under a certificate of sale may be redeemed at any time before the district has received a deed to it for the minimum amount for which the district would be allowed to sell it if a deed had been given to the district.

If any bonds for the payment of which an assessment has been confirmed and adopted shall not have been sold when an installment of said assessment shall become due and payable, the county treasurer may, if so authorized by the board

of directors of the district, credit on said installment the amount of any interest coupons of said bonds that have matured or that would mature before the next installment of said assessment shall become due and payable. If at any time after paying or providing for the payment of the principal of all outstanding bonds of the district that will mature before the next installment of an assessment in the district will become due and payable and after paying or providing for the payment of all bond interest coupons that will mature before the same time, there shall be in the bond fund of the district an amount in excess of fifteen per cent of the largest installment to become due in the district for the payment of the principal and interest of bonds, the county treasurer shall invest in bonds of the United States or of this state a portion of said bond fund equal to at least fifteen per cent of said largest installment and keep said bonds in the bond fund to be sold only in case of emergency in the district or as hereinafter provided. Any other accumulations in the bond fund above the amounts needed for the payment of principal of and interest on bonds of the district shall be credited by the treasurer, in such amounts as he may deem most practicable, upon installments of assessments for the payment of interest on or principal of bonds. When any money is credited by the treasurer on an installment of an assessment as aforesaid, he shall notify the tax collector or tax collectors who are required to collect such installment of the proportion of said installment which he has credited thereon, and said tax collector or tax collectors shall thereupon credit the same proportion upon the portion of said installment assessed upon each parcel of land. If any land-owner shall have paid his portion of said installment, then he shall be credited with the proper amount upon the next unpaid portion of an installment assessed upon his land. After two-thirds of the total amount of bonds issued by the district shall have been paid the treasurer shall, when so directed by the board of directors of the district, sell the bonds in the bond fund and apply the proceeds thereof as a credit on one or more unpaid installments of district assessments.

SEC. 21. The board of directors of a district may at any time call a special election and submit to the electors of the district the question whether a special assessment shall be levied for any of the purposes for which the district may be authorized to expend money. The provisions of this act regarding the notice for and holding of elections for the issuance of bonds shall apply to the elections provided for in this section so far as practicable. The notice may state that said assessment shall be payable at one time or in not more than six semi-annual installments and in the latter case shall specify the amount of each installment. If two-thirds of the votes cast at said election shall be in favor of levying said assessment, the board of directors shall so declare and shall appoint commissioners or a commissioner, as hereinbefore provided in the case of an issue of bonds, who shall assess the amount of said assessment upon the lands in the district that will be benefited by carrying out the purpose or purposes for which said assessment was voted. Said assessment shall be apportioned to said lands according to said benefits and an assessment list shall be prepared and filed in the office of the district, a hearing shall be held thereon, whereof notice shall be given, and said assessment shall be modified by the board of directors, if necessary, and confirmed and adopted, as hereinbefore provided in the case of such an assessment for the payment of the principal of bonds.

SEC. 22. If any assessment shall be adjudged invalid, the board of directors may appoint commissioners again to assess the proper amount upon the lands of the district that will be benefited, if said invalid assessment was prepared by commissioners, and the board may levy another assessment for the same purpose or purposes if said invalid assessment was levied by the board upon an apportionment or as a uniform amount per acre.

SEC. 23. The county treasurer of the county in which the district, or the greater portion thereof, is situated shall receive to the credit of the district and in trust for its uses and benefits all the fund thereof, and all such funds belonging to the district, or to which the district is entitled, shall, when received, except as herein otherwise provided, be paid by the person so receiving them to the said treasurer. The treasurer shall establish for the district two funds, which shall be designated as the bond fund and the general fund. The bond fund shall consist of all moneys raised by assessments or otherwise for the payment of the principal of or interest on bonds of the district, the proceeds of the sale of land for assessments for such purposes which have become delinquent, and the proceeds of any investments of moneys of the bond fund. All other moneys of the district shall be paid into the general fund. The moneys placed in the bond fund shall be used for the payment of the principal of and interest on bonds of the district, and, except as herein otherwise provided, shall not be used for any other purpose until all the bonds of the district have been paid. Moneys in the general fund shall not be paid out by the treasurer except on warrants ordered by the board of directors and signed by the president of the board and countersigned by the secretary. Such warrants are and shall be considered as contracts for the payment of money, and the period prescribed for the commencement of an action based thereon, or connected therewith, is and shall be the term of four years from the date of their issuance.

SEC. 24. The board shall, pursuant to an order entered in its minutes, advertise for bids for the construction of such road or roads, either as a whole or in such sections as it may see fit, in accordance with the plan theretofore adopted and filed, as hereinabove provided, by said board by publishing a notice calling for such bids, at least once a week for two successive weeks in a newspaper published within the district if such newspaper is published therein, otherwise in a newspaper published at the county seat of the county in which such district is located. Such notice shall refer to said order and said plan for further particulars. If the board shall elect to receive separate bids for the construction of sections of said road or roads, the said order shall describe the separate sections for which such separate bids are desired. The board may also in its discretion advertise at the same time and in the same notice both for bids for the construction of such road or roads, as a whole and for bids for the construction of separate sections thereof. Every contract for doing any part of said work shall be let, after advertisement as herein provided, to the lowest responsible bidder, who shall, before the making of said contract give a bond to the district for the faithful performance of his contract, with sureties satisfactory to said district board in an amount equal to at least fifty per cent of the amount of the contract price; *provided, however*, that the board may make contracts, without advertisement, for any construction work on said roads the cost of which does not exceed one thousand dollars, *and provided, further*, that the board may reject any or all bids and may thereupon readvertise for bids for doing any part of or the whole of said work, or may do said work without letting any contract therefor when the amount of the work is less than one thousand dollars. Said commission may hire all necessary engineers, inspectors and superintendents to supervise the performance of contracts entered into by said board or to have charge of the doing of all work done without contract.

Any order of said board directing the advertisement or readvertisement for bids, as hereinabove provided, may alter the said plan for such road or roads including the route of any portion or portions of any such road or roads *provided*, that no such change shall involve any material increase in the cost of construction of the portion or portions so altered or the cost of acquiring the rights of way therefor and any and all road district boards are hereby given power and authority to make any such change or changes in any such plan or plans.

The board may do any or all work of maintenance or repair upon such road or roads, either with or without contract therefor, and with or without advertising for bids for contracts for such work of maintenance and repair, at its discretion; *provided, however*, that if the cost of any such work of maintenance or repair shall exceed the sum of one thousand dollars, then such work shall be done under contract pursuant to bids for such work after advertising in the same manner herein provided for advertising for bids and letting contracts for construction work.

Anything in this act to the contrary notwithstanding the board of supervisors shall set apart and turn over to the district out of the general fund of the county twenty-five per cent of the cost of acquisition of rights of way for, and of construction of, said road or roads and also twenty-five per cent of the cost of maintenance and repair of said road or roads all such moneys to be used by the district for such purposes respectively, and the board of supervisors shall set apart and use for road work in the road district all moneys raised in such district by the county for road purposes; *provided, however*, that if for any reason the provisions, or any thereof, of this sentence are unconstitutional or affect the constitutionality of this act or any of the provisions thereof, then this sentence, or such provisions thereof, only, shall be void and the remainder of this act shall stand as if this sentence, or such provisions, thereof, as the case may be, had not been included in this act, the same being hereby declared to be separable.

SEC. 25. The road district board shall have, and it is hereby given, full power and authority at its option to transfer and convey all the right, title and interest of the road district in and to any road or roads in such district after complete construction thereof, to the county within which such district is situated, *provided*, that the board of supervisors of such county consent to and accept such transfer and conveyance and agree thereafter to maintain such road or roads as part of the county highway system of such county, any and all such roads so transferred and conveyed to be thereafter held and owned by such county as county roads without any further liability or responsibility therefor on the part of such district. But no such transfer or conveyance shall affect any bond or bonds theretofore issued by such district or the liability of such district thereunder.

SEC. 26. The district may at any time be dissolved upon the vote of two-thirds of the qualified electors thereof at an election called by the district board upon the question of dissolution. Whenever it shall deem it advisable, the board shall, by resolution, order that an election be held in the said district upon the question of dissolution of the district. Such election shall be called and conducted in the same manner as other elections of the district. Upon such dissolution, any property which may have been acquired by such _____ district shall vest in the county, except that any such property lying within the boundaries of an incorpo-

rated city shall vest in such city, *provided, however*, that if at the time of the election to dissolve such district there be any outstanding bonded indebtedness of such district, then, in such event, the vote to dissolve such district shall dissolve the same for all purposes excepting only the levy and collection of assessments for the payment of such outstanding indebtedness of such district, and from the time such district is thus dissolved until such bonded indebtedness with the interest thereon is fully paid, satisfied and discharged the board of supervisors of the county shall constitute ex officio the road district board of such district. And it is hereby made obligatory upon such board to levy such assessments and perform such other acts as may be necessary in *order to raise money for the payment of such indebtedness*, and the interest thereon, as herein provided

SEC. 27. After the formation of a district, as provided in this act, the board of directors thereof shall have the power to levy and collect an assessment upon each acre of land within the district, not exceeding fifty cents per acre, for the purpose of paying the expenses incurred in forming the district and the expenses of preparing plans and for the general expenses of the district. Upon the levying of such an assessment the secretary of the district shall immediately prepare an assessment list, wherein he shall set forth in separate columns the name of each person assessed (if the name is unknown to the secretary, the property shall be assessed to "unknown owners"), a description of the property assessed and the number of acres in each parcel assessed, and shall provide on said list an additional column in which to show the assessment upon each parcel so assessed. The county assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description, and area of such parcel of land, but the secretary may change any name, description or area in accordance with facts of which he has knowledge.

Upon the completion of the assessment list as provided in the preceding section the secretary shall submit said list to the board of directors, which shall fix a time, not less than fifteen days and not more than twenty-five days from the time of the meeting of said board at which said date is fixed, at which the board of directors shall meet to correct any errors in said assessment list The secretary shall give notice of the time and place of said meeting, which shall be at the office of the district, by publication for at least two weeks. The board of directors shall meet at said time and place and shall hear all objections which may be presented to it regarding the correctness of said assessment list, and shall hear all relevant testimony presented in support of or in opposition to said objections, and shall continue in session from day to day until all such objections and such evidence have been heard and acted upon, but said board shall not be required to consider any such objection unless the same was made in writing and filed with the secretary of the board before the time fixed for said meeting. Upon the completion of the hearing of all objections and all evidence as provided herein, the board shall make such changes, if any are required, in said assessment list as may be in accordance with the facts presented to the board

The secretary shall then compute and enter in the column for that purpose on the assessment list the respective sums in dollars and cents, at the rate fixed by the board of directors to be paid as an assessment on the property therein enumerated, and said assessments shall thereupon become a lien upon the respective parcels of land described in said list. The secretary shall then give notice by publication for at least three weeks that an assessment at the rate per acre fixed by the board of directors has been levied on the lands in the district, that said assessment is due and payable to the secretary at the office of the district, and that the assessment on any land which shall not be paid on or before five o'clock p.m. of a day fixed in said notice, which day shall not be less than fifty nor more than sixty days from the time of the first publication of said notice, will become delinquent, and a penalty of ten per cent thereof will be added thereto. The secretary shall receive and receipt for all such assessments which may be paid to him and, on or before the first Monday of each month shall pay all money so received by him to the county treasurer, who shall give the secretary receipts therefor and place said money in the general fund of the district. The secretary shall set down, in a column provided on the assessment list for that purpose, ten per cent of the amount of each assessment not paid before the time fixed in said notice as the time when unpaid assessments will become delinquent, and the respective amounts so set down shall be added to the respective delinquent assessments, and thereafter each such delinquent assessment and penalty shall bear interest at the rate of one per cent per month until paid or until the amount of such delinquent assessment, penalty and interest is added to an assessment by commissioners, as hereinafter provided or until the land assessed is advertised for sale by the secretary If an assessment is made in the district by commissioners as hereinafter provided within one year from the date when the assessments aforesaid shall have become delinquent, said commissioners shall assess upon the land covered by each such delinquent assessment the amount of said assessment, and the penalty and accrued interest thereon, in addition to any assessment upon said land for other

purposes, and the amount of said delinquent assessment, penalty and interest so assessed shall become due and payable at the time when the first payment under said assessment by commissioners shall become due and payable. If an assessment by commissioners is not made in said district within said period of one year, the secretary shall prepare a list of all such delinquent assessments and advertise the delinquent property for sale and sell the same in the same manner and with the same effect as is provided in this act for such procedure by county tax collectors. A certificate of sale signed by the secretary shall have the same effect after such sale as such a certificate by a county tax collector

SEC. 28. Any district formed hereunder, in order to determine the legality of its existence, may institute a proceeding therefor in the superior court of the county in which it was organized by filing with the clerk of said county a complaint setting forth the name of the district, its exterior boundaries, the date of its organization and a prayer that it be adjudged a legal district formed under the provisions of this act. The summons in such proceeding shall be addressed generally to all persons interested in said district or in any of the lands therein contained, and shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in the said county. Within thirty days after the last publication thereof any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of the district. If no answer shall be filed within said time the court must render judgment as prayed for in the complaint. If an answer be filed the court shall proceed as in other civil cases. Said proceeding is hereby declared to be a proceeding in rem and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California

SEC. 29. This act shall be known as and whenever cited, referred to or amended, may be designated simply as the "Local Road District Act of 1923."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 998—An act to amend an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill after the word "amend" insert the following "sections one, five, six, seven, eight and ten of".

AMENDMENT NUMBER TWO.

Strike out the words "said amendment" in line 17 of the title and all of lines 18 and 19 of the title and in lieu thereof insert the words "as amended."

AMENDMENT NUMBER THREE

On page 1 of the printed bill in line 1, after the period add the following:

"Section one of an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance control

and use of boulevards, defining the term boulevard, providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard, providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts, providing for the election of such commission, their terms of office, and of elections to be held in such districts' and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance and use of boulevards, and defining the term boulevard,' approved March 22, 1905 and the act amendatory thereof, approved April 15, 1909', approved May 1, 1911, as amended is hereby amended to read as follows

Section 1 Any portion of a county composed of either unincorporated territory or both incorporated and unincorporated territory not contained in a boulevard district under the provisions of this act, may be formed into a boulevard district, and when so formed shall be known and designated by the name and style of _____ boulevard district (using the name of the district) of _____ county (using the name of the county in which said district is located) and shall have the rights herein enumerated, and such as may hereafter be conferred by law

SEC 2. Section five of said act approved May 1, 1911, as amended, is hereby amended to read as follows

SEC. 5 The board of supervisors thereupon, and not later than thirty days after the establishment of said boundaries as hereinbefore provided, shall by order, call an election to be held in such proposed boulevard district for the purpose of determining whether such district shall be formed. The order must fix the day of such election, which must be within sixty days from the date of the order and must show the boundaries of the proposed district, and must state that at such election three members of the boulevard commission will be voted for This order shall be entered in the minutes of the board and shall be conclusive evidence of the due presentation of a proper petition, and of the fact that each of the petitioners was, at the time of the signing and presentation of such petition, a freeholder owning land within the proposed district and that all other steps and actions requisite to and pertaining to the making of said order including the hearing of said petition and establishment of the boundaries of said district, have been properly taken notice of such election shall be given by posting a copy of such order for three successive weeks prior to the election, in three public places within the proposed district and by publication of a copy of such order at least once a week for three successive weeks prior to the election in some newspaper published in the proposed district, if there be one, and if not, in some newspaper published at the county seat.

SEC. 3. Section six of said act approved May 1 1911, as amended is hereby amended to read as follows

SEC. 6. The board of supervisors, at least fifteen days prior to the election, shall select one, and may select two, or more polling places within the proposed district, and make all suitable arrangements for the holding of such election If the proposed district includes incorporated and unincorporated territory, the board of supervisors shall designate at least one polling place in incorporated territory and at least one in unincorporated territory They must select and appoint, from among the qualified electors of the proposed boulevard district, one inspector and two judges of election in each polling place, who shall constitute the officers of said election and the election board, if none are so appointed or if any officer appointed does not attend at the opening of the polls on the morning of election, the electors present may appoint substitutes to fill the election board. The ballot shall contain the words "boulevard district—yes," and "boulevard district—no," and shall also make provision for voting for three members of the boulevard commission of said district. At such election there shall be elected three members of the boulevard commission, whose terms of office shall be for four years and until the election, or appointment, and qualification of their successors Such election, and all subsequent, or other, elections in said district shall, except as herein otherwise expressly provided, be conducted as nearly as practicable in accordance with the general election laws of the state, except that the provisions of said laws as to the form of ballots and the making of nominations and the selection or appointment of officers of election, shall not apply, and that no irregularity or informality in conducting any election under this act, not substantially affecting adversely the legal rights of any elector, as herein defined, shall invalidate or affect such election At each election pursuant to this act, every qualified elector, resident within the district as proposed or established, and who would be entitled on the date of the respective election to vote in said district at a general election, shall be entitled to vote at such election. The said officers of election must make return of the election to the board of supervisors of said county, which shall canvass said returns as by law provided, and if a majority of the votes cast at such election shall be in favor of a boulevard district or, in case the proposed district includes incorporated and unincorporated territory, if a majority of the votes cast both in the incorporated and the unincorporated territory respectively be in favor of a boulevard district, the board of supervisors shall make and cause to be entered in the minutes of said board an order that the boulevard district of the name, and with the boundaries theretofore

established by said board (setting forth such boundaries), has been duly established, and shall declare the three persons receiving the highest number of votes for members of the boulevard commission, duly elected as such commissioners, and said order shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided for by this act or by law, and of the existence and validity of the boulevard district. If a majority of the votes cast shall be against a boulevard district, the board shall by order entered in its minutes so declare, and no other proceeding shall be taken in relation thereto until the expiration of one year from the date of the presentation of the petition to said board.

SEC. 4. Section seven of said act approved May 1, 1911, as amended, is hereby amended to read as follows:

SEC. 7. The officers of the district shall be five members of the boulevard commission, who shall be designated as commissioners, and shall be, except as hereinafter provided, the chairman of the board of supervisors and the county surveyor, or the county engineer, as the case may be, of the county in which the district is situated, who shall be ex-officio commissioners, and three other commissioners elected as herein provided, each of whom must have been a bona fide resident and freeholder within the boundaries of the district for at least one year prior to his election. Any vacancy in the office of commissioner shall, except as hereinafter provided, be filled by appointment for the unexpired term by the board of supervisors from among the bona fide resident freeholders within said district who shall have been such resident freeholders for at least one year prior to such appointment, but no member of the said board of supervisors, except the chairman thereof, shall be eligible to hold office on said commission or to hold any position in connection therewith. At any time, upon petition in writing signed by at least twenty-five per cent in number of the number of qualified electors, residing within the district and named upon the great register of the county in which the district is situated, and presented to the state highway commission, the said state highway commission shall, and it is hereby empowered to, declare the office of boulevard commissioner theretofore held by the said county surveyor, or county engineer, as the case may be, vacant and nominate and appoint as commissioner to fill such vacancy a person who shall be a civil engineer, qualified in the opinion of the state highway commission, to act as such commissioner. The commissioner so appointed shall hold office for the term of four years from and after his appointment, and until the appointment and qualification of his successor, and all appointments to fill any vacancy in the office of such commissioner either during or at the expiration of his term of office shall be made by the state highway commission upon the receipt of written notice from the boulevard commission of such vacancy or expiration, but no petition shall be necessary therefor. Each commissioner shall give a bond to the boulevard district for the faithful performance of his duties in the sum of five thousand dollars, to be approved by a judge of the superior court of the county in which the district is located. The commissioners shall receive no compensation whatever either for general or special services.

SEC. 5. Section eight of said act approved May 1, 1911, as amended, is hereby amended to read as follows:

SEC. 8. An election shall be held in each boulevard district on the first Monday after the first Tuesday in March in the fourth year after the formation of the district, and in every fourth year thereafter, at which shall be elected three commissioners in place of the elected commissioners whose terms shall expire during such year. Not less than twenty days before the day of each such election the boulevard commission must give notice of said election by posting notice thereof in three public places in the boulevard district, which notice must specify the time and place of election, the hours during which the polls will be kept open, and the officer to be elected. They shall select one, and may select two or more, polling places within the district, shall appoint one inspector and two judges of election in each polling place, and make all necessary and proper arrangements for holding the election. Said election officers shall constitute the election board. If no election officers are so appointed, or if any of those appointed are not present at the time of the opening of the polls, the electors present may appoint all, or any, of them so absent or not appointed and they shall conduct the election as if so appointed by said commission and present. The officers of the election must publicly canvass the votes immediately after the closing of the polls and must make return of the election within twenty-four hours after the closing of the polls to the board of supervisors. Said board of supervisors at its first meeting after receiving said returns shall canvass the same and shall make, sign and deliver a certificate of election to the persons elected.

SEC. 6. Section ten of said act approved May 1, 1911, as amended, is hereby amended to read as follows:

SEC. 10. Every boulevard district formed under the provisions of this act shall have power to have and use a common seal, alterable at the pleasure of the boulevard commission; to sue and be sued by its name; to lay out, establish, construct, acquire and maintain one or more boulevards within the district, and for this purpose to acquire by purchase, gift, devise, condemnation proceedings or otherwise, real and personal property and rights of way within the district, and to pay for and hold the same; to make and accept any and all contracts, deeds, releases and documents of any kind which shall be necessary or proper to the exercise of any of the powers of the district, and to direct the payment of all lawful claims and demands against it; to issue bonds as hereinafter provided, and to provide for the payment

of the same and the interest thereon, and to cause to be levied taxes sufficient for the construction, maintenance or repair of said boulevard, or boulevards, and all indebtedness of such district, and the running expenses of the district, to employ all necessary engineers, surveyors, agents and workmen to do the work on or in connection with the boulevard or boulevards in said district, and generally to do and perform any and all acts necessary or proper to the complete exercise and effect of any of the powers or the purposes for which it was formed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1222—An act to amend section 361*a* of the Political Code, relating to the Department of Agriculture.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the word "section" and insert in lieu thereof a word, "sections".

AMENDMENT NUMBER TWO.

In line 1 of the title after the words "sixty-one *a*", insert the following "and three hundred sixty-one *c*".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 11, insert the following

"SEC. 2. *Section three hundred sixty-one c of the Political Code is hereby amended* to read as follows

361*c*. The department of agriculture is hereby invested with the power and is charged with the duty of administering and enforcing the following laws

An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the state board of health to enforce the provisions of the act and providing penalties for the violation of same, approved May 6, 1919, and all acts amending or supplementing said act;

An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infractions thereof, and means for the enforcement of the act, approved March 20, 1903, and all acts amending or supplementing said act,

An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903, and all acts amending or supplementing said act

An act to regulate the manufacture, sale, adulteration and misbranding of insecticides or fungicides or materials used for insecticidal or fungicidal purposes and to provide penalties for the infraction thereof and to appropriate money therefor, approved May 1, 1911, and all acts amending or supplementing said act,

An act to regulate the production of certified milk, cream, ice cream, butter and cheese, and repealing an act entitled "An act to regulate the production of certified milk," approved March 18, 1909, and all acts and parts of acts inconsistent with this act, approved April 25, 1913, and all acts amending or supplementing said act,

An act prohibiting the destruction of foodstuffs, food products or food articles, approved June 5, 1913, and all acts amending or supplementing said act,

And all other laws now or hereafter imposing any duty, power or function upon any of the bodies, offices, officers, deputies or employees herein transferred to said department."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1307—A act to amend section 597 of the Political Code, relating to insurance companies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also author-

izing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the comma after the word "California," strike out the word "are" and insert in lieu thereof the word "is"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 6 after the comma, lines 7 to 13, both inclusive, and in lieu thereof insert the following: "must furnish to such person a statement setting forth the name and address of the person giving the order for help, the place of such employment, the sanitary conditions existing at said place of employment, particularly setting forth the housing facilities, the daily hours of work, the kind of work or services to be performed, the wages therefor and the place of payment thereof; whether board and lodging is to be furnished by the employer, and if not the cost thereof and the method of payment therefor, the time of such service or employment, if definite or indefinite, and any other term, condition or agreement relating to such employment agreed upon between such applicant and such employer; the cost of transportation, how such transportation is to be furnished, the sanitary conditions during such transportation, and by whom such transportation is to be paid."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the period, add the following: "Any person, firm, corporation or association who shall violate any of the provisions of this act shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 27 of the printed bill, strike out the word "seven" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 44—An act relating to liability for injury to school children.

Bill read second time, and ordered on file for third reading

Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation," approved June 3, 1921, is hereby amended to read as follows:

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Amend section 2 of the bill by striking out the period after the word "pictures" on line 23.

AMENDMENT NUMBER TWO

Amend section 2 of the bill by inserting on line 23, after the word "pictures" the following "and are operated for such purposes more than three continuous hours in any one day."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill strike out the word "five" in line 10 and insert in lieu thereof the word "four"

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 488—An act to amend section 2322 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* of the Political Code relating to agriculture

Bill read second time, and ordered on file for third reading.

Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors.

Bill read second time, and ordered on file for third reading

Senate Bill No. 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance

Bill read second time, and ordered on file for third reading.

Senate Bill No. 456—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act

Bill read second time, and ordered on file for third reading.

Senate Bill No 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 line 8, of the printed bill, strike out the words "man or"

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California." approved April 30, 1913, by amending section 1 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies

Bill read second time, and ordered on file for third reading

Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "patrolling" and insert in lieu thereof the word "protecting".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, after the word "patrol" insert the following: "except in cases where in the judgment of the state board of forestry such patrol is unnecessary".

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, after the word "forester" insert the following: "in providing adequate patrol for the said land."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Noyes asked for and was granted unanimous consent to take up Assembly Bill No. 490, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED NINETY

Assembly Bill 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read third time,

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Noyes moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after line 14 and preceding line 15 insert the following

"14 The county traffic officer, one thousand six hundred twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Such deputy shall be appointed by the county traffic officer and shall receive a salary of one thousand six hundred twenty dollars per annum, which shall be paid by the county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same for such deputy and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputy whenever said office of county traffic officer is created by law."

AMENDMENT NUMBER TWO.

On page 3, line 15, of the printed bill, strike out the numeral "14" and in lieu thereof insert the numeral "15".

AMENDMENT NUMBER THREE.

On page 3, line 28, of the printed bill, strike out the numeral "15" and in lieu thereof insert the numeral "16".

AMENDMENT NUMBER FOUR.

On page 3, line 36, of the printed bill, strike out the numeral "16" and in lieu thereof insert the numeral "17".

AMENDMENT NUMBER FIVE

On page 3, line 47, of the printed bill, strike out the numeral "17" and in lieu thereof insert the numeral "18"

AMENDMENT NUMBER SIX

On page 3, line 51, of the printed bill, strike out the numeral "18" and in lieu thereof insert the numeral "19".

AMENDMENT NUMBER SEVEN.

On page 4, line 5, of the printed bill, strike out the numeral "19" and in lieu thereof insert the numeral "20".

AMENDMENT NUMBER EIGHT.

On page 4, line 13, of the printed bill, strike out the numeral "20" and in lieu thereof insert the numeral "21".

AMENDMENT NUMBER NINE.

On page 4, line 17, of the printed bill, strike out the numeral "21" and in lieu thereof insert the numeral "22".

AMENDMENT NUMBER TEN

On page 4, line 20, of the printed bill, strike out the numeral "22" and in lieu thereof insert the numeral "23".

Motion carried.

The Speaker appointed Mr. Noyes as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 490, with instructions, reports that the instructions of the Assembly have been carried out.

NOYES, Select Committee.

Report of Select Committee of One and amendments adopted Bill ordered to reprint, re-engrossment, and on file for passage

ASSISTANT CLERK POWERS READING.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day amended and adopted as amended Assembly Constitutional Amendment No 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage—and respectfully requests your honorable body to concur in said amendment.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 24?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of line 9 after the period and all of lines 10 to 27, both inclusive, and on page 2 of the printed bill, strike out lines 1 to 8, both inclusive, and in lieu thereof insert the following

"Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof who shall have become such ninety days prior to any election, of the age of twenty-one years who shall have been resident of the state one year next preceding the election, and of the county in which he or she claims his or vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law, *provided*, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within thirty days of an election shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct from which he so removed until after such election, *provided, further*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this state *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who was sixty years of age and upwards on October 10, 1911 *provided, further*, that the legislature may, by general law, provide for the casting of votes by duly registered voters who, by reason of their occupation, are regularly required to travel about the state and who, by such affidavit as the legislature may prescribe, show that they will be absent from their respective precincts on the day on which any primary or general election is held, or who, by reason of their being engaged in the military or naval service of the United States or of the state, may be absent from their respective precincts on the day on which any primary or general election is held which votes (*a*) may be cast in the office of the registrar of voters, or of the county clerk of the county or city and county in which such voters respectively reside, and on a day prior to the date of such election, under such provisions as the legislature may see fit to make or (*b*) may be cast in the city, city and county or town within this state in which such voters may be on the day on which such election is held under such provisions as the legislature may see fit to make, and shall be forwarded in such manner as the legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots cast at such election, or (*c*) in cases where said voters are engaged in such military or naval service, may be cast at any place, under such provisions as the legislature may see fit to make, and shall be forwarded in such manner as the legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots at such election all of which votes shall be kept in such manner and counted by such methods as the legislature may prescribe *provided*, that it must be required that all ballots cast in any other place than the precinct of the voter must be received by the county clerk of the county in which the voter is registered, within two weeks of the election, in which such ballots are to be counted"

The roll was called, and Senate amendment to Assembly Constitutional Amendment No. 24 was concurred in by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eib, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline,

Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

The above reported constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 18?

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 7 to 18, both inclusive, and the word "commencement" in line 19, and insert in lieu thereof the following: "Beginning at the point of intersection of the center line of Polk street with the center line of Tonquin street, running thence easterly along said center line of Tonquin street to the westerly line of Larkin street; thence at a right angle southerly along said westerly line of Larkin street to the northerly line of Jefferson street; thence easterly along said northerly line of Jefferson street to the westerly line of Hyde street; thence northerly along said westerly line of Hyde street, a distance of two hundred and twenty-five (225) feet, thence at a right angle westerly a distance of two hundred and seventy-five (275) feet; thence at a right angle northerly a distance of two hundred and forty-five (245) feet more or less to the southerly line of the Embarcadero, thence northwesterly along said southerly line of the Embarcadero to its intersection with the center line of Polk street; thence southerly along the center line of Polk street to the point of beginning."

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, strike out all of the line after the semicolon, and all of lines 4 and 5, and insert in lieu thereof the following: "*provided, however*, that the grantee under this act shall at no time erect any piling, breakwater or other structure which shall in any way interfere with the operation of any ferry or ferryboat operating from any slip, wharf or pier situated easterly of the land described herein."

The roll was called, and Senate amendments to Assembly Bill No. 18 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fulwider, Heisinger, Hornblower, Johnson, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 307—An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California—reports that we have met a like Committee of the Senate, consisting of Senators West, Chamberlin and Arbuckle, and we report that the Conference Committee is unable to agree, and recommends that a Committee on Free Conference be appointed.

BAKER, C. C.,
BROUGHTON,
DUVAL,
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Cleveland, Dozier and Christian, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 307.

REPORT OF COMMITTEE ON FREE CONFERENCE

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 269—An act to amend sections 275 and 279 of the Code of Civil Procedure, and to add a new section to the said Code to be numbered "01, relating to admission to the practice of law—reports that we have met a like Committee of the Senate, consisting of Senators Jones, Lyon and Nelson, and we report that the Committee on Free Conference have agreed to recommend the following:

AMENDMENT NUMBER ONE

On page 1, line 19, of the printed bill, as amended in the Assembly, after the word "least" insert the words "three years, within the period of".

MATHEWS,
MORRISON,
BADHAM,
Assembly Committee on Free Conference.

JONES,
LYON,
NELSON,
Senate Committee on Free Conference

The question being on the adoption of the report and amendment.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Fox, Johnson, Jones, Kline, Lyman, Mathews, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Spalding, Spence, Stevenot, Williams, Woodbridge, and Wright—44.

NOES—Baker, Edwin; Bromley, Carter, Christian, Cleveland, Connolly, Duval, Emme, Fulwider, Graves, Heisinger, Hornblower, Johnston, Lyons, McDowell, McMillan, Mitchell, A. G., Morris, Mueller, Pedrotti, Schmidt, Scott, Smith, Snyder, Stow, Weller, West, Whitacre, and Mr. Speaker—29.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Morrison moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, in lines 48, 49 and 50, amend to read as follows "For salaries of officers and employees, San Francisco State Teachers College, three hundred thirteen thousand, five hundred dollars".

AMENDMENT NUMBER TWO

On page 12 of the printed bill amend lines 51 and 52 to read as follows.

"For support San Francisco Teachers College, thirty-nine thousand four hundred and fifty dollars".

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 899—An act to add a new section to the Penal Code to be numbered 402*g*, relative to the use of soiled or unlaundered table linen or napkins for purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Universities, to which was referred Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DOZIER, Chairman.

The above reported bill ordered on file for second reading.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Universities, to which was referred Senate Bill No. 200—An act to amend section 1394½ of the Political Code relating to fees and rates of tuition of non-resident students of the University of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BADHAM, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO SET SPECIAL ORDER.

Mr. Carter moved that the consideration of Senate Constitutional Amendment No 18 be made a special order for Thursday, April 26, 1923, at eleven o'clock a.m.

MOTION TO AMEND.

Mr. Hornblower offered the following amendment to Mr Carter's motion: That "Tuesday, April 24, 1923," be substituted for "Thursday, April 26, 1923".

The question being on the motion to amend by Mr. Hornblower.

Motion lost.

The question being on the motion to set special order by Mr. Carter.

REQUEST FOR ROLL CALL.

On request of Messrs Heisinger, Fellom, Badaracco, Hornblower and Reindollar, the Speaker ordered a roll call taken on the motion to set special order

The question being on the motion to set special order

The roll was called, and the motion to set special order carried by the following vote:

AYES—Badham, Baker C. C., Baker, Edwin; Bernard, Carter, Clarke Connolly, Coombs, Dawson, Dozier, Duval, Eksward, Erb, Foster, Johnston, Kline, Lyons, McMillan, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Scott, Snyder, Spalding, Weller, West, Whitacre, Williams, Wright and Mr. Speaker—33

NOES—Badaracco, Crittenden, Dean, Emme, Fellom, Heisinger, Hornblower, Jones, Miller Mitchell, T. A., Morrison, Prendergast, Rosenshine, Schmidt, and Stevenot—15.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators—and respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 250?

AMENDMENT NUMBER ONE

Strike out in line 3 following the word "that" the words "the same can be used while the elevator is being operated" and insert the words: "the operator can reach his control lever but it need not be so located that he can reach his door latch or door control".

The roll was called and the Assembly refused to concur in Senate amendment to Assembly Bill No. 250 by the following vote:

AYES—Kline—1

NOES—Badaracco, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Mr. Moore:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled an act to authorize the county judge of Tehama County to distribute town lots held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests, approved March 6, 1868."

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Coombs asked for and was granted unanimous consent to take up Assembly Bill No. 1288, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED EIGHTY-EIGHT.

Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1288 passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Cuttenden, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright; and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

The question being on the motion by Mr Morrison to refer the bill to a Select Committee of One for the purpose of amending.

Amendments read.

AMENDMENT NUMBER ONE

On page 12 of the printed bill, in lines 48, 49 and 50, amend to read as follows:

"For salaries of officers and employees, San Francisco State Teachers College, three hundred thirteen thousand, five hundred dollars."

AMENDMENT NUMBER TWO.

On page 12 of the printed bill amend lines 51 and 52 to read as follows

"For support San Francisco Teachers College, thirty-nine thousand four hundred and fifty dollars."

MOTION TO RECESS.

Mr Eksward moved that the Assembly do now recess until the hour of eight o'clock p m.

MOTION TO AMEND

Mr Hornblower offered the following amendment to Mr Eksward's motion:

That after the disposition of the pending amendments, the Assembly recess until eight o'clock p.m.

The question being on Mr Hornblower's motion to amend.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, McDowell, Eksward, Bernard and Morrison, the Speaker ordered a roll call taken on the motion to amend by Mr. Hornblower.

The question being on the motion to amend by Mr Hornblower.

The roll was called, and the motion to amend by Mr. Hornblower carried by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T A, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—43

NOES—Badham, Baker C C, Baker, Edwin; Ball, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G, Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Smith, Weller, Williams, and Mr. Speaker—36.

The question being on the motion to recess by Mr. Eksward, as amended.

REQUEST FOR ROLL CALL.

On request of Messrs. Baker, Edwin; Pedrotti, Fulwider, Fellom and Morrison, the Speaker ordered a roll call taken on the motion to recess by Mr. Eksward, as amended.

The question being on the motion to recess by Mr. Eksward, as amended.

The roll was called, and the motion to recess by Mr. Eksward, as amended, carried by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones Lyman, Mathews, McDowell, Miller, Mitchell, T A., Morrison, Mueller, Prendergast Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—43

NOES—Badham, Baker, C C, Baker, Edwin; Ball, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A G, Moore, Morris, Noyes Pedrotti, Pomeroy, Roberts, Rock, Weller, Williams, and Mr Speaker—36.

The question being on the motion by Mr. Morrison to refer the bill to a Select Committee of One for the purpose of amending.

DEMAND FOR DIVISION OF THE QUESTION.

Mr. Carter demanded a division of the question.

The question being on the appointment of a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, in lines 48, 49 and 50 amend to read as follows: "For salaries of officers and employees, San Francisco State Teachers College, three hundred thirteen thousand, five hundred dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Fellom, West, McDowell, Morrison and Hornblower, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—45.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Weller, Williams, and Mr. Speaker—34.

The Speaker appointed Mr. Morrison as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

MORRISON, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Snyder, Baker, Edwin; Kline, West and Bernard, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—44.

NOES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Weller, Williams, and Mr. Speaker—35.

The question being on the appointment of a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER TWO

On page 12 of the printed bill amend lines 51 and 52 to read as follows:

"For support San Francisco Teachers College thirty-nine thousand four hundred and fifty dollars."

REQUEST FOR ROLL CALL

On request of Messrs. Hornblower, Fellom, Johnston, McDowell and Mitchell, T. A., the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—45.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Weller, Williams, and Mr. Speaker—34.

The Speaker appointed Mr. Morrison as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

MORRISON, *Select Committee.*

REQUEST FOR ROLL CALL

On request of Messrs. Kline, Baker, Edwin; Bernard, Fellom and Hornblower, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—46.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Weller, Williams, and Mr. Speaker—31.

RECESS

At four o'clock and forty-four minutes p.m., on motion of Mr. Eksward, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED

At eight o'clock p.m., the Assembly reconvened. Speaker Merriam in the chair. Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Concurrent Resolution No. 20—Relative to the reception of Honorable Henry C. Wallace, Secretary of Agriculture of the United States.

Also: Assembly Concurrent Resolution No. 18—Relative to drafting a resolution of respect on the death of Dr. Gustave H. Douglas.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this nineteenth day of April, 1923, at two o'clock and forty minutes p.m.

ROBERTS, Chairman.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts, authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

Also: Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BAKER, EDWIN, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 185?

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "no articles shall" and on page 1, line 9, strike out the words "be manufactured for sale except jute fabrics and".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "time" at the end of line 10 insert the words "may be sold".

The roll was called, and Senate amendments to Assembly Bill No. 185 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Cleary, Crittenden, Davis, Dean, Donohue, Emine, Fellom, Foster, Graves, Heisinger, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosen-

shine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Wright, and Mr. Speaker—43

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1042—An act to add a new section to the Penal Code, to be numbered section 496b, making second hand dealers liable for receiving stolen books—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1042?

AMENDMENT NUMBER ONE

On page 1, line 8, of the printed bill, strike out the word "or" first appearing in said line and insert in lieu thereof the word "and".

The roll was called, and Senate amendment to Assembly Bill No. 1042 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bromley, Burns, Cleary, Cleveland, Coombs, Croter, Davis, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Graves, Heisinger, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Wright, and Mr. Speaker—46

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1149—An act to amend section 633a of the Political Code, relating to licensing of insurance and surety brokers—and respectfully requests your honorable body to concur in said amendment.

J A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1149?

AMENDMENT NUMBER ONE

On page 1, line 20, of the printed bill, after the comma following the word "Code" insert the following "and the filing with the commissioner of insurance of a satisfactory bond to the people of the State of California duly executed by a sufficient surety, or sureties, to be approved by said commissioner, in the amount of one thousand dollars ($1,000.00), conditioned for the payment by such broker to the insurance carrier, or carriers, or any other person entitled thereto of premiums collected by such broker for insurance negotiated or to be negotiated by him."

The roll was called and Senate amendment to Assembly Bill No. 1149 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Cleary, Coombs, Croter, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Wright, and Mr. Speaker—52.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 590?

AMENDMENT NUMBER ONE.

On page 4, line 47, of the printed bill, after the word "inches" insert the following: ", not more than".

The roll was called, and Senate amendment to Assembly Bill No. 590 was concurred in by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Clarke, Coombs, Davis, Dean, Donohue, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Wright, and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on April 18 passed the following:

Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property.

Also: Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property.

Also: Assembly Bill No. 463—An act to amend sections 408 and 409, of the Political Code, relating to the Secretary of State.

Also: Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c, of the Political Code, relating to recorders and fees.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved

June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer".

Also: Assembly Bill No. 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts; and relating to the salaries of certain justices of the peace.

Also: Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands and their removal and tenure of office; by providing for additional deputy clerks for said courts.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921.

Also: Assembly Bill No. 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District.

Also: Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system".

Also: Assembly Bill No. 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway.

Also: Assembly Bill No. 677—An act to amend section 653*b* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the

salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith" approved June 5, 1915, as amended.

Also Senate Bill No 629—An act to amend section 1559, of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Also: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto.

Also Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731a, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a board of education.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 288 read first time, and referred to Committee on Judiciary.

Senate Bill No. 629 read first time, and referred to Committee on Judiciary.

Senate Bill No. 716 read first time, and referred to Committee on Judiciary.

Senate Bill No. 212 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance use and occupancy of apartment houses and hotels, in all parts of the State of California including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof" and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties and to provide penalties for the violation thereof,' approved April 16, 1909 Statutes of California of 1909, page 948," approved April 10 1911, Statutes of California of 1911, page 860, and approved June 13 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952 and all acts amendatory thereof" and approved May 31 1917, Statutes of California of 1917, page 1473, and repealing an act entitled "An act to regulate the erection construction, reconstruction moving, alteration, maintenance use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California including incorporated towns, incorporated cities, and incorporated cities and counties and to provide penalties for the violation thereof and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties and to provide penalties for the violation thereof' approved June 16 1913, Statutes of California of 1913, page 1429" and approved May 31, 1917, Statutes of California of 1917, page 1422 and repealing an act entitled "An act to regulate the construction reconstruction, moving, alteration, maintenance use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located in incorporated towns incorporated cities and incorporated cities and counties and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917 page 1461

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No 29 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 325—An act to amend section 57a of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the powers of the Superintendent of Banks in respect to certain loans and investments.

J A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 325 read first time, and referred to Committee on Banking.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

J A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No 393 read first time and referred to Committee on Medical and Dental Laws.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 19 read, and referred to Committee on Federal Relations.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Wright moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, in lines 33 and 34 amend to read as follows "For support, San Jose State Teachers College, sixty thousand dollars."

AMENDMENT NUMBER TWO.

On page 12 of the printed bill, in lines 30, 31 and 32, amend to read as follows "For salaries of officers and employes, San Jose State Teachers College, four hundred thousand dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Badham, Lyons, Moore and Rock, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Bromley moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Wright, Spence, Jones, Mueller and Snyder, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the house lost by the following vote.

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—36.

NOES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

The roll of absentees was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fellom, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—39.

NOES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—37.

The Speaker appointed Mr. Wright as such Select Committee.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McPherson asked for and was granted unanimous consent to take up Assembly Bill No. 1243, at this time, without reference to file, for the purpose of amending

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FORTY-THREE.

Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. McPherson moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, line 7, after the word "of" strike out the word "two" and insert in lieu thereof the word "five", also, in line 8, strike out "($200)" and insert in lieu thereof "($500)".

AMENDMENT NUMBER TWO.

On page 3, line 22, after the word "exceed" strike out the words "One thousand" and insert in lieu thereof "one thousand five hundred".

AMENDMENT NUMBER THREE.

On page 3, lines 30 to 37, inclusive, should be inserted in line 43, after the word "paid" and made a part of section 8 of the printed bill.

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, strike out all of line 25 and insert in lieu thereof the following "two hundred dollars per annum".

Motion carried.

The Speaker appointed Mr McPherson as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1243, with instructions reports that the instructions of the Assembly have been carried out.

McPHERSON, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McDowell asked for and was granted unanimous consent to take up Senate Bill No 216, at this time, without reference to file, for the purpose of amending

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SIXTEEN

Senate Bill No 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California irrigation act approved June 4 1915, and all acts amendatory thereof," approved June 3, 1921, by amending Sections 3, 4, 5, 6, 9 16, 19, 24, 25, 28, 34, 36, 45 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr McDowell moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 17 of the printed bill, as amended in the Assembly April 14, 1923, in lines 37 and 38, strike out the words "subsequent water storage district assess-

ment", and insert in lieu thereof the following "water storage districts assessment, or portion thereof,".

Motion carried

The Speaker appointed Mr. McDowell as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 216, with instructions, reports that the instructions of the Assembly have been carried out.

McDOWELL, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wright asked for and was granted unanimous consent to take up Assembly Bill No. 265, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-FIVE.

Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 265 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Assembly Bill No. 1323, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED TWENTY-THREE.

Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1323 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleveland, Coombs, Davis, Dawson, Dean, Dorris, Eks-

ward, Emme, Fox, Fulwider, Graves, Heisinger, Jones, Kline, Lyman, Lyons, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Connolly asked for and was granted unanimous consent to take up Assembly Bill No. 1305, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FIVE.

Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1305 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, Mathews McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williams asked for and was granted unanimous consent to take up Assembly Bill No. 1137, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED THIRTY-SEVEN.

Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries of the district attorney, deputy district attorney, and stenographer in the office of the district attorney in counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1137 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Clarke, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Lyman, Lyons, Mathews, McDowell, McMillan, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mr. Williams moved to amend the title as follows:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, both inclusive, of the title of the printed bill and in lieu thereof insert the following

"An act to amend section four thousand two hundred fifty-six of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class."

Amendment adopted.

Bill ordered to reprint, and to Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Reindollar asked for and was granted unanimous consent to take up Assembly Bill No. 744, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FORTY-FOUR.

Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 744 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Fox, Fulwider, Heisinger, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT.

Mr Noyes asked for and was granted unanimous consent to take up Assembly Bill No. 204, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED FOUR.

Assembly Bill No. 204—An act to amend section four thousand forty-one of the Political Code, relating to the general powers of boards of supervisors

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 204 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Cleary, Cleveland, Coombs, Davis, Dean, Donohue, Eksward, Emme, Fox, Fulwider, Heisinger, Hornblower, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Croter asked for and was granted unanimous consent to take up Assembly Bill No 1266, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SIXTY-SIX.

Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1266 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C C, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnston Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Mitchell, T. A., Moore, Morris Morrison, Mueller, Noyes, Pedrotti, Pomeroy Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—69

NOES—Coombs, Ekswaard, Graves, Jones, Snyder, and Mr Speaker—6.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Fulwider asked for and was granted unanimous consent to take up Assembly Bill No. 91, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINETY-ONE.

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 91 passed by the following vote:

AYES—Badham, Baker, C C, Bernard, Broughton, Burns, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Ekswaard, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Lyman, Lyons, Mathews, McPherson, Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Spence, Weller, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Duval asked for and was granted unanimous consent to take up Assembly Bill No. 336, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED THIRTY-SIX.

Assembly Bill No. 336—An act to amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating

to the salaries, fees and expenses of officers in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 336 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Burns, Carlson, Christian, Cleveland, Crittenden, Davis, Dean, Donohue, Erb, Fox, Fulwider, Heisinger, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Williams, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mathews asked for and was granted unanimous consent to take up Assembly Bill No. 423, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED TWENTY-THREE.

Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 423 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Fox, Fulwider, Heisinger, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedretti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Spence asked for and was granted unanimous consent to take up Assembly Bill No. 1074, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVENTY-FOUR.

Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1074 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Eksward, Erb, Fox, Fulwider, Graves, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison,

Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Scott, Smith, Snyder, Spence, Weller, West, Whitacre, Williams, Woodbridge, and Wright—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Assembly Bill No. 318, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED EIGHTEEN.

Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 318 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Carlson, Clarke, Cloter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Fellom, Fulwider, Graves, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Smith asked for and was granted unanimous consent to take up Assembly Bill No. 196, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED NINETY-SIX.

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 196 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Duval, Eksward, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—62.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Pomeroy asked for and was granted unanimous consent to take up Assembly Bill No 401, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED ONE.

Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28, and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon, for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section three and one-half.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 401 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Crittenden, Davis, Dawson, Dorris, Eksward, Emme, Fox, Fulwider, Heisinger, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WAESTMAN READING.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mitchell, A. G., asked for and was granted unanimous consent to take up Assembly Bill No. 742, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FORTY-TWO.

Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 742 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Eksward, Fox, Fulwider, Heisinger, Jones, Lyman, Lyons, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Miss Broughton asked for and was granted unanimous consent to take up Assembly Bill No. 29, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWENTY-NINE.

Assembly Bill No. 29—An act authorizing the establishment and government of port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin; Ball, Bromley, Broughton, Christian, Clarke, Cleary, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fox, Graves, Heisinger, Hornblower, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD.

Mr. Carter moved that the record of all proceedings relative to adopting the report of Mr. Wright as Select Committee of One to amend Assembly Bill No. 999 and proposed amendments to Assembly Bill No. 999 be expunged.

The question being on the motion to expunge.

The roll was called, and the record ordered expunged by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Jones, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—Badaracco, Eksward, Hornblower, McPherson, and Schmidt—5.

SPECIAL ORDER SET.

On motion of Mr. Wright, further consideration of Assembly Bill No. 999 was made a special order for Monday, April 23, 1923, at eleven o'clock a.m.

ADJOURNMENT.

At eleven o'clock and fifty minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until twelve o'clock noon Friday, April 20, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 20, 1923.

At twelve o'clock noon, pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names.

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Christian, Mr. Cleveland was granted leave of absence for the day.

On motion of Mr. Fellom, Mr. Reindollar was granted leave of absence for the day.

On motion of Mr. Baker, C. C., Mr. Spalding was granted leave of absence for the day.

On motion of Mr. Jones, Mr. Prendergast was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Coombs, Mr. Chas A. Carroll, editor of "The Weekly Calistogan," was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Pomeroy, his mother, Mrs. E. L. Pomeroy of Burbank, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Connolly, Mr. Earl Fulwider, son of Assemblyman Fulwider, and his wife were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Donohue, Miss M. E. Connolly, daughter of Assemblyman Connolly, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Morrison, Messrs. Jimmy Gallagher, Sammy Compagno, John Drexel, John Compagno, and Earl Kelly of San Francisco were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Croter, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

RIVERSIDE, April 5, 1923.

Hon. Assemblyman Kline,
State Assembly,
Sacramento, California.

MY DEAR MR. KLINE: At a meeting of the executive board of the Riverside Federation of Parent-Teacher Associations, held recently, the proposed cut in the educational appropriation provided in the State budget was thoroughly explained and discussed and the following resolution was unanimously adopted:

Resolved, That the executive board of the Riverside City Federation of Parent-Teacher Associations representing a membership of seven hundred, protests as a unit and also individually the proposed cut in the educational appropriation, especially as it affects the State Teachers Colleges, the School for the Blind and Deaf, physical education and vocational training.

Respectfully,

RIVERSIDE CITY FEDERATION OF PARENT-TEACHER ASSOCIATIONS
By LOUISA L. WARNER, Recording Secretary.

Also:

CORONA, March 29, 1923.

Honorable Chester M. Kline,
Sacramento, California.

DEAR SIR: The following is a copy of a resolution passed by the Board of Directors of the Corona Chamber of Commerce and the signers. The original is in the hands of Harvey M. Toy, Chairman of the Highway Commission:

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Mecca to Blythe highway in Riverside County, and

WHEREAS, The said highway bond issue was a definite contract between the people and the State of California to spend $300,000 of said bond issue on said road, and

WHEREAS, The personnel of the State Highway Commission having changed since the voting of said bond issue and the present Highway Commission having recently indicated their opposition to and declared that the contract of the people with the State to spend $300,000 on the road aforesaid would not be adhered to or considered, and that said $300,000 would not be spent on said Mecca to Blythe road, therefore be it

Resolved, By the Corona Chamber of Commerce Board of Directors in regular meeting assembled this twenty-third day of March, 1923, that the action of the Highway Commission of the State of California refusing to carry out their obligation on behalf of the State, be, and the same is, hereby condemned and they be requested to reconsider said action and carry out the contract heretofore entered into in good faith, and be it further

Resolved, That a copy of this resolution be addressed to Hon. Chester M. Kline, Senator Walter Eden and members of the State Highway Commission.

ELMO HOUGH,
And 29 others.

Also:

WHEREAS, The State of California has heretofore voted certain highway bonds for the construction of the Blythe-Mecca highway; and

WHEREAS, The said highway bond issue was a definite contract between the people and the State of California to spend $300,000 of said bond issue on said road; and

WHEREAS, The personnel of the State Highway Commission having changed since the voting of said bond issue and the present Highway Commission having recently indicated their opposition to and declared that the contract of the people with the State to spend the $300,000 on the road aforesaid would not be adhered to or considered, and that said $300,000 would not be spent on said Blythe-Mecca road, now therefore, be it

Resolved, By the Beaumont Chamber of Commerce in special session assembled this 30th day of March, 1923, that the action of the Highway Commission of the State of California in refusing to carry out their obligation on behalf of the State be, and the same is, hereby condemned; and it is hereby further

Resolved, That the present Highway Commission of the State of California be, and the same is, hereby requested to reconsider their decided action in refusing to carry out the contract entered into in good faith by the voters of this great commonwealth.

IVAN W. KEITH, President Chamber of Commerce.
WILEY MULL, Managing Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923

MR SPEAKER, Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 27—Relating to investigation by the Legislature of the California Polytechnic School—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution of said State, relating to basis of taxation for State purposes;

Also: Assembly Constitutional Amendment No 49—A resolution to propose to the people of the State of California an amendment to section 1¾ of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported constittuional amendments ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof

Also Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion,

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amend-

ing section 34 of article IV thereof, relating to the State budget—and reports that the same has been correctly re-engrossed

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust.

Also: Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located, providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes, providing for the payment of the debts thereof by a tax levied on the lands embraced therein, providing for the issuance and sale of bonds thereby, providing that said bonds may be investigated by an appointive board of three hydraulic engineers, providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators, providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2*a*, 2*b*, 2*c*, 4*a*, 4*b*, 5*a*, 5*b*, 5*c*, 5*d*, 5*e*, 8*a*, 8*b*, 8*c*, 9*a*, 10*a*, 10*b*, 10*c*, 11*a*, 11*b*, 11*c* and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation;

Also: Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies.

Also: Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051*a*, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599*a* and 1599*b*, relating to property taken from persons detained in city, county, or city and county jails.

Also: Assembly Bill No. 488—An act to amend section 1912 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years, and in certain cases providing for their care, custody and maintenance providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof,

providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Also Assembly Bill No. 790—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-first class;

Also Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class;

Also Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 517—An act to add a new section to the Political Code, to be numbered 1616*a*, relating to the powers and duties of the boards of school trustees and city boards of education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: Your Committee on Normal Schools, to which was referred Assembly Bill No. 421—An act appropriating money for the construction and equipment of a building or buildings at the North Beach Training School of the State Teachers College of San Francisco.

Also Assembly Bill No. 604—An act appropriating money for the construction and equipment of a building or buildings for training school and shops at the State Teachers College of San Diego.

Also Assembly Bill No. 605—An act appropriating money for improvements at the State Teachers College of San Diego.

Also Assembly Bill No. 606—An act appropriating money for the purchase of land for the State Teachers College of San Diego;

Also Assembly Bill No. 633—An act appropriating money for the construction and equipment of a gymnasium for the State Teachers College of Chico;

Also Assembly Bill No. 634—An act appropriating money for improvements at the State Teachers College of Chico;

Also Assembly Bill No. 635—An act appropriating money for the purchase of land for the State Teachers College of Chico;

Also Assembly Bill No. 655—An act appropriating money for the completion of buildings of the Humboldt State Teachers College;

Also: Assembly Bill No. 656—An act appropriating money for the purchase of additional land for the Humboldt State Teachers College;

Also: Assembly Bill No. 657—An act appropriating money for improvements at the Humboldt State Teachers College;

Also Assembly Bill No. 688—An act appropriating money for the purchase of additional land for the State Teachers College of San Francisco;

Also Assembly Bill No. 689—An act appropriating money for the construction of buildings for the State Teachers College of San Francisco;

Also Assembly Bill No. 690—An act appropriating money for the equipment of buildings for the State Teachers College of San Francisco;

Also Assembly Bill No. 698—An act appropriating money for the construction and equipment of a main building for the State Teachers College of Santa Barbara;

Also Assembly Bill No. 699—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of Santa Barbara;

Also Assembly Bill No. 700—An act appropriating money for the purchase of additional land for the State Teachers College of Santa Barbara;

Also Assembly Bill No. 701—An act appropriating money for improvements for the State Teachers College of Santa Barbara;

Also Assembly Bill No. 704—An act appropriating money for the construction and equipment of a gymnasium building for the State Teachers College of San Jose;

Also: Assembly Bill No 705—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of San Jose.

Also Assembly Bill No 706—An act appropriating money for improvements at the State Teachers College of San Jose.

Also Assembly Bill No 707—An act appropriating money for the construction and equipment of a dormitory and cafeteria building for the State Teachers College of San Jose;

Also: Assembly Bill No. 902—An act appropriating money for the construction and equipment of buildings for the California Polytechnic School at San Luis Obispo, California.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

SNYDER, Chairman

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Normal Schools to which was referred Assembly Bill No. 903—An act appropriating money for improvements at the California Polytechnic School at San Luis Obispo, California

Also. Assembly Bill No. 1081—An act appropriating money for the improvement of the summer session property of the State Teachers College of Fresno at Huntington Lake, Fresno County, California

Also Assembly Bill No 1082—An act appropriating money for the construction and equipment of a dormitory for women students at the State Teachers College of Fresno;

Also: Assembly Bill No 1083—An act appropriating money for the construction and equipment of a cafeteria building for the State Teachers College of Fresno.

Also Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.

Also: Assembly Bill No. 1085—An act appropriating money for improvements to the streets and grounds at the State Teachers College of Fresno.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means

SNYDER, Chairman

The above reported bills ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Normal Schools, to which was referred Assembly Bill No 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Also Assembly Bill No 636—An act to amend chapter II of title III of part III of the Political Code, embracing sections 1487, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1503, 1505, and 1507, relating to the State normal schools or teachers colleges.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SNYDER, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act" creating a consolidated irrigation, protection and reclamation district, subject to the approval of the property owners within the district to be known as "Palo Verde Irrigation District," for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, the properties and functions of the Palo Verde Drainage District, and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands and protecting all the lands within the district and the water system from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization, providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water

Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized, defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading

ON NORMAL SCHOOLS

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923

MR. SPEAKER: Your Committee on Normal Schools, to which was referred Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the Southern Branch of the University of California," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SNYDER, Chairman.

The above reported bill ordered on file for second reading

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 184—An act to amend section 396 of the Political Code relating to the duties of the Lieutenant Governor.

Also: Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919

Also: Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000, requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof and providing for the keeping of such plans, specifications and certificates as public records.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULWIDER, Chairman

The above reported bills ordered on file for second reading

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Assembly Bill No. 307

the following Senators Jones, Harris, and Inman, to meet with a like committee from your honorable body

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No 250—An act to require the furnishing of seats for elevator operators—and appointed Senators Swing, Osborne, and Hurley as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Bromley, Dean and Mitchell, T. A., as a Committee on Conference to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 250.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 85—An act to add a new title to part IV of division I of the Civil Code to be known as title XXIII, consisting of sections numbered 653*aa* to 653*rr* inclusive, and relating to non-profit cooperative associations with or without capital stock.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns—and respectfully requests your honorable body to concur in said amendment

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put, Shall the Assembly concur in the following Senate amendment to Assembly Bill No 315?

AMENDMENT NUMBER ONE.

On page 1 and page 2, of the amended bill, omit the last three lines of page 1, and the first four lines of page 2 and insert in lieu thereof the following

"1251 All state congressional, legislative and judicial offices in which there is more than one candidate, and all initiative and referendum measures shall be designated as matters of more than ordinary interest for purposes of publicity of election returns."

The roll was called, and Senate amendment to Assembly Bill No. 315 was concurred in by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Burns, Carter, Christian, Coombs, Crittenden, Crofer, Davis, Dorris, Dozier, Eib, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnston, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Saylor, Smith, Snyder, Stevenot, Weller, Whitacre, Williams, Woodbridge, and Mr Speaker—43

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 542—An act to fix and determine titles to real property held subject to rights of way not definitely located.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "unless" add the following: "prior to the commencement of such improvement upon the real property so held".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the word "easement" add the following, "or any person interested in such easement".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, after the word "shall" add the following: "have posted in a conspicuous place upon the said premises a written notice, designating the definite location of such easement, and shall"

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, after the word "situated" strike out the following "a written notice designating the definite location of such easement, prior to the commencement of such improvement upon the real property so held".

AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, after the word "situated" add the following: "a copy of the said written notice together with the affidavit of a responsible person setting forth the date and exact location of the said posting,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 148—An act to amend section 1667 of the Political Code, relating to instruction in the public schools.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill and in lieu thereof insert the following:

"An act to add section one thousand six hundred sixty-seven *a* to the Political Code, relating to instruction in the public schools."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 to 16, both inclusive, and in lieu thereof insert the following:

"SECTION 1. A new section is hereby added to the Political Code, to be numbered one thousand six hundred sixty-seven *a*, and to read as follows:

1667*a*. Instruction must be given in the history, literature and moral teachings of the Holy Bible, both the Old Testament and the New Testament, King James version, Douay version, or any other authorized version."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 899—An act to add a new section to the Penal Code to be numbered 402*g*, relative to the use of soiled or unlaundered table linen or napkins for purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, strike out the words "unless approved by" following the word "respect" and all of lines 40 to 48 inclusive, and insert in lieu thereof the following, "and it shall be competent for the commission to determine what constitutes a reasonable amount."

AMENDMENT NUMBER TWO.

On page 2, line 49, of the printed bill, strike out the words "attorney, or other person" following the word "any" and insert in lieu thereof the words: "person, except an attorney admitted to practice in the supreme court of the State of California."

AMENDMENT NUMBER THREE.

On page 3, line 5, of the printed bill, after the word "other" insert the word "unsecured."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE

On page 2, line 2, of the printed bill, strike out the word "or" and insert in lieu thereof the word "on".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1780, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16 1913, by amending section 5 thereof

Bill read second time, and ordered on file for third reading.

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the printed bill, after the word "repealed", add "except as to claims for expenditures incurred in accordance with law prior to June 30, 1923."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading

Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State

of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation", approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 35, of the printed bill, strike out the period and in lieu thereof insert the following: "; *provided*, that after January 1, 1924, the applicant shall present to the board satisfactory evidence of the completion of a one year course of college grade in the subjects of physics, chemistry and biology before commencing the study of medicine."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 200—An act to amend section 1394½ of the Political Code relating to fees and rates of tuition of non-resident students of the University of California

Bill read second time, and ordered on file for third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dozier asked for and was granted unanimous consent to take up Senate Bill No. 408, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHT.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Dozier moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out sections three, four, five and six, and insert in lieu thereof after the word "exchange" on page 1, line 20, the following "; *provided, however*, that all lands acquired by exchange under this act shall be subject to the laws governing state lands of the class from which the exchange was made."

Motion carried.

The Speaker appointed Mr Dozier as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 408, with instructions, reports that the instructions of the Assembly have been carried out.

DOZIER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr Fellom asked for and was granted unanimous consent to take up Assembly Bill No 1293, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED NINETY-THREE.

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and bids therefor have first been advertised for, opened and rejected

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Fellom moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

After the word "and" in line 4 of title of the printed bill insert a comma and the following "except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until".

AMENDMENT NUMBER TWO.

After the first "and" in line 9 of the printed bill insert a comma and the following "except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, without first".

Motion carried.

The Speaker appointed Mr. Fellom as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1293, with instructions, reports that the instructions of the Assembly have been carried out.

FELLOM, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for and was granted unanimous consent to take up Assembly Bill No. 596, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-SIX.

Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Jones moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out the word "sixty" and insert in lieu thereof the word "seventy"

Motion carried

The Speaker appointed Mr. Jones as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 596, with instructions, reports that the instructions of the Assembly have been carried out.

JONES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

ASSISTANT CLERK POWERS READING.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Senate Bill No. 432, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED THIRTY-TWO.

Senate Bill No. 432—An act to amend sections 2, 3, 9, 11*a*, 12, 19, 20*a* and 20*b* of, and to add a new section to be numbered 9*a*, to an act, entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act," approved May 27, 1919, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 432 finally passed by the following vote:

AYES—Anderson, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Coombs, Crofer, Dawson, Dean, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Badham, and Schmidt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 39 passed by the following vote.

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Graves, Hawes, Heisinger, Hornblower, Lyman, Lyons, McPherson, Miller, Moore, Morrison, Mueller, Pedrotti, Pomeroy, Rock, Saylor,

Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 897 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fulwider, Heisinger, Hornblower, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Morris, Morrison, Noyes, Pedrotti, Rock, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy,

and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 799 passed by the following vote:

AYES—Ball, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1166 passed by the following vote:

AYES—Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Foster, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McPherson, Miller, Moore, Morrison, Mueller, Pomeroy, Roberts, Schmidt, Scott, Snyder, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—Broughton, Croter, Duval, Erb, Graves, Rock, Saylor, Smith, Spence, Stow, and Weller—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 974—An act to amend section 19x31 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 974 passed by the following vote:

AYES—Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Eksward, Emme, Fellom, Foster, Graves, Heisinger, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Saylor, Schmidt, Smith, Snyder, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 38—An act to amend section 953c of the Code of Civil Procedure, relating to record on appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 38 passed by the following vote.

AYES—Badaracco, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnston, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Rock, Saylor, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 683 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Graves, Hawes, Heisinger, Hornblower, Jones, Mathews, McDowell, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Rock, Saylor, Schmidt, Smith, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Duval asked for and was granted unanimous consent to take up Senate Bill No. 427, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED TWENTY-SEVEN.

Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1734c, relating to the change of boundaries of high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 427 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Foster, Hawes, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1313 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Foster, Graves, Hawes, Heisinger, Jones, Kline, Lyman, Mathews, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Saylor, Schmidt, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1302—An act to amend section 4236*a* of the Political Code, relating to jurors' fees in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1302 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Connolly, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Graves, Hornblower, Jones, Kline, Lyman, Mathews, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—42

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1202 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Graves, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Mathews,

McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WAESTMAN READING.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence.

Also, Assembly Bill No. 143—An act to add a new section to the Political Code, to be numbered 4326, relating to peace officers.

Also, Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed.

Also, Assembly Bill No. 1033—An act to amend section 19*a*42 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers.

Also, Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments.

Also, Assembly Bill No. 684—An act to amend an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874, as amended;

Also, Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3489½, authorizing the governing boards of reclamation districts to hire a clerk.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations;

Also, Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts.

Also: Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts.

Also: Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure, relating to notice of time appointed for probate of will to be sent to heirs, devisees, legatees and named executors.

Also: Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192*a*, relating to commitment of imbeciles.

Also: Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway;

Also: Assembly Bill No. 160—An act to amend section 1810*c* of the Code of Civil Procedure, relating to the compromise of claims of minors.

Also: Assembly Bill No. 101—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff.

Also: Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments.

Also: Assembly Bill No. 181—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction.

Also: Assembly Bill No. 256—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state,' approved March 10, 1887," as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 18, 1923, passed Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 436 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 707 read first time, and referred to Committee on Motor Vehicles.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 738—An act to require every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any automobile, jitney bus, auto truck, stage or auto stage used in the business of transportation of persons or property or as a common carrier for compensation over any public highway in this State, to procure licenses to permit them to continue to so operate for any distance whatsoever along any public highway, and providing for the issuance of such licenses and fixing fees to be paid for and under such licenses, and fixing penalties for violations of this act, and authorizing certain proceedings by and before the Railroad Commission in connection therewith—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

COOMBS, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 869—An act providing for reciprocal and interexchanges of indemnities prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, EDWIN, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 983—An act to amend sections 2, 5, 16 and 17, of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof, and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, and to add a new section to said act to be numbered 24*a*, relating to the powers and duties of the Commissioner of Corporations—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twentieth day of April, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 883—An act appropriating certain moneys for the improvement of the State highway between the present State highway at or near Mecca, Riverside County, and the Colorado River at Blythe, Riverside County—has had the same

under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

STEVENOT, Vice Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a central municipal election held therein on the tenth day of April, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DONOHUE, Chairman.
JONES.
LYONS.
SMITH.
POMEROY.
EMME.
CARLSON.

The above reported concurrent resolution ordered on file for adoption.

Also:

MR SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DONOHUE, Chairman.
BADHAM.
LYONS.
PEDROTTI.
JONES.
EMME.
POMEROY.

The above reported bill ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Mr. Noyes:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Referred to Committee on Introduction of Bills.

By Mr. Mitchell, T. A.:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to recommend the adoption of the following resolution

Resolved, That the following named person, heretofore employed for the position and at the per diem set opposite his name, be stricken from the roll, to date from and include the fifteenth day of April, 1923.

Charles Spaulding, Page---------- $2 50

CARTER, Chairman.

Resolution read, and on motion of Mr. Carter adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Burns asked for and was granted unanimous consent to take up Assembly Bill No. 1334, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED THIRTY-FOUR.

Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor, also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Burns moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill as amended, strike out the words "upon the".

AMENDMENT NUMBER TWO

On page 1, line 5, of the printed bill as amended, strike out the words "easterly side" and insert in lieu thereof the following "east"

AMENDMENT NUMBER THREE.

On page 2, of the printed bill, add a new section to be numbered "Section 5," and to read as follows

"SEC. 5. Anything in the 'motor vehicle act' approved May 10, 1915, as amended, to the contrary notwithstanding the board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways, outside of its corporate limits, may contribute to said California highway commission, towards defraying the cost of the construction or maintenance of said highway, any sum or sums of money, received by said county, or city and county from that certain fund in the state treasury known as the 'motor vehicle fund' or from fines or forfeitures collected in cases of conviction for violation of any of the provisions of said 'motor vehicle act' ".

Motion carried.

The Speaker appointed Mr. Burns as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1334, with instructions, reports that the instructions of the Assembly have been carried out

BURNS, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

ADJOURNMENT.

At four o'clock and forty-eight minutes p.m., on motion of Mr Eksward, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, April 23, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 23, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Wright, Mr. W. C. Dorris of Bakersfield was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr McDowell, Mr John C. Hammel of Fresno was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Heisinger, its further reading was dispensed with

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Snyder:

OROVILLE, CALIFORNIA, April 21, 1923.

Assemblyman Bert Snyder,
Sacramento, California.

DEAR SIR: At a meeting of Division No. 570, Order of Railway Conductors, held April 20, 1923, Senate Constitutional Amendment No. 18 "Proposed change in jury system" was read, and it was the unanimous opinion of our membership that this measure was against the best interest of the poor man and should be defeated, and I was instructed to write you asking you to work to defeat this measure.

We feel that this is a step backward and should not pass, and that it would be far better to let the law stand as it now is than to make the proposed change.

Another matter that we are vitally interested in is Assembly Bill No. 368, the "Anti Blacklist Bill." We earnestly request your support on this measure and hope you can vote in favor of it.

I would appreciate an answer to this as we would like to know just how you stand on these bills.

Yours truly,

C. A. JACKSON, Secretary.
California State Legislative Board O.R.C., Oroville, California.

By Mr. Crittenden:

We, the following trustees of school boards and tax payers in San Joaquin County herewith protest the passage of the Senate Bill No. 138 introduced by Senator Boggs, and we ask you legislators that this bill does not pass.

Such a law would take away from the rural trustees and rural communities the responsibility now vested in them. It would mean the control of our school affairs vested in a few; a direct blow to democracy and the step towards the power of our public schools vested in a few. No material gain can be obtained by such a law, as the expense of handling and distribution of supplies and equipment, which is now done gratis by the trustees, would have to be paid for through hired employees, thereby adding to the expenses.

We ask that this bill does not pass.

H. M. MABREY,
And 21 others.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1222—An act to amend sections 361*a* and 361*c* of the Political Code, relating to the Department of Agriculture;

Also, Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts, providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, as amended;

Also, Assembly Bill No. 979—An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State,

Also, Assembly Bill No 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Assembly Bill No. 271—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor;

And reports that the same have been correctly re-engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers,

Also, Assembly Bill No. 366—An act to repeal chapter CCX, Statutes of 1893, chapter XCIX, Statutes of 1897, chapter CCCXXI, Statutes of 1909, chapter CCCCLXXVII, Statutes of 1921, and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds,

Also Assembly Bill No 889—An act to add a new section to the Penal Code to be numbered 402*g*, relative to the use of soiled or unlaundered table linen or napkins for purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold;

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 517—An act to add a new section to the Political Code, to be numbered 1616*a*, relating to the powers and duties of the boards of school trustees and city boards of education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "the boards of school trustees and".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the words "Boards of school trustees and".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the words "and to meet the expense" and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 9, 10 and 11.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 636—An act to amend chapter II of title III of part III of the Political Code, embracing sections 1487, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1503, 1505, and 1507, relating to the State normal schools or teachers colleges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act" creating a consolidated irrigation, protection and reclamation district, subject to the approval of the propery owners within the district to be known as "Palo Verde Irrigation District," for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands and protecting all the lands within the district and the water system from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes, and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following

"An act to be known as "Palo Verde irrigation district act," creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde irrigation district," for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof, the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde drainage district; and for the acquiring of such other properties, the construction of such

other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests and protecting all the lands within the district, and the water system, from flood waters of the Colorado river, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization, providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes, and providing for the payment, funding and refunding of all such indebtedness, providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same and for the payment of bonds and the expense of maintaining the district created hereby, providing also a means for dissolving said district."

AMENDMENT NUMBER TWO

On page 2, line 1, of the printed bill, after the words "Section 1" insert the following "The State of California and the people thereof are hereby declared to have a primary and supreme interest in securing to the inhabitants and property owners of the low irrigable lands within what is known as the 'Palo Verde valley', in Riverside and Imperial counties, the greatest possible use, conservation and protection of the waters of the Colorado river to the extent that the same may be lawfully diverted to their lands, to the end that their water system, their land, structures and other properties may be protected from overflow of the flood waters of said river, their swamp lands drained, and thereby the greatest productivity of the largest possible area may be accomplished and safely carried on within reasonable limits of economy;

Investigation having shown conditions in the Palo Verde valley to be peculiar to that valley, it is hereby declared that a general law can not be applicable thereto, and the enactment of this special law is therefore necessary for the proper distribution and use of the waters available for the valley, the protection of the valley against inundation, the reclamation of the swamp lands, and financing the development of the valley by the means herein provided.

SEC. 2. There is hereby created, subject to the approval of the owners of property within the district as hereinafter provided, a unified irrigation protection and reclamation district, to be known and designated as 'Palo Verde irrigation district," hereinafter in this act referred to as the "district," and which shall comprise all of the lands now included both within the boundaries of the Palo Verde joint levee district of Riverside and Imperial counties, California, and the Palo Verde drainage district, both of which are now in existence, and the boundaries of the district proposed to be created by this act are more particularly described as follows

Beginning at a point which is north thirty-nine degrees thirty minutes east, two thousand two hundred seventy-three feet from the corner common to sections seven (7) and eighteen (18), township five (5) south, range twenty-four (24) east, and sections twelve (12) and thirteen (13), township five (5) south, range twenty-three (23) east San Bernardino base and meridian.

Thence running southeasterly eight thousand feet, more or less, to a point which is two thousand three hundred fifty feet south sixty-seven degrees forty-six minutes east of the corner common to sections thirteen (13) and twenty-four (24), township five (5) south, range twenty-three (23) east, and sections eighteen (18) and nineteen (19), township five (5) south, range twenty-four (24) east, San Bernardino base and meridian;

Thence nine hundred feet south sixty-seven (67) degrees forty-six (46) minutes east to a point at the Blythe intake.

Thence four hundred sixty feet south twenty-nine degrees ten minutes west to a point,

Thence southwesterly six thousand thirty-four feet, more or less, to a point on the range line between section twenty-five (25), township five (5) south, range twenty-three (23) east, and section thirty (30), township five (5) south, range twenty-four (24) east, distant one thousand seven hundred sixteen feet south from the corner common to sections twenty-four (24) and twenty-five (25), township five (5) south, range twenty-three (23) east, and sections nineteen (19) and thirty (30), township five (5) south, range twenty-four (24) east, San Bernardino base and meridian.

Thence southwesterly fifteen thousand three hundred twelve feet, more or less, to a point on the line between sections two (2) and eleven (11), township six (6) south, range twenty-three (23) east, San Bernardino base and meridian, distant five hundred twenty-eight feet west from the corner common to sections one (1), two (2), eleven (11) and twelve (12), township six (6) south, range twenty-three (23) east, San Bernardino base and meridian,

Thence southeasterly fifteen thousand nine hundred forty-eight feet, more or less, to a point on the line between sections twenty-four (24) and twenty-five (25), township six (6) south, range twenty-three (23) east, San Bernardino base and meridian, distant one thousand three hundred twenty feet east from the corner common to sections twenty-three (23), twenty four (24), twenty-five (25) and twenty-six (26) of the said township and range.

Thence southeasterly three thousand thirty-six feet, more or less, to the center of section twenty-five (25), township six (6) south, range twenty-three (23) east, San Bernardino base and meridian.

Thence southerly along the quarter section line of sections twenty-five (25) and thirty-six (36), township six (6) south, range twenty-three (23) east, San Bernardino base and meridian, four thousand two hundred twenty-four feet, more or less, to a point one thousand fifty-six feet north of the center of said section thirty-six (36).

Thence southwesterly nine thousand seven hundred sixty-eight feet, more or less, to a point on the quarter line of section two (2), township seven (7) south, range twenty-three (23) east, San Bernardino base and meridian, distant three hundred two feet east from the quarter corner common to sections two (2) and three (3), township seven (7) south, range twenty-three (23) east, San Bernardino base and meridian.

Thence southeasterly ten thousand six hundred fifty-seven feet, more or less, to a point on the quarter section line of section fourteen (14), township seven (7) south, range twenty-three (23) east, San Bernardino base and meridian, distant eight hundred ninety-seven feet westerly from the center of said section fourteen (14);

Thence southwesterly eight thousand seven hundred twelve feet, more or less, to an intersection with the south line of section twenty-two (22), township seven (7) south, range twenty-three (23) east, San Bernardino base and meridian, at a point one thousand one hundred eighty-eight feet east of the quarter section corner common to sections twenty-two (22) and twenty-seven (27) of said township and range

Thence westerly nine thousand one hundred eight feet, more or less, to the corner common to sections twenty (20), twenty-one (21), twenty-eight (28) and twenty-nine (29), township seven (7) south, range twenty-three (23) east, San Bernardino base and meridian

Thence southwesterly on a line which if produced would pass through the northeast corner of southwest quarter of said fractional section twenty-nine (29), to its intersection with the east boundary of lot two (2) of the said fractional section twenty-nine (29).

Thence southerly along the east boundary of the said lot two (2) of the said fractional section twenty-nine (29) to the southeast corner of the said lot two (2);

Thence westerly along the south boundary of the said lot two (2) of the said fractional section twenty-nine (29) to the northeast corner of the southwest quarter of the said fractional section twenty-nine (29).

Thence southwesterly eight thousand nine hundred seventy-six feet, more or less, to a point on the line between townships seven (7) and eight (8) south, range twenty-three (23) east, San Bernardino base and meridian, distant one thousand fifty-six feet east of the quarter section corner common to section thirty-one (31), township seven (7) south, range twenty-three (23) east, and section six (6), township eight (8) south, range twenty-three (23) east, San Bernardino base and meridian.

Thence southwesterly six thousand four hundred sixty-eight feet, more or less, to a point on the quarter section line of section seven (7), township eight (8) south, range twenty-three (23) east, San Bernardino base and meridian, distant five hundred twenty-eight feet east of the quarter section corner common to section twelve (12), township eight (8) south, range twenty-two (22) east, and section seven (7), township eight (8) south, range twenty-three (23) east, San Bernardino base and meridian.

Thence southwesterly to the section corner common to sections twelve (12) and thirteen (13), township eight (8) south, range twenty-two (22) east, and sections seven (7) and eighteen (18), township eight (8) south range twenty-three (23) east, San Bernardino base and meridian.

Thence southerly two thousand six hundred forty feet more or less, to the southeast corner of the northeast quarter of fractional section thirteen (13), township eight (8) south, range twenty-two (22) east, San Bernardino base and meridian.

Thence southwesterly three thousand seven hundred thirty-three feet, more or less, to the southeast corner of lot three (3) of said fractional section thirteen (13)

Thence in a southwesterly direction seven thousand sixteen feet, more or less, to a point on the quarter section line of fractional section twenty-three (23), township eight (8) south, range twenty-two (22) east, San Bernardino base and meridian, distant 660 feet north of the southeast corner of the southwest quarter of said section twenty-three (23).

Thence in a southerly direction six hundred sixty feet to the southeast corner of the southwest quarter of the said section twenty-three (23);

Thence southeasterly three thousand seven hundred thirty-three feet, more or less, to the quarter section corner common to sections twenty-five (25) and twenty-six (26), township eight (8) south, range twenty-two (22) east, San Bernardino base and meridian;

Thence south seven thousand nine hundred twenty feet, more or less, to the southeast corner of section thirty-five (35), township eight (8) south, range twenty-two (22) east, San Bernardino base and meridian;

Thence in a southwesterly direction nine thousand six hundred thirty-six feet, more or less, to the quarter section corner common to sections four (4) and five (5), township nine (9), south, range twenty-two (22) east, San Bernardino base and meridian;

Thence west thirteen thousand two hundred feet more or less, to the center of section one (1), township nine (9) south, range twenty-one (21) east, San Bernardino base and meridian.

Thence in a southerly direction ten thousand five hundred sixty feet more or less, to the center of section thirteen (13), township nine (9) south, range twenty-one (21) east, San Bernardino base and meridian.

Thence in a southwesterly direction seven thousand three hundred ninety-two feet, more or less, to the center of section twenty-three (23), township nine (9) south, range twenty-one (21) east, San Bernardino base and meridian;

Thence in a westerly direction three thousand four hundred thirty-two feet, more or less, to a point on the quarter section line of section twenty-two (22), township nine (9) south, range twenty-one (21) east, San Bernardino base and meridian, distant seven hundred ninety-two feet in a westerly direction from the quarter section corner common to sections twenty-two (22) and twenty-three (23) of said township and range;

Thence in a northwesterly direction three thousand one hundred sixty-eight feet, more or less, to the quarter section corner between sections fifteen (15) and twenty-two (22), township nine (9) south, range twenty-one (21) east, San Bernardino base and meridian

Thence in a northerly direction fifteen thousand eight hundred forty feet, more or less, to the quarter corner of section three (3), township nine (9), south, range twenty-one (21) east, San Bernardino base and meridian, at the line between townships eight (8) and nine (9) south in said range,

Thence in a northeasterly direction six thousand feet, more or less, to the section corner common to sections twenty-five (25), twenty-six (26), thirty-five (35) and thirty-six (36), township eight (8) south, range twenty-one (21) east, San Bernardino base and meridian;

Thence in a northerly direction eighteen thousand four hundred eighty feet, more or less, to the quarter section corner common to sections eleven (11) and twelve (12), township eight (8) south, range twenty-one (21) east San Bernardino base and meridian.

Thence in a northeasterly direction nine thousand two hundred forty feet, more or less to a point on the quarter section line of section thirty-six (36), township seven (7) south, range twenty-one (21) east, San Bernardino base and meridian, distant one thousand three hundred twenty feet in a westerly direction from the center of said section thirty-six (36);

Thence in a northerly direction five thousand two hundred eighty feet, more or less, to a point on the quarter section line of section twenty-five (25), township seven (7) south, range twenty-one (21) east San Bernardino base and meridian, distant one thousand three hundred twenty feet in an easterly direction from the center of said section twenty-five (25);

Thence in a northeasterly direction two thousand nine hundred four feet, more or less, to the corner common to sections twenty-four (24) and twenty-five (25), township seven (7) south, range twenty-one (21) east, and sections nineteen (19) and thirty (30), township seven (7) south, range twenty-two (22) east, San Bernardino base and meridian.

Thence in a northeasterly direction three thousand nine hundred sixty feet, more or less, to the center of section nineteen (19), township seven (7) south, range meridian.

Thence in a northerly direction two thousand six hundred forty feet, more or less, to the quarter corner between sections eighteen (18) and nineteen (19), township seven (7) south, range twenty-two (22) east, San Bernardino base and meridian.

Thence in a northeasterly direction eight thousand four hundred forty-eight feet, more or less, to the quarter section corner between sections seven (7) and eight (8), township seven (7) south, range twenty-two (22) east, San Bernardino base and meridian;

Thence in a northeasterly direction eight thousand four hundred forty-eight feet, more or less, to the quarter section corner between sections four (4) and nine (9), township seven (7) south, range twenty-two (22) east, San Bernardino base and meridian.

Thence in a northeasterly direction four thousand seven hundred fifty-two feet, more or less, to the corner between lots one (1) and two (2), section four (4), and lots one (1) and two (2), section three (3), township seven (7) south, range twenty-two (22) east, San Bernardino base and meridian.

Thence in a northeasterly direction six thousand eight hundred sixty-four feet to the quarter section corner between sections twenty-seven (27) and thirty-four (34), township six (6) south, range twenty-two (22) east, San Bernardino base and meridian;

Thence in a northerly direction two thousand six hundred forty feet, more or less to the center of section twenty-seven (27) township six (6) south, range twenty-two (22) east, San Bernardino base and meridian;

Thence in a northeasterly direction three thousand six hundred ninety-six feet, more or less, to the corner common to sections twenty-two (22), twenty-three (23), twenty-six (26), and twenty-seven (27), township six (6) south, range twenty-two (22) east, San Bernardino base and meridian;

Thence in a northeasterly direction five thousand eight hundred eight feet, more or less, to the quarter section corner between sections twenty-three (23) and twenty-four (24), township six (6) south, range twenty-two (22) east, San Bernardino base and meridian

Thence in a northerly direction on the line common to sections twenty-three (23) and twenty-four (24), thirteen (13) and fourteen (14), eleven (11) and twelve (12), township six (6) south, range twenty-two (22) east, San Bernardino base and meridian, ten thousand ninety-eight feet more or less, to a point two thousand one hundred seventy-eight feet in a northerly direction from the corner common to said sections eleven (11), twelve (12), thirteen (13) and fourteen (14);

Thence in an easterly direction on a line parallel with the line between sections twelve (12) and thirteen (13) township six (6) south range twenty-two (22) east, San Bernardino base and meridian four thousand six hundred twenty feet, more or less, to a point six hundred sixty feet in a westerly direction from the east line of the said section twelve (12);

Thence in a northerly direction on a line parallel with the east line of said section twelve (12), four thousand twenty-six feet, more or less, to a point nine hundred twenty-four feet north of the north line of said section twelve (12)

Thence in a northeasterly direction one thousand seven hundred eighty-two feet, more or less, to the quarter section corner common to section one (1), township six (6) south, range twenty-two (22) east, and section six (6), township six (6) south, range twenty-three (23) east, San Bernardino base and meridian

Thence in a northeasterly direction eleven thousand seven hundred forty-eight feet, more or less, to the quarter section corner common to sections thirty-two (32) and thirty-three (33), township five (5) south, range twenty-three (23) east, San Bernardino base and meridian;

Thence northeasterly nine thousand five hundred four feet more or less, to a point on the line between section twenty-seven (27) and thirty-four (34), township five (5) south, range twenty-three (23) east, San Bernardino base and meridian, distant one thousand three hundred twenty feet in a westerly direction from the corner common to sections twenty-six (26), twenty-seven (27), thirty-four (34) and thirty-five (35) of said township and range

Thence in a northerly direction one thousand three hundred twenty feet, more or less, to the center of the southeast quarter of section twenty-seven (27), township five (5) south, range twenty-three (23) east, San Bernardino base and meridian.

Thence in an easterly direction one thousand three hundred twenty feet, more or less, to a point on the line between sections twenty-six (26) and twenty-seven (27), township five (5) south range twenty-three (23) east San Bernardino base and meridian, distant one thousand three hundred twenty feet in a northerly direction from the corner common to sections twenty-six (26), twenty-seven (27), thirty-four (34) and thirty-five (35) of said township and range

Thence in a northerly direction one thousand three hundred twenty feet, more or less, to the quarter section between sections twenty-six (26) and twenty-seven (27), township five (5) south, range twenty-three (23) east, San Bernardino base and meridian.

Thence in an easterly direction seven thousand nine hundred twenty feet, more or less, to the center of section twenty-five (25), township five (5) south, range twenty-three (23) east, San Bernardino base and meridian;

Thence in a northerly direction on the quarter section line of the said section twenty-five (25), one thousand three hundred twenty feet to a point.

Thence in an easterly direction one thousand three hundred twenty feet, more or less, to the center of the northeast quarter of the said section twenty-five (25);

Thence in a northeasterly direction one thousand eight hundred forty-eight feet, more or less to the corner common to sections twenty-four (24) and twenty-five (25), township five (5) south, range twenty-three (23) east, and sections nineteen (19) and thirty (30), township five (5) south, range twenty-four (24) east, San Bernardino base and meridian

Thence in a northeasterly direction two thousand nine hundred four feet, more or less, to a point on the quarter section line of section nineteen (19), township five (5) south, range twenty-four (24) east, San Bernardino base and meridian, distant one thousand three hundred twenty feet in an easterly direction from the quarter

section corner between section twenty-four (24), township five (5) south, range twenty-three (23) east, and section nineteen (19), township five (5) south, range twenty-four (24) east, San Bernardino base and meridian,

Thence in a northerly direction on a line parallel with the range line between ranges twenty-three (23) and twenty-four (24) east, San Bernardino base and meridian, ten thousand thirty-two feet, more or less, to a point one hundred feet due west of the point of beginning, and

Thence due east one hundred feet to the point of beginning

SEC. 3. The board of supervisors of Riverside county (in which county by far the greater part of the property within the proposed district is situated) shall, not sooner than thirty (30) days after this act takes effect, but within sixty (60) days from that date, give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this act. Such notice shall state that the lands comprised within the proposed district are all the lands comprised within both the Palo Verde joint levee district of Riverside and Imperial counties, California, and the Palo Verde drainage district, and shall refer to this act for a particular description of the boundaries of this proposed district. The notice shall also designate some convenient place to be selected by the board of supervisors of Riverside county, within the city of Blythe, where the voters of the district, entitled to vote, may cast their ballots, and shall also state that the owners of real property or an interest therein within the district, shall, on a date to be fixed by the said board of supervisors, and designated in the notice which shall not be more than forty (40) days following the first publication of the notice, be called upon to vote upon the question of whether the district created by this special act shall be approved and organized for the purposes and with all the powers and duties provided herein, and likewise, that they will be called upon to vote for the election of five (5) persons to comprise the members of the board of trustees of said district, to serve until their successors are elected and qualified as provided in this act, and that the five persons receiving the highest number of votes at such election shall be deemed elected, and shall take office provided the organization of such district under this act is approved by a majority of the votes of the property owners.

Such notice shall also state that only owners of real property within the district, or an interest therein, and whose property appears upon the last equalized county assessment roll as having been assessed for taxation, shall be entitled to vote, but that such property owners may vote by proxy as well as personally, all as more fully set forth in the provisions of this act, reference to which shall be made in said notice.

The notice calling the election above mentioned shall be given by said board of supervisors by causing a copy thereof to be posted in at least three (3) public places within the district, at least twenty (20) days prior to the date of the election, and also by publishing a copy of such notice by three weekly publications preceding the election, in some newspaper of general circulation published within the district.

Affidavits of the publication and posting of such notice must be filed with the clerk of the board of supervisors of Riverside county, and shall be prima facie proof of performance of the acts therein set forth.

Provided, however, that the board of supervisors of Riverside county shall not call such election nor give the notice unless requested to do so in writing, signed by an owner of real property within the district, which request must be presented to the board within the time for the calling of the election as above provided, and unless also said request is accompanied with a good and sufficient undertaking to be approved by the board of supervisors of Riverside county, in double the amount of the probable cost of organizing such district, conditioned that the surety shall pay all of said costs of calling and holding such election in case the creation and organization of said district is not approved.

SEC. 4. The Ballot, and Manner of Conducting Election. The board of supervisors shall provide a ballot to be used at said election, and the proposal to organize this district shall be submitted thereon in substantially the following form:

Shall the proposed Palo Verde irrigation district be organized as provided in the act of the legislature known as the "Palo Verde irrigation district act", adopted by the legislature at its last regular session.

Opposite, shall be the word "Yes", followed by a space for the insertion of a cross, and also opposite the proposal, the word "No", followed by a space for a cross, so that the voter may indicate his intention of voting for or against the same by stamping a cross in the space opposite the word "Yes" or "No".

Not less than twelve (12) days before the election, any ten or more owners of property within the district may file with the board of supervisors of Riverside county a petition requesting that certain persons specified in such petition be placed on the ballots as candidates for the office of trustee. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which electors may write other names if they so desire, and when a name is written in such blank space, the vote shall be counted for the person whose name is so written in. The petition shall be preserved by said

board of supervisors. Suitable instruction shall be printed on the ballot, informing the voter of his right to vote for five persons, either by stamping a cross opposite any five of the names appearing on the ballot or by writing in other names, but that he shall not vote for more than five altogether

Said board of supervisors shall also, by the order calling such election, appoint a board of election for conducting the election at the polling place, which board shall consist of three owners of land within the district and assessed on the county assessment roll. If any person appointed a member of the board of elections shall fail to attend at the opening of the polls, the adult persons then present, voting individually, may appoint in his place, any land owner in the district Each member of the election board must, before entering upon his duties, take and subscribe to an official oath to faithfully perform his duties as an officer of such election, which oath may be administered by any officer authorized to administer oaths, or by a land owner in the district

The election officers shall have not only the powers prescribed by the general election laws so far as consistent with the provisions of this act, but also all such other powers as are conferred hereby in respect to the passing upon the qualification of voters, and the number of votes they are entitled to cast, and such election shall be conducted as nearly as practicable in accordance with the general election laws of the state, but no particular form of ballot shall be required

SEC 5. Qualifications of Trustees The board of trustees of the district shall consist of five persons elected at large from among the owners of property within said district, and the ownership of real property within the district shall be essential to qualify any person for such office, but none of the trustees need be a resident of the district.

The manner of nominating candidates for the office of trustee at all elections, and the manner of placing their names upon the ballots shall be as above prescribed with respect to the first election to be held.

SEC 6 Qualification of Voters. Any person, firm or corporation owning any real property and/or the improvements thereon, or any interest in real property and/or the improvements thereon (but not including personal property) which interest or ownership is assessed for taxation on the last preceding equalized tax roll of the county in which the land is situated (and only the owners of property so assessed) shall be entitled to vote at such election or at any subsequent election, special or general, for the election of trustees or for any other purpose pertaining to the affairs of said district Each property owner so qualified to vote shall be entitled to cast one vote for each one hundred dollars of assessed valuation or fraction thereof greater than fifty dollars, as the same appears to have been assessed on the equalized assessment roll last preceding the holding of the election In determining the total number of votes any voter is entitled to cast, the total assessed value of all parcels owned by the voter shall be divided by one hundred, and the quotient shall determine the number of votes.

SEC 7. Conduct of Election. For the purpose of determining who is entitled to vote, and the number of votes each voter is entitled to cast, the board of supervisors of the county of Riverside shall cause to be prepared, certified and furnished to the election board at each polling place, a true and correct copy of the next preceding equalized assessment roll so far as such assessment roll applies to any lands or improvements therein, or interest therein, within such district in Riverside county, and the board of supervisors of Imperial county shall do likewise with respect to such properties which are within the district created by this act, assessed on the assessment roll of Imperial county But the board of supervisors of Imperial county shall not be required to furnish the same for the first election until requested in writing to do so by some property owner of the district, and unless such request is accompanied by a good and sufficient bond to be approved by said board, in double the amount that said board may estimate to be the cost thereof, conditioned for the reimbursement of Imperial county of the amount which may be advanced for that purpose, in the event the proposal to organize the district is defeated.

Said certified assessment rolls shall be used by the election board in determining the number of votes each voter is entitled to cast .

Executors, administrators special administrators and guardians may cast the vote of the estate represented by them If the property is assessed in the name of such representatives, that fact shall establish the right of such representatives to vote; if assessed in the name of the decedent, minor or incompetent person, certified copies of the letters or such other evidence as may be satisfactory to the board must be produced by the voter.

The board shall likewise be entitled to inquire and take evidence for the purpose of identifying any person claiming the right to vote as being the person shown on the assessment roll or otherwise as entitled to vote And unless satisfactory evidence is furnished of the right to vote, the request to vote may be denied.

Where land is assessed to unknown owners, the production of a duly recorded or other transfer or conveyance, accompanied by a certificate of a searcher of title certifying that a search of the official records of the county since the date of the deed discloses no conveyance or transfer out from the grantee or transferee named in said instrument, shall entitle said grantee or transferee to vote.

Where property appears to be owned in common or jointly, or where letters of representatives of decedents, minors or guardians are joint, any one of the owners or representatives may cast all the votes that such joint owners or representatives are entitled to vote for all, provided the party claiming the right to vote for all produces the written consent of his co-owners or representatives, to do so, but if such consent is not produced, then the number of votes shall be apportioned to each owner or representative claiming the right to vote, according to the proportionate ownership or representation shown on the assessment roll, if such proportion is shown, but if not so shown, it shall be presumed that such ownership or right of representation is equal, and the voting right determined accordingly.

Where property is assessed in the name of a trustee or trustees, such trustee or trustees shall be deemed to be the person entitled to vote the same, and if assessed in the name of more than one trustee the voting right shall be determined in like manner as above provided with respect to co-owners

The vote of any public or quasi public corporation, private corporation or unincorporated association may be cast by any person authorized by the board of directors or trustees or other managing body thereof, which authorization shall be in writing, and a proxy executed by an officer or officers thereof, attested by its seal and duly acknowledged, shall constitute sufficient evidence of such authority, and shall be filed with the board of election Any member of any partnership firm may vote in behalf of such firm.

All parties entitled to vote may have their votes cast by proxy, but no person shall vote by proxy unless authority to cast such vote shall be evidenced by an instrument in writing, duly acknowledged and certified in the same manner as grants of real property, and filed with the board of election.

The owner of any real property or interest therein appearing upon the assessment roll, which has been assessed in the wrong name or which has passed from the owner appearing as such on the last equalized assessment roll, since the same was made, shall be entitled to cast the votes represented thereby, either by the production of a proxy from such former owner or by furnishing evidence of his ownership by examination upon oath by the election board, or a conveyance duly acknowledged showing the title vested in the person claiming the right to vote, or a certificate of a competent searcher of title may be accepted by the board, as evidence of the right to vote

Where property has been contracted to be sold the vendee shall be entitled to cast the ballots, unless such property is assessed in the name of the vendor, in which event the vendor shall be entitled to cast the vote or votes represented thereby.

All instruments evidencing or supporting a claim of a right to vote shall likewise be filed with the election board And if at such election the proposal to create the district is approved all such documents shall be turned over to the board of trustees of the district, otherwise, to the board of supervisors of Riverside county for preservation

As each voter establishes his right to vote and the number of votes to which he is entitled is determined there shall be delivered to him as many ballots as he is entitled to votes, or one ballot representing such votes, as next herein provided. In order to simplify the voting and avoid the necessity of a voter having a large number of votes, stamping numerous ballots one member of the board of election, in the presence of the voter and other members, shall write upon the ballot or ballots the number of votes represented by his ballot, and after the voter has voted it shall be the duty of the election board to examine all ballots cast and see that it is the same ballot delivered to the voter, and correctly represents the number of votes he is entitled to cast before the same is passed into the ballot box.

The polls shall be kept open from eight o'clock, a.m., of the day of election until six o'clock p.m of that day.

At the close of the polls the board of election shall at once proceed to canvass the votes and declare the result, and shall forward a certificate showing such result, and the number of votes cast for and against the proposal to organize the district under this act, and the number of votes cast for all candidates for membership on the board of trustees, and which certificate together with the ballots shall be forwarded to the board of supervisors of Riverside county. If a majority of all the votes cast are in favor of the creation and organization of this district, then this district shall be deemed to be and shall be created with all the rights, powers and duties prescribed in this act, and the trustees shall proceed to organize and carry out the purposes of this act, but provided, however, that before the creation of the district becomes effective, the board of supervisors of Riverside county must make a certificate to the effect that the proposal to create the district was adopted, and cause the same to be filed with the secretary of state of California, from which date the district shall be deemed created, and as soon as moneys are available to the district for that purpose, and at least within one year from the date of organization, the board of trustees shall reimburse the counties of Riverside and Imperial for any moneys advanced or expense incurred in the performance of the duties imposed upon their respective boards of supervisors by this act, and recourse shall be had if necessary to the taxing power of the district for raising such funds, but if said indebtedness is not paid within one year from the date of the

creation of this district, then the bondsmen shall be liable to the respective counties therefor.

Likewise, if the proposal to organize the district is defeated, the result shall be certified in the same manner as above set forth, and the respective counties reimbursed for expenses paid or incurred by the bondsmen on the bonds hereinbefore provided for.

If the district is created, certified copies of the order of the board of supervisors of Riverside county, or certificate declaring that fact, shall be recorded in the office of the county recorder of Riverside county, and of the county recorder of Imperial county, and shall impart notice to all interested persons as to the result of said election and the creation of said district.

The order of the board of supervisors of Riverside county declaring the result of said election and certifying to the fact that the proposal to create the district was duly adopted (or it shall be adopted) shall be final and conclusive evidence that all steps necessary for the creation and organization of said district have been duly performed, and that said district has been duly created as such.

Provided, however, that the election for the organization of the district, whether the result be for or against, may be contested by any person owning property within the proposed district. The trustees elected at such election shall be made parties defendant, but any property owner in the district may intervene and be heard.

Such contest shall be brought in the superior court of the county of Riverside, and must be brought within twenty days from the time the vote is canvassed, and the result is declared. If more than one contest is filed, they may be consolidated and tried together. The court shall speedily try such contest and determine upon the hearing whether the election was fairly conducted, and in substantial compliance with the requirements of this act, and enter its judgment accordingly.

The right of appeal to the supreme court is hereby given to any party to the record within thirty days from the entry of judgment. The proceedings both as to the trial and appeal must conform substantially to the rules governing civil actions, and the appeal must be determined by the supreme court within sixty days from the time the record on appeal is filed therein.

If no contest is filed, or if as a result of any such contest so filed the adoption of the proposal to create and organize the district as certified by the board of supervisors be confirmed by the judgment, then said judgment and the certificate of the board of supervisors above set forth shall have the conclusive effect hereinbefore declared.

SEC. 8. Organization of the Board of Trustees. Upon the adoption of the proposal to organize the district, the members of the board of trustees elected to that office shall qualify by taking and filing with the county clerk of Riverside county the oath of office commonly administered to public officials, and they shall without delay meet and organize by the selection of one of their number as president of the board, and likewise the selection of a secretary who may or may not be a member of the board.

The compensation of trustees and of all officers shall be fixed by the trustees themselves from time to time. All officers shall hold office respectively until their successors are elected and qualify, but the regular term of office of trustees shall be three years from the date of election (except as next herein provided with respect to the members of the first board of trustees), but elections shall be held annually on the third Tuesday of September of each year. The trustees so elected shall qualify by taking the oath as hereinafter provided, and shall organize at their first meeting, which shall be held not later than ten days after the creation of this district becomes effective.

At their first meeting the trustees shall so classify themselves as that two of the members shall hold office until the next general election in September, 1924, and two shall hold office until the annual election of 1925, and the fifth until the annual election of 1926. As the successors of the retiring trustees are elected each year, such successors shall hold office for a term of three years.

The president of the trustees and the secretary or any other officers selected by the board shall hold office at the pleasure of the board. Three members shall be necessary to constitute a quorum, and the decision of the majority present shall bind the district except as may be otherwise in this act provided.

The board shall have the power to adopt the proper rules or regulations to govern their procedure, and for the preservation and disbursement of its funds, time, place and manner of holding meetings, but a regular meeting day fixed by the board for a definite time and place each month must be provided to be held, and no notice of regular meetings need be given, and the president or any two members of the board shall have the right to call special meetings upon giving notice to the other trustees of the time and place thereof, not less than five days in advance of holding the meeting. Meetings may be held at any time or place when all the trustees are present and consent thereto, or at any time and place fixed by written consent or call signed by all the trustees. If vacancies occur in the office of trustee, such vacancies shall be filled by persons selected by the remaining trustees, and shall hold office until the next annual election or until a successor is elected and qualifies.

SEC. 9. Powers and Duties of the District. The district shall have power:

1. To have perpetual succession and existence.

2. To sue and be sued in the name of said district in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

3. To adopt a seal and alter same at its pleasure.

4. To take by grant, purchase, gift, devise or lease, to hold, use, enjoy, and to lease or dispose of, real or personal property of every kind within or without such district necessary to the full exercise of its power.

5. To do and perform all other things necessary, incident or proper to carry into effect the purposes for which this district is created, and as provided by this act.

SEC. 10. Powers and Duties of the Board of Trustees. The board of trustees of the district, in addition to all other powers and duties prescribed by this act, shall have the following powers and duties:

1. To keep a record of all its proceedings and minutes of its meetings, which meetings shall be public, and all records of the district shall be open to the public for inspection during reasonable business hours.

2. To manage and conduct the business and affairs of the district; make and execute all necessary contracts, employ and appoint such agents, officers and employees as may be required, and prescribe their duties, and to discharge all employees. The board and its agents and employees shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation, protection, reclamation or other works or improvements, and the line of canals or conduits, and their incidental branches, and laterals, also for the location of levees, dikes or other structures which may be deemed proper.

3. Said board shall also have the right to acquire, by purchase, lease or condemnation, or other lawful means, all lands and waters or water rights and other property necessary for construction, use, supply, maintenance, repair and improvements of any and all irrigation plants or systems under its control, or to be acquired or controlled by the district, or for the construction, use, supply, maintenance, repair or improvement of any and all levees, protection works, drainage or reclamation work under the control or to be acquired and controlled by the district, whether any such properties be in this or other states, and also where necessary or convenient in carrying out the purposes of this act, to acquire and hold the stock of other corporations, domestic or foreign, owning waters, canals, water works, franchises, concessions or rights, levees, or drainage works. Said board may enter into and do all acts necessary or proper for the performance of any agreements with the United States or any state, county or district of any kind, public or private corporation, association, firm or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any levees, works or other property of any kind which might lawfully be acquired or owned by the district, and may acquire the right to store water in any reservoir or to carry water through any canal, ditch or conduit not owned or controlled by the district, and may grant to any owner or lessee the right to the use of any water, the right to store such water in any reservoir of the district, or to carry such water through any canal, ditch or conduit of the district. And may likewise enter upon any acts necessary or proper for the performance of any agreements with the United States or any state, county, or district, corporation, firm or individual or any number of them, for the joint acquisition, construction, maintenance or repair of any levees or other protection works or drainage or other reclamation works.

4. To construct dams, reservoirs and works for the collection of water for the district, and to do any and every lawful act necessary to be done that sufficient water may be furnished to each land owner or inhabitant in the district for irrigation and domestic purposes, and may contract to supply water to any mutual water company within the district which is or may be organized to furnish water to certain specified lands within the district, provided the lands so supplied by any such mutual water company are within this district, and may contract for supplying such lands with water through such mutual water companies.

The board is authorized and empowered to take conveyances, leases, contracts or other assurances for all property acquired by it under the provisions of this act, in the name of this district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity, necessary or proper in order to fully carry out the provisions of this act, and to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof, and may appear and defend in person or by attorneys in the name of such irrigation district.

5. The legal title to all property acquired under the provisions of this act shall immediately, by operation of law, vest in the district, and shall be held by the district in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth in this act. And said board is hereby authorized and directed to hold, use, manage, keep and possess, said property as herein provided. The board may determine by resolution duly entered upon its minutes, that any property, real or personal, held by such irrigation district, is no longer necessary to be held for the uses and purposes thereof, and may thereafter sell such property, and a con-

vevance of any property held by this district, executed by the president and secretary thereof, in accordance with the resolution of the board of trustees of such district, when sold for a valuable consideration, shall convey a good title to the property so conveyed.

6. It shall be the duty of the board of trustees to establish suitable by-laws, rules and regulations for the distribution and use of water among the owners of lands, which must be printed in convenient form for the use of the district.

7. When the board of trustees deems it advisable for the best interests of the district and the convenience of the electors thereof, it may at any time, but not less than sixty days before an election to be held in the district, divide the district into divisions or precincts for election purposes, but such divisions shall be made as nearly equal in area or population as may be practicable. The boundaries of the divisions and precincts or any subsequent changes therein must be shown on the minutes of the board. Should the district be divided into divisions or precincts by the board of trustees for the purpose of holding elections thereafter, any property owner owning property in one or more precincts or divisions, must cast the ballots represented by his respective parcels in each precinct where such parcels are situate respectively, and if any such parcel lies partly in one precinct and partly in another he may cast the ballots represented thereby in either, but before doing so he must notify the election board in the other precinct of his intention to do so, in order that the election board may note the ballots represented by said land as having been voted.

8. After the first election of trustees held in pursuance of the provisions of this act, all subsequent regular eletcions shall be called annually at the times fixed for the holding of the annual election, and the trustees shall cause notice of such elections to be given for the period and in the manner hereinbefore prescribed in reference to the first election, and the trustees shall perform all the duties in respect to giving notice of the election establishing election boards, providing the ballots and assessment roll records necessary for conducting the election, designating voting places, causing the returns to be canvassed, and the results declared, which have been imposed upon the supervisors in respect to the first election.

Likewise, the board of trustees shall perform all the acts necessary for calling and conducting special elections provided for in this act.

In all elections for trustees the persons receiving the highest number of votes shall be deemed elected for the office to be filled. If an election is not held as herein provided, then upon the filing of a petition with the secretary of the board of trustees, signed by property owners owning real property assessed upon the last preceding equalized assessment roll at not less than the aggregate of five thousand dollars, requesting that a special election be called for the election of officers, the trustees of such district shall thereupon call a special election for the election of such officers, such election to be held within not less than forty days after the filing of such petition.

Each member of the board of trustees shall qualify on or before noon of the tenth day following his election, by executing an official bond in the sum of five thousand dollars, which bond shall be approved by a judge of the superior court of Riverside county, and shall be recorded in the office of the county recorder thereof, and filed with the secretary of the board. All official bonds herein provided for shall be in the form prescribed by law for the official bonds of the county officers, and premiums thereof may be paid by the district.

9. The board of trustees shall also have power generally to perform all other such acts as shall be necessary to fully carry out the purpose of this act.

SEC. 11. Acquiring or Controlling the Water System of the Palo Verde Mutual Water Company. As soon as may be practicable after the organization of the district, the board of trustees is empowered and it shall be its duty to take steps for the acquisition of the water rights and water system of the Palo Verde Mutual Water Company and its stockholders, in the manner authorized and provided by this section, as follows:

Subdivision 1. If after investigation and negotiations with the representatives of the Palo Verde Mutual Water Company it is found practicable to contract for the purchase of the water rights and system of the Palo Verde Mutual Water Company, either by payment therefor in money or in bonds to be issued by this district as hereinafter provided, then a complete inventory and appraisal of all water rights and properties or property rights owned by said mutual water company shall be made up and appraised by competent engineers and appraisors selected by the parties for that purpose. But such inventory and appraisement shall comprise only the water rights and operating properties forming a part of the system or pertaining thereto. If, as a result of such negotiations, investigation and appraisement the board of trustees is able to agree with said water company upon what they deem to be a fair valuation of said properties to be fixed as the purchase price thereof, then the proposed plan of purchase and the price agreed to be paid therefor, with the terms and manner of payment, shall be reduced to writing, duly executed by both parties, and shall constitute the basis of acquisition and shall be carried out as agreed upon.

If, however, the trustees and said water company are unable to agree upon the price, terms or manner of purchase, the proposal to purchase may, at the option of

the board of trustees, be submitted to the water commission of the State of California, for determination of the value of the property and property rights to be acquired, and the terms and manner of carrying the purchase into effect, *provided* the water company shall agree to such submission and to be bound thereby. If the submission is agreed upon, it shall be the duty of the water commission to cause an investigation to be made in such manner and to such extent as it may deem necessary or proper (but at the expense of the district) and may, if it deems proper to do so, have a public hearing thereon conducted at such time and place and in such manner and after such notice as may be prescribed by the commission. But the commission shall, within ninety days after notice of the agreement of submission, make findings of the reasonable and fair valuation of the properties and property rights involved, and the reasonable and proper terms upon which the purchase price shall be made, and such findings shall be binding upon the parties, and the trustees are authorized and empowered to proceed with the necessary steps to carry into effect the purchase on those terms. But if the board of trustees and the representatives of the water company can not agree upon a submission of the same to the water commission, then the board of trustees is hereby authorized and empowered and the district is hereby granted the power to institute and maintain condemnation proceedings for the acquisition of said water rights and water system, and the acquisition of the same is hereby declared to be a beneficial public use and said district is empowered to acquire the same by proceedings in eminent domain conducted substantially in the manner provided by the general laws for the acquisition of private property for a public use by such procedure.

In the acquisition of the water rights and water system of said Palo Verde Mutual Water Company by the district, the board of trustees, in its discretion, may acquire the water rights and system, subject to whatever existing rights the stockholders or users of said water may have to have water supplied to their lands to the extent that the same is appurtenant thereto, in which event the title conveyed to the district shall be subject to such rights and the district shall assume the obligation of supplying water to such land owners to the extent of their rights and in the manner and upon the terms which such users are entitled to receive the same, but in the acquisition of the water rights and system of the Palo Verde Mutual Water Company and its stockholders, the board of trustees is, in its discretion, authorized and empowered to take over and acquire the water rights of the stockholders as well as the property rights of the corporation either by purchase or condemnation to the end that ultimately all waters available for supply or which may be made available for supply to the lands and inhabitants of the district may be distributed in accordance with uniform rules and regulations throughout the entire district, and all priorities or discrimination eliminated.

Subdivision 2. If after investigation and negotiation it is found feasible and practicable to acquire the ultimate ownership and control of the water rights and system of the Palo Verde Mutual Water Company and its stockholders, by taking over by purchase or otherwise all of the outstanding stock of said corporation and through that means ultimately cause all of the water rights and system of said mutual water company to be conveyed to the district and thereby eliminate vested rights or priorities so that the entire body of water available may be distributed under uniform regulations throughout the district, the board of trustees is hereby authorized and empowered to do and perform all things necessary for the purpose of acquiring all the stock of the stockholders of said water company, either through the purchase, exchange of bonds therefor, or condemnation proceedings, and it may, with that ultimate object in view or by way of expediting or assisting in bringing about the acquisition of the water rights and plant from the corporation itself, or from the corporation and the stockholders as provided in the previous subdivision, purchase or contract to purchase or procure options, for the whole or any part of the stock of said mutual water company from time to time, or may institute and prosecute condemnation proceedings for that purpose until all of the stock is acquired or all of the properties of said mutual water company are acquired as herein before provided, but before any stock of said company is purchased or contracted to be purchased, the question of the value thereof must be carefully investigated by the board of trustees, with the assistance of competent appraisors, and no stock shall be purchased at a price in excess of the maximum amount found by the trustees to be the reasonable and fair value thereof. But, within the price so fixed, the district through its board of trustees, may purchase or contract to purchase any part of the stock, but nothing herein contained shall in any manner impair the right of the district to maintain condemnation proceedings for the acquisition of the stock or water rights of the stockholders of said water company, at any time, and such acquisition is likewise hereby declared to be a beneficial public use.

Subdivision 3. If after negotiation and investigation or at any time it is found impracticable or inadvisable to acquire the whole or any part of the water rights and water system of the Palo Verde Mutual Water Company and its stockholders by purchase, exchange or condemnation, or pending the ultimate acquisition of the whole of the system and the water rights mentioned, then the district, through its board of trustees, is hereby authorized and empowered to take over the management, control and operation of such system and water rights by lease or contract, upon such terms

and conditions and for such period as may be agreed upon by the trustees, and said water company.

If the control and management of the system and water rights is thus taken over by the district, the same shall be operated in such manner as to conform to and respect vested rights and priorities of the stockholders or users of said water to the extent that they may be entitled to have any lands to which said waters are appurtenant supplied with water from said system, but in so far as may be lawfully possible, all water shall be made available for distribution and shall be distributed to all lands within the district, under uniform rules and regulations and without discrimination, and the district shall be authorized and empowered to carry on all work necessary to safeguard and expand the distribution of water supply, and to protect the system against floods from the Colorado river, and to conserve and extend *the beneficial use of the water to the utmost throughout the district, by reclamation,* protection, or otherwise.

Subdivision 4. The use of all water required for the irrigation of lands within this district, and for domestic and other incidental and beneficial uses within the district, together with the rights of way for canals and ditches, the headworks, conduits, reservoirs and sites for reservoirs, and all other property required in fully carrying out the provisions of this act, is hereby declared to be a public use, subject to the regulations and control of the state in the manner prescribed by law.

SEC. 12. Taking Over the Properties and Functions of the Palo Verde Joint Levee District. The district is authorized and empowered, through its board of trustees, to take over the properties, property rights and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California, and it shall be the duty of the board of trustees to take the necessary steps for acquiring the same in the following manner:

Upon approval of the property owners, of the creation and organization of this district by a majority vote, at an election to be held for that purpose as hereinbefore provided, and as soon as the organization of the district is complete by the election and qualification of its officers, all of the levees, properties, property rights and functions of the Palo Verde joint levee district above mentioned, shall revert to and become vested in this district, but, subject, however, to the rights of the holders of any and all of the bonds or other outstanding claims or evidence of indebtedness of said Palo Verde joint levee district, and the lien of all such bonds and all rights of the bondholders and creditors of said levee district shall be unimpaired and enforcible against the lands and property owners within the boundaries of said joint levee district to the same extent and in like manner as if this act had not been passed, and said district continued to exist, *but provided, however,* that all of such outstanding bonded or other indebtedness shall be assumed by this district, and the collection of *principal and interest may be enforced through this district* in like manner as it might have been enforced through the joint levee district and the board of trustees of this district is hereby authorized and empowered, and it shall be its duty to carry into effect and perform, all of the obligations undertaken by said levee district through this district, and the trustees thereof, for the assessment and collection of taxes for the payment of the principal and interest of said bonds and other indebtedness, and all other obligations and duties in every other respect provided for the protection, payment and liquidation of the principal and interest of the bonded and other indebtedness of said joint levee district.

All bondholders and creditors or other persons having rights or relations with said joint levee district or the trustees or officers thereof are hereby authorized and empowered to deal with the trustees of this district, and to enforce their rights as against this district in like manner as might be done against the joint levee district above mentioned and the trustees and officers thereof, and all notices, demands, tenders or other dealings that might have been had with said joint levee district or the trustees or officers thereof may be made to or had with the trustees of this district with the same force and effect. Likewise, all obligations or duties or indebtedness undertaken or contracted to be paid or performed by any persons, firms or corporations to or with said joint levee district, may be enforced for or paid to this district with the same force and effect, and in like manner as undertaken to be performed for or paid to said joint levee district. And this district shall have the right to enforce all rights or obligations which have accrued or may accrue to said joint levee district.

The trustees of this district, as soon as they *qualify and are organized* as hereinbefore provided, shall take over and become vested with the management of all levees, properties, records, moneys on land or other assets of said joint levee district, and the trustees of said joint levee district shall deliver all of such property, records or other assets to the trustees of this district, and thereupon said district shall be deemed to be merged in and superseded by this district, and cease to exist except in so far as may be necessary to preserve the rights of bondholders and other creditors, *provided, however,* that all funds or properties which come into the possession or under the control of this district from said levee district shall be expended and used only in connection with the joint levee district work, and for the purposes authorized by the act under which it was created.

The title to all properties of the joint levee district and all property and other rights belonging to or existing in favor of said district are hereby vested in this district, and this district shall have the right to maintain suits or other proceedings necessary for the protection and enforcement of any of the rights of said levee district and may be sued and shall have the right to defend in like manner as suits might have been maintained or defended if said levee district had continued to exist.

Upon the taking over of the property and affairs of said levee district, the board of trustees of this district is authorized and empowered, and it shall be its duty to proceed as rapidly as may be practicable with the necessary construction work for the improvement, extension and better protection and preservation of the water system, the lands and inhabitants within the district, against overflow of flood waters from the Colorado river, and to maintain and operate the same to the end of preventing if possible a repetition of the devastating floods of previous years. In that behalf and for that purpose the board is authorized to cooperate with the United States government, the government of the State of Arizona or of the State of California, or any other public agencies, departments, districts or private concerns or individuals, in any joint project that may be undertaken for straightening or changing the course of the channel of the Colorado river or keeping the same within its levees and banks, provided the board of trustees deem it advisable to do so.

SEC. 13. Taking Over the Properties and Functions of the Palo Verde Drainage District. The district is authorized and empowered through its board of trustees, to take over the properties, property rights and functions of the Palo Verde drainage district, and it shall be the duty of the board of trustees to take the necessary steps for acquiring the same in the following manner:

Upon approval of the property owners of the creation and organization of this district by a majority vote, at an election to be held for that purpose as herein provided, and as soon as the organization of the district is complete by the election and qualification of its officers, all of the canals, properties, property rights and functions of the Palo Verde drainage district above mentioned, shall revert to and become vested in this district, but subject, however, to the rights of the holders of any and all of the bonds or other outstanding claims or evidence of indebtedness of said Palo Verde drainage district, and the lien of all such bonds and all rights of the bondholders and creditors of said drainage district shall be unimpaired and enforcible against the lands and property owners within the boundaries of said drainage district to the same extent and in like manner as if this act had not passed, and said district continued to exist, *but provided, however*, that all of such outstanding bonded or other indebtedness shall be assumed by this district, and the collection of principal and interest may be enforced through this district in like manner as it might have been enforced through the drainage district, and the board of trustees of this district is hereby authorized and empowered, and it shall be its duty to carry into effect and perform all of the obligations undertaken by said drainage district, and the trustees thereof for the assessment and collection of taxes for the payment of the principal and interest of said bonds and other indebtedness, and all other obligations and duties in every other respect provided for the protection, payment and liquidation of the principal and interest of the bonded and other indebtedness of said drainage district.

All bond holders and creditors or other persons having rights or relations with said drainage district or the trustees or officers thereof are hereby authorized and empowered to deal with the trustees of this district, and to enforce their rights as against this district, in like manner as might be done against the drainage district above mentioned and the trustees and officers thereof, and all notices, demands, tenders or other dealings that might have been made to, or had with the said drainage district or the trustees or officers thereof may be made to or had with the trustees of this district with the same force and effect. Likewise, all obligations or duties or indebtedness undertaken or contracted to be paid or performed by any persons, firms or corporations, to or with said drainage district may be performed for or paid to this district with the same force and effect, and in like manner as undertaken to be performed for or paid to said drainage district. And this district shall have the right to enforce all rights or obligations which have accrued or may accrue to said drainage district.

The trustees of this district, as soon as they qualify and are organized as hereinbefore provided, shall take over and become vested with the management of all canals, reclamation work, properties, records, moneys on hand or other assets of said drainage district, and the trustees of said drainage district shall deliver all of such property, records or other assets to the trustees of this district, and thereupon said district shall be deemed to be merged in and superseded by this district and cease to exist except insofar as may be necessary to preserve the rights of bondholders and other creditors. *Provided, however*, that all funds or properties which come into the possession or under the control of this district from said drainage district shall be expended and used only in connection with the drainage district work, and for the purposes authorized by the law in pursuance of which it was organized.

Upon the taking over of the property and affairs of said drainage district, the board of trustees of this district is authorized and empowered, and it shall be its duty to proceed as rapidly as may be practicable with the necessary construction

work for the improvement and better drainage and reclamation of the lands and improvements within the district, and to maintain and operate the same to the end that the greatest area within this district may be rendered cultivable. In that behalf and for that purpose the board is authorized to cooperate with the United States government, the government of the state of Arizona or of the State of California or any other public agencies, departments, districts or private concerns, or, individuals, in any joint project that may be undertaken for the drainage or other reclamation work for the protection or improvement of the district in so far as the board of trustees deem it advisable to do so.

SEC. 14. Extension and Improvement of Existing Levees, Drainage Canals and Water System. The district, through its board of trustees, is further authorized and empowered, and it shall be the duty of the trustees, as soon as may be practicable and as rapidly as funds may be available for that purpose, to proceed with the strengthening and extension of existing levees or other works for the protection of the valley against overflow and inundation from the Colorado river; and likewise, the further extension and development of the water system to be taken over by the district, and the strengthening and improvement of its canals, laterals, headworks and distribution system generally; and also for the further construction of drainage canals and ditches and other works necessary for the drainage of the swamp and overflowed lands; also for the further protection of the inhabitants of the district and the improvement of health or other conditions in the valley to take such steps as may be necessary or proper for the elimination of mosquitoes or other insect pests, *provided, however*, that no new construction work shall be contracted, nor shall any replacement or repair work be contracted, where the cost thereof will exceed three thousand dollars without first causing a description of the work to be performed, with specifications and plans to be prepared and at least ten days' notice given of an intention to contract for the work, and inviting sealed bids. Such notice must be given by publishing notice at least once during the week preceding the time for submitting bids, in a newspaper published within the district, or if none is published therein, then within the county of Riverside, State of California, as the board of trustees may direct. The work must be let to the lowest and best responsible bidder, but the trustees shall have the right to reject any and all bids; *provided, however*, that in the event the properties or inhabitants within the district, or the levees, water system or reclamation works, or any part thereof, shall be threatened with destruction or serious damage by reason of rapid or unusual rise of water in the Colorado river, or from any other cause, and in the judgment of the board of trustees, necessity exists for immediate and prompt action, all materials may be purchased, all labor contracted or otherwise procured, and all other indebtedness may be incurred which in the judgment of the board of trustees, may be necessary to meet the emergency, without the necessity of competitive bidding or notice, and all indebtedness thus contracted shall be a legal obligation against the district, *but provided, however*, that the determination of the board of trustees that an emergency does exist must be entered in the minutes of the board. *Provided further*, that nothing herein contained shall be construed as requiring the board of trustees to carry on any of its construction maintenance, repair or other work through contracting or letting the same, but it shall be optional with the district, through its board of trustees, to contract all or any part of such work through competitive bidding as above provided, or the district may, through its board of trustees, employ the necessary labor and furnish the necessary materials to carry on any and all work authorized by this act, under the supervision of the board of trustees, and full power is vested in the board of trustees for that purpose; but *provided, however*, that if the trustees undertake to carry on such construction, replacement, repair or other work through its own supervision, and it becomes necessary to purchase materials or supplies in lots of a greater value than two thousand dollars, competitive bidding must be invited by like notice as hereinbefore provided with respect to the letting of contracts, and the property must be purchased from the lowest responsible bidder, but the board, however, shall have the right to reject any and all bids.

SEC. 15. Issuance of Bonds. For the purpose of acquiring the water rights and irrigation system of the Palo Verde Mutual Water Company or any other water rights or system which it may, by the trustees, be deemed advisable to acquire; for the purpose also of strengthening, and extending the present levees, adding to and providing other levees, and for other protection work; for the purpose of maintaining, repairing and improving and extending the water system and the acquisition of further water rights, and the further development of water and improving and maintaining the system; for the purpose of maintaining, repairing, extending the drainage canals and of carrying on other reclamation work, including the destruction of pests or other nuisances incident to swamp conditions, and for the purpose of maintaining and operating the whole system of protection, irrigation and reclamation works and for the purpose of making the necessary surveys, examinations, drawings and plans for all such work; also for the purpose of payment of principal and interest upon outstanding bonds or other obligations of the Palo Verde joint levee district of Riverside and Imperial counties, California, the Palo

Verde drainage district, and the Palo Verde Mutual Water Company (if the system of said company is taken over by this district as hereinbefore authorized), or for the purpose of redeeming any or all of such bonds, or for the purpose of providing for the refunding of the same, or any part thereof, and generally, for defraying the expense of carrying all the purposes of this act into effect, the district is authorized to issue and dispose of its bonds as herein provided.

SEC. 16. Determining Amount of Bonds to be Issued. For the purpose of ascertaining the amount of money necessary to be raised for such purposes, or any of them, the board of trustees shall cause such inventories, appraisals, surveys, examinations, drawings and plans to be made as shall furnish the proper basis for such estimates. Such appraisals, surveys, examinations, drawings and plans, and the estimates based thereon, may provide that the works necessary for a completed project shall be acquired and constructed progressively during a period of years. In the estimate of the amount of money to be raised by the first issue of bonds for any project or purpose, the board of trustees may include a sum sufficient to pay the interest on all such bonds as may be issued by this district, and also all such bonds or other obligations of the Palo Verde joint levee district of Riverside and Imperial counties, California, or the Palo Verde drainage district, or the Palo Verde Mutual Water Company as may be assumed by this district, for a period of three years, or less, in advance of the time such interest obligations shall accrue. All such surveys, appraisals, examinations, drawings and plans shall be made under the direction of a competent engineer, and shall be certified by him. The board of trustees may divide the plans for the completed project of acquisition and construction of a unified protection, irrigation and reclamation system into various items, recommending those that are most urgent for first acquisition or construction, and the estimated amount thereof, and those that might be deferred for carrying out at subsequent times, so that the bonded indebtedness necessary for the entire plan may be imposed upon the district in such installments over a period of years as the district is built up and improved, and as a favorable market exists for the bonds. But the board of trustees may, in its discretion, provide for the issuance of the amount of bonds necessary to carry out the completed enterprise contemplated by this act, and arrange for the disposition of the bonds in installments at different times so as to accomplish the same purpose, or, if it is deemed practicable and expedient to do so, the board may provide for the issuance of all the bonds estimated to be necessary to carry out the completed project.

SEC. 17. Provisions for Making Bonds a Legal Investment. All bonds of this district issued pursuant to this act are hereby declared to be legal investments for savings banks and may be lawfully purchased or received for pledge by trust companies, banks, insurance companies, executors, administrators and special administrators or by any public officer or officers of this state, or of any county, city or other municipality or corporate body within this state having or holding funds which they are allowed by law to invest, or loan; but *provided, however*, that before such bonds shall be deemed legal investments for these purposes the requirements of the law of this state creating a commission authorized by law to approve bonds of irrigation districts and for certification of same as legal investments for savings banks, and for other purposes specified therein (or any amendments thereof, or other legislation which may be enforced pertaining to that subject, if any such legislation remains in force) shall be complied with, and the approval or certification of such commission shall be obtained. If the estimate of the amount of said bond issue shall include any amount for the payment of interest as provided in section sixteen of this act, and such estimate for the payment of interest, or any part thereof, is approved by the commission, it shall be legal for the board of trustees to use the proceeds of such bonds to that extent for the payment of any interest on any such bonds as may be approved for that purpose in the report of said commission; and furthermore, whatever amount may be included in the estimate for upkeep and maintenance expenses to the extent that the same may be approved by the commission, may be lawfully used by the trustees and applied by the district in the upkeep and maintenance of water system and reclamation works.

SEC. 18. Special Election for Bond Issue. After the amount of the proposed bond issue is determined by the board of trustees, said board may call a special election, at which shall be submitted to the owners of property within the district qualified to vote as hereinbefore provided, the question whether or not the bonds of said district in the amount determined by said board shall be issued, and said board must call such an election and submit said question upon receipt of a petition signed by at least one hundred owners of real property within the district assessed for taxation on the last preceding equalized assessment roll, *provided* that said petition shall include the holders of title or evidence of title to not less than twenty per cent in value of the real property within the district. In determining the value of any lands within the district for the purpose of determining the sufficiency of such petition the last equalized assessment roll of the county within which the lands within the district is situated, shall be conclusive evidence of such facts for such purpose. But the board of trustees by an affirmative vote of three of its members may call such election without the necessity of receipt of any petition.

SEC. 19. Notice of Special Election and Manner of Conducting Same. Notice of such election must be given by posting notices in three public places in each election division in said district for at least twenty days, and also by publication of such notices in some newspaper published within the district, or if none is published therein, then within the county of Riverside, State of California, as the board of trustees may direct, by at least three weekly publications prior to the election. Such notice must specify the time of the holding of the election, the amount of bonds proposed to be issued, and in a general way, the purpose thereof, and said election must be held and the result thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of this act, governing the election for the determination of whether this district shall be organized and the election of the first trustees.

The qualification of voters, their right to vote, and the number of votes which each is entitled to cast, shall be determined by reference to the appraised value of their real estate holdings on the assessment roll as in this act heretofore provided, and in all other respects the provisions of this act in reference to conducting elections shall conform to the provisions heretofore made with respect to the elections and the general election laws of the state so far as may be applicable, as well also as the further provisions of this act with respect to the ballot, but no informalities in conducting such an election shall invalidate the same if the election shall have been otherwise fairly conducted.

SEC. 20. Ballots. At said election questions as to the issuance of bonds may be submitted separately on the same ballot if estimates of the cost of the respective projects have been made, and the respective propositions have been stated in the notices of the election. At such election the ballots shall contain a general statement of the proposition or propositions to be voted on, including the amount of bonds proposed to be issued for each purpose, but no informality in such statement shall vitiate the election. Each proposition shall be followed by the words "Yes" and "No", on separate lines, with a small inclosed space after each of said words. The electors shall vote for or against any proposition by stamping a cross (X) in the voting space after the word "Yes" or "No" respectively. On the ballot shall be printed substantially the following under the heading "Instructions to voters": "To vote for a proposition, stamp a cross (X) in the voting space after the word "Yes" following the proposition. To vote against a proposition, stamp a cross (X) in the voting space after the word "No" following the proposition." If a majority or more of the votes cast for and against any proposition are for "Yes", the board of trustees shall cause bonds in the amount specified in such proposition to be issued. If the number of votes for any proposition is less than the number required herein to authorize the issuance of the bonds provided for therein, the result of the vote on said proposition shall be entered of record, but said proposition may be again submitted to the qualified voters of the district at a special election upon the presentation to the board of trustees of a petition therefor, signed as provided in section eighteen of this act.

SEC. 21. Form of Bonds. Interest. Life of Bonds. Subject to the provisions of this act the trustees of the district shall prescribe the form of bonds issued by the district, and of the interest coupons to be attached thereto. An issue of bonds is hereby defined to be all the bonds issued in accordance with a proposal approved by the electors of the district qualified to vote as provided in this act. Each issue of bonds of the district shall be numbered consecutively as authorized, and the bonds of each issue shall be numbered consecutively. The board of trustees shall fix the date of said bonds and may divide said issue into two or more divisions, and shall fix the dates of the bonds for each respective division. The date of any bond shall be subsequent to the election at which its issuance was authorized, and prior to its delivery to a purchaser from the district. The date of any issue of any bond authorized under this act or hereafter issued in pursuance of this act shall be deemed to be the apparent date of the said bond appearing on the face thereof. Each bond shall be signed by the president and secretary of the board of trustees of the district who may be in office at the date of said bond, or at any time thereafter prior to the delivery of said bond to the purchaser thereof from the district, and the seal of the district shall be impressed on each bond. The interest coupons shall also bear the signature of the secretary of the board of trustees or a fac simile of such signature. The board of trustees shall fix the denomination of said bonds, which shall not be less than one hundred dollars nor more than one thousand dollars. Said bonds shall bear interest at a rate to be fixed by the board of trustees, but the rate shall not exceed six per cent per annum. The interest shall be payable on the first day of January and the first day of July of each year. The board of trustees shall also designate the place or places at which bonds or any of them and the interest thereon shall be payable. Each issue or each designation of each issue of said bonds shall be payable in gold coin of the United States in twenty series as follows, to wit: At the expiration of twenty-one years from the date of any issue or any division of any issue of said bonds two per centum of the whole amount of such issue or division; at the expiration of twenty-two years from said date, two per centum of the whole amount

of such issue or division, at the expiration of twenty-three years from said date three per centum of the whole amount of such issue or division, at the expiration of twenty-four years from said date, three per centum of the whole amount of such issue or division, at the expiration of twenty-five years from said date, four per centum of the whole amount of such issue or division, at the expiration of twenty-six years from said date, four per centum of the whole amount of such issue or division; at the expiration of twenty-seven years from said date, four per centum of the whole amount of such issue or division, at the expiration of twenty-eight years from said date, four per centum of the whole amount of such issue or division at the expiration of twenty-nine years from said date, five per centum of the whole amount of such issue or division, at the expiration of thirty years from said date, five per centum of the whole amount of such issue or division at the expiration of thirty-one years from said date, five per centum of the whole amount of such issue or division; at the expiration of thirty-two years from said date, five per centum of the whole amount of such issue or division, at the expiration of thirty-three years from said date, six per centum of the whole amount of such issue or division, at the expiration of thirty-four years from said date, six per centum of the whole amount of such issue or division; at the expiration of thirty-five years from said date, six per centum of the whole amount of such issue or division; at the expiration of thirty-six years from said date, six per centum of the whole amount of such issue or division; at the expiration of thirty-seven years from said date, seven per centum of the whole amount of such issue or division; at the expiration of thirty-eight years from said date, seven per centum of the whole amount of such issue or division, at the expiration of thirty-nine years from said date, eight per centum of the whole amount of such issue or division; at the expiration of forty years from said date, eight per centum of the whole amount of such issue or division, *provided* that if any bonds are not dated on the first day of January or the first day of July, they shall nevertheless be made payable on the first day of January or the first day of July, next preceding the date on which they would become payable according to the foregoing schedule, bonds of any issue may be made payable at the ends of other periods than are specified herein and the number of series may be more or less than twenty, if the number of series and the length of the respective periods at the ends of which the respective amounts of bonds shall be made payable, have been specified in the notice of election at which the issuance of such bonds was authorized or on the recommendation of the irrigation district bond commission, but in any event the bonds shall all be made payable on the first day of January or the first day of July next preceding the ends of the respective periods specified, unless said bonds are dated on the first day of January and the first day of July, and in no case shall maturity of any bonds be more than forty years from the date thereof, nor shall more than eight per centum of the total amount of any issue or division be made payable in any one year if the number of series is made more than twenty Each bond shall be made payable at a given time for its full face value and not for a percentage thereof.

SEC. 22. Sale of Bonds, Notice by Publication The board of trustees may sell any bonds created in pursuance of the provisions of this act, and also may sell any bonds of the Palo Verde joint levee district of Riverside and Imperial counties, California, or the Palo Verde drainage district which are not sold at the time this district is organized and the property and the affairs of said levee and drainage district are taken over by this district, and all of such bonds may be sold in such quantities as may be necessary and most advantageous to raise money for the construction, maintenance or repairs of any of the works provided for in this act, the acquisition of the water rights and the water system provided to be acquired by this act, or any other property or property rights authorized to be acquired under this act, or for any other purpose fully to carry out the objects and purposes of this act, but *provided, however*, that the proceeds of any bonds of the joint levee district or drainage district to be taken over by this district must be used only for the purposes for which such bonds were issued, and may only be sold and disposed of in the manner and in accordance with the terms and provisions of said bonds, and of the act under which the same were created Before making any sale, the board shall, at a meeting, by resolution declare its intention to sell a specified amount of the bonds and the date and hour of the place of such sale and shall cause said resolution to be entered in the minutes and notice of sale to be given by publication thereof by at least three weekly publications in a newspaper published in Riverside county, California, and in any other publication at the discretion of the board. The notice shall state that sealed proposals will be received by the board at its office for the purchase of bonds, till the day and hour named in the resolution. At the time appointed the board shall open the proposals and award the purchaser of the bonds or any portion thereof to the highest responsible bidder or bidders, *provided, however*, that the board may reject any or all bids.

SEC 23. Election on Sale of Bonds for Less Than Par If the board of trustees of this district deems it desirable that said board shall be authorized to sell said bonds for less than the par value thereof, the board may call a special election to submit to the qualified voters of the district such proposition. Such election shall be held, and notice shall be given in the same manner as is provided herein in the case

of special elections to authorize the issuance of bonds or the board may submit such a proposal to the voters at any special election called for the purpose of authorizing the issuance of bonds, but in such event the notice of election shall specify that such proposal shall be submitted. If however, the proposal to sell bonds at less than par is submitted at a subsequent or special election, such election shall be held and notice thereof shall be given in the same manner as is provided herein in the case of special elections to authorize the issuance of bonds. In any event the proposal shall be stated in substantially the following form: "Shall the board of trustees of the Palo Verde irrigation district be authorized to sell bonds of the district for less than the par value thereof", followed by the words "Yes" and "No". If at least a majority of the legal votes cast at such election are for "Yes" then the board of trustees may sell any bonds authorized by said district to be issued, to the highest responsible bidder or bidders, as provided in the foregoing section. If less than a majority of the legal votes cast shall be for "Yes" the result shall be entered of record.

Nothing in the foregoing provision shall prevent the board of trustees exercising the power conferred upon them by this act to exchange any bonds issued in pursuance of this act in the acquisition of the water rights, water system or stock of the Palo Verde mutual water company, or any other properties to be acquired for the irrigation system of the district, but in no case shall any bonds of the district be exchanged on the basis of less than the par value and accrued interest of such bonds, nor for a price in excess of the price fixed by appraisement or determination of the value of such properties by the trustees as hereinbefore provided.

SEC. 24. Paid by Annual Assessment. All bonds issued and the interest thereon shall be paid from revenue derived from an annual assessment upon the land within the district and the improvements thereon, and all said properties within the district shall be and remain liable to be assessed for such payment, as hereinafter provided, in so far as any bonds created or authorized under the provisions of this act are concerned, but with respect to all bonds that have been issued and sold, or which may hereafter be sold, of the said Palo Verde joint levee district and the Palo Verde drainage district, the interest and principal thereof shall be paid from revenue derived from the annual assessment upon the properties within the boundaries of said respective districts, which are taxable therefor under the provisions of said bonds and the acts in pursuance of which they were created.

SEC. 25. Assessment to Complete Works—Notice of Election Ballots. In case the money raised by the sale of bonds issued be insufficient or in case bonds be unavailing for the completion of the plan of construction, maintenance or repair of the works undertaken to be performed under this act, or the acquisition of the necessary property, water rights and water system, or for other properties authorized to be acquired by this act or proposed to be acquired, and additional bonds be not voted or sold, it shall be the duty of the board of trustees to provide for the completion of said plan and the acquisition of such properties, water and water rights by levy of assessments therefor: *provided, however*, that such levy of assessments shall not be made except first an estimate of the amount required for such purpose has been made by the board of trustees, and the question as to the making of said levy submitted to a vote of the qualified voters of the district. Before such question is submitted the order of submission shall be entered in the minutes of the board stating the amount to be levied and the purposes therefor, and if submitted at a special election said orders shall in addition fix the date of election. Notice of such election must be given by posting notice in three public places in each election precinct in said district for at least twenty days, and also by publication of such notice in some newspaper published within the district, if there is one, but if not, then in Riverside county, California, by at least three weekly publications. Such notice must specify the time of holding the election and the amount of assessment proposed to be levied; said election must be held and the result thereof determined and declared in all respects as nearly as practicable and in conformity with the provisions of this act governing the election hereinbefore provided for; *provided, however*, that no informalities in conducting said election shall invalidate the same if the election shall have been otherwise fairly conducted. At such election the ballot shall contain the word "Assessment—Yes" and "Assessment—No" or words equivalent thereto. If a majority of the votes cast are "Assessment—Yes" the board of trustees shall cause an assessment in the amount named in the order of submission to be made and collected in the same manner herein provided with regard to annual assessments. It shall be the duty of the proper county officials of each of the counties in which the lands within this district are located, to cause the necessary assessment to be levied for taxes fixed and collected in the manner provided by the revenue laws for the assessment and collection of county taxes. If a majority of the votes cast are "Assessment—No" the result of such election shall be so declared and entered of record.

SEC. 26. Estimate of Annual Money Requirements of the District. The board of trustees of the district shall each year before the first day of September, and at such other times as the boards of supervisors of the counties of Riverside and Imperial may deem advisable, cause to be prepared and submitted to said boards of supervisors of the counties of Riverside and Imperial, a detailed statement showing the estimated amount of money that will be required for the purpose of payment

of the interest payments or installments of principal to become due, upon any of the outstanding bonds of the Palo Verde joint levee district of Riverside and Imperial counties, California, or the Palo Verde Mutual Water Company (should the system of that company be taken over and any of its bonds assumed by this district), or the Palo Verde drainage district, or the bonds of this district, and also a detailed statement of the amount necessary to maintain, repair and operate the levees, water works, or reclamation works, or the maintenance, upkeep or operation of any other works under the control of the district, and likewise to defray the expenses of administering or conducting the affairs of the district, and of carrying into effect the purposes of this act during the forthcoming fiscal year. The statements of the interest payments to become due upon the bonds of this district, the levee district and the drainage district, or other bonds assumed by this district, as well as the expenditures necessary for the levee protection work, drainage or reclamation work constructed by said respective districts shall all be separately stated. Should the board of trustees of the district fail to furnish such statement, it shall nevertheless be the duty of the boards of supervisors of said counties to ascertain the amount required to meet interest and installments of principal which will accrue during the forthcoming year, as well as such payments as may have accrued and remain unpaid, and assess and collect said amount as herein provided.

SEC. 27. Assessed Property. It shall be the duty of the county official of Riverside county having custody of the assessment roll of said county, and likewise the duty of the county official having custody of the assessment roll of Imperial county at the times herein mentioned, to furnish to the board of supervisors of their respective counties, on or before the first day of September of each year after the formation of this district, and at such other times as the board of trustees of this district shall require, a detailed statement showing the total assessed value of all real property, with the improvements thereon, within the boundaries of this district, to be taken from the last preceding equalized assessment roll for their respective counties, and said statement shall indicate what part of said total assessed valuation applies to lands with the improvements thereon within the boundaries of the Palo Verde joint levee district of Riverside and Imperial counties, but not within the boundaries of the Palo Verde drainage district, and likewise what part of said total valuation applies to lands within the Palo Verde drainage district, but not included within the boundaries of the Palo Verde levee district. Said statement shall also indicate the value of all personal property assessable within said joint levee district, and any and all other data necessary to enable the board of supervisors of their respective counties, or the board of trustees of this district, to fix the tax rate or to levy such assessments upon the taxable property within all said districts which may be taxable therefor under the provisions of this act, or the acts under which said joint levee district and drainage district were organized.

SEC. 28. Annual Tax Levy. At the time when by law it is the duty of the board of supervisors of each of said counties to fix the annual tax rate for said respective counties of Riverside and Imperial, the said boards of supervisors taking as a basis the last previous report of the board of trustees of the estimated amount to be required to be raised for the forthcoming fiscal year and valuation of the lands and improvements thereon within the district as provided them by said county official having custody of said assessment rolls, must levy a tax upon all of the lands, with the improvements thereon, in the district sufficient to raise the amount set forth in the report as made by said board of trustees as aforesaid, but in levying said tax, a rate shall be fixed for raising the amount to meet the principal and the accrued interest on the outstanding bonds of the said Palo Verde joint levee district, and the amount necessary for the maintenance, repair and operation of the levees constructed by said levee district, based upon the assessed value of the lands within the boundaries of said district, and a separate rate for the raising of money necessary to meet accrued instalments of principal and interest on the bonds of the said drainage district, estimated amount for maintenance repair and operating the drainage or reclamation sytems installed or constructed by that district, and a separate rate also for raising the amount necessary to meet instalments of principal and interest accruing on the bonds of this district and all other expenses incident to the purpose of this district, and the taxes shall be spread over the land of this district in such manner as that all lands comprised within the boundaries of all three districts, shall be assessed at the total of the three rates added together, and the lands within the drainage district but not within the levee district, shall be assessed at the rate applicable to this district plus the rate applicable to the drainage district and all lands within the levee district but not within the drainage district shall be assessed at the sum of the rate applicable to the levee district and to this district, but all properties acquired by this district after its organization, and all construction work or improvements in the way of providing, maintaining and operating water works, protection work or reclamation work in the entire district shall be deemed to be, and is hereby declared to be for the benefit of all lands within the district, and the cost thereof shall be apportioned and raised by taxation uniformly over the entire district in accordance with the assessed valuation of the real estate and improvements thereon within the district.

In ascertaining the rate of taxation 15 per cent shall be deducted from the aggregate value of the lands and improvements within the district, as shown by the statement prepared and furnished to said boards of supervisors by the assessors or other county official, as heremberfore provided, for anticipated delinquencies, and then the sums necessary to be raised shall be divided by the remainder of the aggregate assessed value as shown in said statements furnished by said officers. The taxes so levied shall be copied and entered on the assessment roll by the proper county officers and collected at the time and in the same manner as county taxes, and when collected shall be paid into the county treasury for the use of the district. All taxes so levied as herein provided shall be a lien upon the lands and properties in said district in the *manner and with the same effect and collected in the same way as are county taxes.*

SEC. 29. Disbursement of District Funds. All moneys collected from the district, either from taxes or from any other source, shall be deposited with the county treasurer of the county of Riverside and placed in a fund to be called "The Palo Verde irrigation district fund." It shall be the duty of the county treasurer of Imperial county as funds derived from the collection of taxes levied by virtue of this act upon the property within this district located in Imperial county, are paid over to him by the tax collector of said county, to transmit the same to the county treasurer of Riverside county to be deposited by said last named treasurer in the fund above mentioned, but the county treasurer of Imperial county shall not be required to transmit said funds as they accumulate oftener than every thirty days. All payments required to be made by the district in pursuance of this act shall be made upon warrants drawn by the county auditor upon said fund and based upon itemized requisitions signed by the president and secretary and one member of the board of trustees other than *the president and secretary, and paid by the treasurer, but accurate account shall be* kept by the board of trustees of the amount of funds on hand applicable to the particular purpose for which taxes have been levied, or bonds sold, and no disbursement from the fund shall be made for any purpose in excess of the amounts authorized for such purpose and each requisition shall show on its face the account to which the same is chargeable. Upon the requisition of the board of trustees the auditor is authorized to draw a warrant from time to time in favor of the district for the purpose of providing an emergency fund for the payment of emergency expenses, and the treasurer is authorized to pay such warrant, but the trustees shall cause the same to be deposited in a reputable bank to the credit of the district, and such fund may be disbursed on checks in the name of the district signed by the president and secretary and countersigned by one member of the board of trustees in addition to the president and secretary for emergency purposes, but *provided, however*, that the amount on deposit in that fund shall never exceed five thousand dollars, and an *itemized statement of the disposition of the same shall be made at least every thirty* days, verified by the oath of the president and secretary and filed with the county auditor of Riverside county *and provided, further* that the board of trustees shall at all times keep in force a good and sufficient indemnity bond executed by a reputable corporation authorized to engage in the business of executing fidelity bonds in the State of California in an amount to be fixed by the board of trustees.

SEC. 30. County Aid for Improvements. If the said board of supervisors of either the county of Riverside or Imperial shall consider that the construction or repair of dikes, levees, reclamation, canals, water works or other works of said *district along or upon any of the county roads of said county will be for the mutual* benefit of said district and said county, then in that event the respective boards of supervisors of said counties shall have power and may contribute to the expense and costs of such work such sums of money as they may deem proper on behalf of the county, and such money shall be paid out of either the joint road fund or the special fund of any road district for which such work is done, and as a majority of the board of supervisors may determine.

SEC. 31. Emergency Loans by Counties. If, at any time in the opinion of either or both of said boards of supervisors, the expenditure of money is absolutely necessary to the welfare of this district, and there is no money in the fund of said district to make such necessary expenditure, or the money in said fund is insufficient to make such necessary expenditure, then said boards of supervisors or either or both of them may advance such money out of the funds of said counties for said purpose, and as soon as there is sufficient money in the fund of this district to pay the amount so advanced the board of supervisors of Riverside county shall direct the county treasurer of said county to repay the same to the county entitled thereto from the funds of this district.

SEC. 32. Trustees Not to Be Interested in Contracts. No trustee or any other officer of this district shall in any manner, be interested directly or indirectly in any contract awarded or to be awarded by the board in the profit to be derived therefrom, and for any violation of this provision such officer shall be deemed guilty of a misdemeanor and such act shall work a forfeiture of his office, and he shall be punishable by a fine not to exceed five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

SEC. 33. Suit to Determine Validity of Bonds. The board of trustees may at any time before the issue of any bonds or the levy of any assessment herein provided

for, bring an action in the superior court of Riverside county to determine the validity of any such bonds or such levy or assessment. Such action shall be in the nature of a proceeding in rem and jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in some paper of general circulation published in said county, such paper to be designated by the court having jurisdiction of the proceedings. Jurisdiction shall be complete within ten days after the full publication of such summons in the manner herein provided. Any one interested may at any time before the expiration of said ten days appear, and by proper proceedings contest the validity of such bonds or assessments. Such action shall be speedily tried and judgment rendered declaring such bonds or assessment so contested either valid or invalid. Either party may have the right to appeal to the supreme court at any time within thirty days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal.

SEC. 34. Assessment Payer May Bring Action. If no such proceedings shall have been brought by the board of trustees, then, at any time within thirty days after the levy of any assessment or issue of any bonds under the provisions of this act, any district assessment payer may bring an action in the superior court of the county of Riverside to determine the validity of any such assessment or such bonds. The board of trustees shall be made parties defendant, and service of summons shall be made on at least three members of the board personally. Said board shall have the right to appear and contest such action. Such action shall be speedily tried, with the right of appeal to either party, within the time and manner herein provided with reference to the bringing of actions by the board to determine such matters. Such appeal shall be heard and determined in the manner and within the time therein provided.

SEC. 35. Consolidation of Actions. If more than one action shall be pending at the same time concerning similar contests in this act provided for, they shall be consolidated and tried together.

SEC. 36. Courts Must Disregard Errors, Etc., Rules of Pleading, Costs. The court hearing any of the contests herein provided for, in inquiring into the regularity, legality or correctness of such proceedings, must disregard any error, irregularity or omission which does not affect the substantial rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure which are not inconsistent with the provisions of this act, are applicable to all actions or proceedings herein provided for. The motion for a new trial of any such action or proceeding must be heard and determined within ten days from the filing of the notice of intention. The costs of any hearing or contest herein provided for, may be allowed and apportioned between the parties, or taxed to the losing party, in the discretion of the court.

SEC. 37. Contests. No contest of anything or matter herein provided shall be made other than within the time and manner herein specified, and in any such action all findings of fact or conclusions of said board of trustees or of the board of supervisors upon all matters shall be conclusive, unless such action was instituted within six months after such finding or conclusion was made.

SEC. 38. Penalty for Violation of Duty. For any wilful violation of any express duty herein provided for on the part of any officer herein named, he shall be liable upon his official bond and be subject to removal from office, by proceedings brought in the superior court of the county wherein the office of the board of directors of the district is located, by any assessment payer of the district.

SEC. 39. Bonds Exempt from Taxation. Any and all bonds issued under the provisions of this act are hereby given the same force, value and use as bonds issued by any municipality, and shall be exempt from any taxation within the State of California.

SEC. 40. Exclusion of Lands. Change of Boundaries by Exclusion of Lands. The boundaries of this district may be changed by exclusion of lands therefrom by following substantially the procedure prescribed in the act of the legislature of the State of California known as "The California irrigation district act" approved March 31, 1897, and which provisions on that subject are embodied in sections seventy-four to eighty-four, both inclusive, and all of the provisions of said act with respect to the exclusion of land as the same have been amended and existed on January 1, 1923, are hereby adopted as a part of this act, except that the powers, rights and duties conferred upon the board of directors of irrigation districts formed under said act, are hereby conferred upon the board of trustees of this district; *and provided further*, that it shall not be necessary to make any division or redivision of the lands within the district on account of any such exclusion, as provided in sections eighty-one and eighty-two of said act; nor shall the exclusion of lands in any manner affect the tenure of office or manner of election of trustees of this district; *and provided further* that the exclusion of lands from this district shall not in any manner operate to release the lands so excluded from any obligation to pay, or lien thereon of any valid outstanding bonds or other indebtedness of said district at the time of the filing of the petition for the exclusion of such land, but on the contrary the same shall be held subject to such lien and answerable and chargeable for and with the payment and discharge of all such outstanding obligations at the time of the filing of the petition for the exclusion of such land as fully as though said petition for the exclusion of the

same was never filed, or order for the exclusion never made, and for the purpose of discharging said outstanding indebtedness the land so excluded shall be deemed and considered as part of the district the same as though the same had never been excluded and all provisions which may have been resorted to to compel the payment by said lands of their pro rata or proportion of said outstanding obligations may, notwithstanding said exclusion, be resorted to to compel and force the payment on the part of said lands of their quota and proportion of such outstanding obligations for which they are liable, but the property so excluded shall not be held answerable or chargeable for any obligations of any nature or kind whatever incurred after the filing with the board of trustees of the district of the petition for the exclusion of the same from the district.

SEC. 41. Inclusion of Lands. Boundaries May be Changed. Existing Rights Not Affected. The boundaries of this district may be changed by the inclusion of land therein in the manner herein prescribed, but such change of the boundaries of the district shall not impair or affect its organization, or its rights in or to property or any of its rights or privileges of whatsoever kind or nature, nor shall it affect, impair, or discharge any contract, obligation, lien or charge for or upon which it was or might become liable or chargeable had such change of its boundaries not been made.

SEC. 42. Manner of Procedure for Inclusion of Lands. The holder or holders of title, or evidence of title, representing one-half or more of any body of lands adjacent to the boundary of this district, which are contiguous, and which, taken together, constitute one tract of land, may file with the board of trustees of this district, a petition in writing, praying that the boundaries of said district may be so changed as to include therein said lands. The petition shall describe the boundaries of said parcel or tract of land and shall also describe the boundaries of several parcels owned by the petitioners, if the petitioners be the owners respectively of distinct parcels, but such descriptions need not be more particular than they are required to be when such lands are entered by the county assessor on the assessment book. Such petition must contain the assent of the petitioners to the inclusion within said district of the parcels or tracts of land described in the petition, and of which said petition alleges they are respectively, the owners, and it must be acknowledged in the same manner that conveyances of land are required to be acknowledged.

SEC. 43. Notice of Filing of Petition. The secretary of the board of trustees shall cause a notice of the filing of such petition to be given and published in the same manner and for the same time that notices of special elections for the issue of bonds are required by this act to be published. The notice shall state the filing of such petition and the names of the petitioners, a description of the lands mentioned in said petition, and the prayer of said petition, and it shall notify all persons interested in, or that may be affected by such change of the boundaries of the district, to appear at the office of said board at a time named in said notice, and show cause in writing, if any they have, why the change in the boundaries of said district, as proposed in said petition, should not be made. The time to be specified in the notice at which they shall be required to show cause shall be the regular meeting of the board next after the expiration of the time for the publication of the notice. The petitioners shall advance to the secretary sufficient money to pay the estimated costs of all proceedings under this act.

SEC. 44. Hearing of Petition. Failure to Appear Deemed an Assent. The board of trustees, at the time and place mentioned in the said notice, or at such other time or times to which the hearing of said petition may be adjourned, shall proceed to hear the petition, and all the objections thereto, presented in writing by any person showing cause as aforesaid why said proposed change of boundaries of the district should not be made. The failure by any person, interested in the district, or in the matter of the proposed change of its boundaries, to show cause, in writing, as aforesaid, shall be deemed and taken as an assent on his part to a change of the boundaries of the district as prayed for in said petition, or to such a change thereof as will include a part of said lands. And the filing of such petition with said board, as aforesaid, shall be deemed and taken as an assent on the part of each and all of such petitioners to such a change of said boundaries that they may include the whole or any portion of the lands described in said petition.

SEC. 45. Condition Precedent. The board of trustees may require, as a condition precedent to the granting of the petition, that the petitioners shall severally pay to such district such respective sums, as nearly as the same can be estimated (the several amounts to be determined by the board) as said petitioners or their grantors would have been required to pay to such districts as assessments, had such lands been included in such district at the time the same was originally formed.

SEC. 46. Change in Boundaries. If the board of trustees deem it for the best interest of the district that the boundaries of said district be changed and if no person interested in said district or the proposed change of its boundaries shows cause, in writing, why the proposed change should not be made, or, having shown cause, withdraws the same, the board may order that the boundaries of the district be so changed as to include therein the lands mentioned in said petition or some

part thereof. The order shall describe the boundaries as changed and shall also describe the entire boundaries of the district as they will be after the change thereof as aforesaid is made; and for that purpose the board may cause a survey to be made of such portions of such boundary as is deemed necessary, *provided, however*, that any public land of the United States of America adjoining the boundaries of this district may be included within the boundaries of this district by order or resolution of the board of trustees of such district without any petition being filed asking for such inclusion, *and provided further*, that when additional land is included within this district and the board of trustees of such district finds that such inclusion without condition would work an injury to the land already in the district either by an impairment of water right or by requiring a greater expense for furnishing water to the lands proposed to be included, the board may prescribe conditions upon such inclusion of land, either by providing for priority of right to water or for the payment of an additional annual charge or such other condition as may to the board seem just. If such inclusion is upon petition of property owners all such property owners must sign and acknowledge an agreement with the district, specifying such conditions and describing the land so to be included. Such agreement must be recorded in the office of the county recorder of the county in which such lands are situated together with a certified copy of the order including such lands, and thereupon such lands shall become a part of this district subject to such conditions.

SEC. 47. Resolution Describing Boundaries. If any person interested in said district or the proposed change of its boundaries shall show cause as aforesaid why such boundaries should not be changed and shall not withdraw the same or if the board of trustees deem it not for the best interests of the district that the boundaries thereof be changed so as to include therein the lands mentioned in the petition or some part thereof, the board shall adopt a resolution to that effect. The resolution shall describe the exterior boundaries of the land which will be included within the boundaries of the district when changed but before calling the election provided for in the next section, the board may require an undertaking, with sufficient sureties, from the petitioners that they will pay all of the cost of holding such election for the inclusion of such lands in case such inclusion should be denied.

SEC. 48. Notice of Election. Ballots. Upon the adoption of the resolution mentioned in the last preceding section the board of trustees shall order that an election be held within said district, to determine whether the boundaries of the district shall be changed, as mentioned in said resolution and shall fix the time at which such election shall be held, and cause notice thereof to be given and published. Such notice shall be given and published, and such election shall be held and conducted, the returns thereof shall be made and canvassed, and the result of the election ascertained and declared, and all things pertaining thereto conducted in the manner prescribed by this act in case of a special election to determine whether bonds of this irrigation district shall be issued. The ballots cast at said election shall contain the words "For change of boundary", or "Against change of boundary", or words equivalent thereto. The notice of election shall describe the proposed changes of the boundaries in such manner and terms that it can readily be traced.

SEC. 49. Election, Holding of, Time and Notice of Ballots. If at such election a majority of all the votes cast at said election shall be against such change of the boundaries of the district, the board shall order that said petition be denied, and shall proceed no further in that matter. But if a majority of such votes be in favor of such change of the boundaries of the district, the board shall thereupon order that the boundaries be changed in accordance with said resolution adopted by the board. The said order shall describe the entire boundaries of said district, and for that purpose the board may cause a survey of such portions thereof to be made as the board may deem necessary.

SEC. 50. Order of Board to be Recorded. Upon a change of the boundaries of the district being made, a copy of the order of the board of trustees ordering such change, certified by the president and secretary of the board, shall be filed for record in the recorder's office of each county within which are situated any of the lands of the district, and thereupon the district shall be and remain a district as fully, and to every intent and purpose, as if the lands which are included in the district by the change of the boundaries, as aforesaid, had been included therein at the original organization of the district.

SEC. 51. Recording Petition in Minutes. Upon the filing of the copies of the order, as in the last preceding section mentioned, the secretary shall record in the minutes of the board the petition aforesaid and the said minutes, or a certified copy thereof, shall be admissible in evidence with the same effect as the petition.

SEC. 52. Rights of Guardians, Executors and Administrators. A guardian, an executor or an administrator of an estate, who is appointed as such under the laws of this state, and who as such guardian executor or administrator, is entitled to the possession of the lands belonging to the estate which he represents may, on behalf of his ward, or the estate which he represents, upon being thereunto authorized by the proper court, sign and acknowledge the petition in this act mentioned,

and may show cause, as in this act mentioned, why the boundaries of the district should not be changed

SEC 53 Provisions for Funding Outstanding Bonds At the time fixed for the levying of assessments for other purposes authorized by this act, there shall be levied an assessment sufficient in amount to pay the principal and interest then due and unpaid on any bonds issued for funding purposes as herein provided, and also the amount to become due on any such bonds during the year following such levy. The assessment so levied shall be computed and entered in the assessment roll in the same manner, and shall be collected at the same time and in the same manner as other assessments authorized by this act, and when collected shall be paid to the county treasurer of the county of Riverside for the purposes herein authorized All provisions of this act relating to the collection of assessments shall be applicable to the assessments levied under this provision

SEC 54. Exchange of Bonds The funding bonds issued as herein provided may be exchanged at not less than their par value for any of the indebtedness set out and described in the notice of election authorizing the issuance of said refunding bonds.

A contract for such exchange may be made by the board of trustees upon such terms as said board may deem advisable, *provided* that they must receive not less than the par value for the bonds so exchanged.

SEC 55 Unnecessary Bonds May Be Destroyed Whenever there remains in the hands of the secretary of the district any funding bonds voted to be issued by said district, but not used, and not necessary to be used for the funding purposes set out and described in the petition for the issuance of said bonds, then said board of trustees shall, at a regular meeting, within three months after the completion of the funding, cause the same to be destroyed, and a record to be made thereof, and the total amount of bonds so destroyed and canceled shall be deducted from the sum authorized to be issued by the voters of the district, and no part thereof shall be thereafter reprinted or reissued.

SEC 56. Bonds Are a Lien on Property. Any bonds issued under the provisions of this act shall for funding or refunding purposes, be a lien upon the real property of the district, and said bonds and the interest thereon shall be paid by revenue derived from an annual assessment upon the real property of the district and improvements, and all such property in said district shall be and remain liable to be assessed for such payments as hereinbefore provided

SEC 57. Refunding of Bonds The board of trustees of this district may, by a majority vote of the members of the board of trustees, submit to the electors of the district at any election, a proposition for the issuance of new bonds for the purpose of refunding any or all of the bonds outstanding issued by this district, or the Palo Verde joint levee district of Riverside and Imperial counties, California, or the Palo Verde drainage district, or the Palo Verde Mutual Water Company assumed by this district, hereinbefore referred to Such election shall be held, and the vote thereon shall be the same as provided in this act with respect to the issuance of other bonds of this district, *provided*, no petition therefor need be circulated or signed, *and provided further*, that a majority of the votes of those voting on said proposition shall be sufficient to carry the same Such bonds shall bear interest at a rate the same as or lower than the bonds to be refunded, and no refunding bonds shall have a later date of maturity than forty years from the date of their issuance

SEC 58 Form—Sale The refunding bonds shall be issued in substantially the manner and in the form required by law for the issuance of other bonds of this district. These bonds may be sold from time to time in the same manner as other bonds of the district, or if the trustees of the district and the holders of any of the bonds so elect, they may be exchanged in payment of the bonds so outstanding and surrendered.

SEC 59. Tax Levy to Pay Interest and Principal The board of trustees shall cause to be assessed and levied each year upon the real property in the district, in addition to the levy authorized for other purposes, a sufficient sum to pay the interest on or principal of such refunding bonds in the same manner as provided in this act relating to the levy and collection of assessments for other purposes.

SEC 60 Dissolution All laws of the State of California providing for the dissolution of irrigation districts shall apply to the district organized by this act, in like manner as irrigation districts formed under the general laws.

SEC 61. Effect of Unconstitutional Provision If any section, subsection, sentence, clause or phrase of this act is for any reason, held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. Neither shall the validity of any bonds authorized or issued under this act, or any assessment levied upon the properties of the district in pursuance of this act, be in any manner affected or impaired, should it be found or declared judicial or otherwise, that any of the trustees or officers participating in said proceedings for the issuance of bonds, or the levying of an assessment were not legally elected or not lawfully in office, but on the contrary notwithstanding any such person purporting to act as trustee or officer of the district might not have been legally elected, or duly qualified, and notwithstanding any provisions in this act with reference to the manner of the selection of the trustees may be held unconstitutional, nevertheless the persons who have received the majority of the votes cast at elections and purporting to act on

behalf of the district, as such trustees, shall be treated as the authorized officers or representatives of the district for the purpose of conducting or participating in the proceedings for the issuance of bonds and the levying of assessments, and such bonds and assessments shall nevertheless be valid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out all of lines 6, 7, and 8

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 184—An act to amend section 396 of the Political Code relating to the duties of the Lieutenant Governor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 738—An act to require every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any automobile, jitney bus, auto truck, stage or auto stage used in the business of transportation of persons or property or as a common carrier for compensation over any public highway in this State, to procure licenses to permit them to continue to so operate for any distance whatsoever along any public highway; and providing for the issuance of such licenses; and fixing fees to be paid for and under such licenses; and fixing penalties for violations of this act; and authorizing certain proceedings by and before the Railroad Commission in connection therewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out the title and insert the following as a title

"An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle to provide for certain exemptions, to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected

on account of such licenses, to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith."

AMENDMENT NUMBER TWO.

Strike out all of section 1, beginning with line 1 on page 1 and ending with line 10 on page 2, and insert the following

"SECTION 1. The words and phrases used in this act shall for the purposes of this act, unless the same be contrary to or inconsistent with the context, be construed as follows

(a) The phrase "railroad commission certificate" shall be construed to mean a certificate of public convenience and necessity granted or issued by the railroad commission of the State of California, authorizing a common carrier by motor vehicle to operate under the conditions prescribed by said commission, and shall also include all amendments to or changes in such certificate which may be made by said commission

(b) The word "operator" shall include all persons, firms, associations and corporations who operate motor vehicles upon any public highway in this state and thereby engage in the transportation of persons or property for hire or compensation, but shall not include any person, firm, association or corporation who solely transports by motor vehicle persons to and from or to or from attendance upon any public school or who solely transports his or its own property, or employees, or both, and who transports no persons or property for hire or compensation.

(c) The term "registration certificate" shall include any and all certificates of registration of a motor vehicle issued by the division of motor vehicles of the department of finance of the State of California, or by any governmental body within said state under which the laws of the said state may have power or authority to register and certify to the registration of a motor vehicle for operation within said state

(d) The word "motor vehicles" shall mean and include all vehicles, automobiles, trucks or trailers operated upon or over public highways of this state whether the same be propelled or operated by steam or electricity, or propelled or operated by combustion of gasoline, distillate of other volatile and inflammable liquid fuels

(e) The term "gross receipts from operation" shall include all receipts from the operation of such motor vehicle or vehicles beginning and ending entirely within this state and a proportion based upon the proportion of the mileage within this state to the entire mileagle over which such business is done of gross receipts by such operator on all business passing through, into or out of this state, or partly within and partly without this state, it being the intention hereof not to base all or any portion of the license fee hereby imposed upon any receipts from interstate commerce or upon the right or privilege to engage in interstate commerce."

AMENDMENT NUMBER THREE

Strike out all of section 2 beginning with line 11 on page 2, and ending with line 19 on page 2, and insert the following

"SEC. 2. Each operator of a motor vehicle within this state who transports or desires to transport for compensation or hire persons or property upon or over any public highway within this state shall apply to and secure from the board of equalization of the State of California a license to operate each and all of the motor vehicles which such operator desires to operate or which such operator from time to time may operate."

AMENDMENT NUMBER FOUR

Strike out all of section 3, beginning with line 20 on page 1, and ending with line 43 on page 2, and insert the following

"SEC. 3. Such license shall only be issued upon the filing with said board of a verified application by the applicant or his or its duly authorized agent in the form to be prescribed by said board, which application shall estimate the gross receipts from operation to be derived by the applicant operator from his operation of motor vehicles within this state for the period of three months next ensuing from the first day of the month following that in which such application is filed. Said application shall contain an agreement to pay to the state controller of the State of California at the capital of said state at the end of each quarter of the calendar year a sum equal to five per cent of the gross receipts from operation derived from the operation of motor vehicles by the applicant within said state during such quarter of the calendar year. Said board shall transmit to the state controller each month a list of the operators of motor vehicles securing licenses from it under the provisions of this act, together with the amount of tax collectible from each operator."
in duplicate, to such applicant."

AMENDMENT NUMBER FIVE.

Strike out all of section 4, beginning with line 44 on page 2 and ending with line 22 of page 4, and insert the following

"SEC. 4. At the end of each quarter of the calendar year such applicant may renew such license only by paying to the state controller of the State of California at

an amount equal to five per cent of said applicant's gross receipts from operation derived by such applicant from the operation of such motor vehicles during the preceding quarter, and upon such payment said state controller shall issue a receipt, in duplicate, to such applicant."

AMENDMENT NUMBER SIX.

Strike out all of section 5, beginning with line 23 on page 4, and ending with line 39 on page 4, and insert the following

"SEC. 5. Said board of equalization shall have the power and authority to prescribe the forms of all reports of gross receipts from operation necessary to enable it or the state authorities to determine the amount and character thereof, and shall have power to subpoena witnesses duces tecum at any point within the State of California, and the state controller shall have the power to request the attorney general of said state to bring suit for the recovery of any unpaid license fee and costs. It shall be the duty of the attorney general to bring such suit on the written request of said state controller and in the name of said state, and the primary jurisdiction of said action shall, if the amount sued for exclusive of costs be or exceed the sum of three hundred dollars, be exclusively vested in the superior court of the State of California, in and for the county of Sacramento, and if such amount so sued for, exclusive of costs, shall be less than the sum of three hundred dollars, said primary jurisdiction shall be exclusively in any justices' court in said county of Sacramento, payment of an amount to said state controller for and on account of such license fee and the acceptance thereof shall not bar an action by the state to recover an additional amount for the same quarter which may actually be due. Any license holder may pay to the state controller all or any portion of the license fee hereby imposed under written protest and may bring an action against such controller in his official capacity in the superior court of the State of California in and for the county of Sacramento, and obtain a judgment that said license fee has been in whole or in part illegally or unlawfully exacted or collected, and said judgment may be made the basis for an appropriation by the legislature of said state to reimburse said license holder, or his, or its, heirs, executors, successors, administrators or assigns, in the amount of said judgment without interest or costs."

AMENDMENT NUMBER SEVEN.

Strike out all of section 6, beginning with line 40 on page 4, and ending with line 44 on page 4, and insert the following:

"SEC. 6. Upon the issuance of a license by said board of equalization to an operator of a motor vehicle or vehicles said board shall furnish to such operator an emblem or plate for each motor vehicle desired to be operated by such operator under said license which emblem shall be attached to and conspicuously displayed upon each of the motor vehicles authorized to be operated by said license. Said emblems shall each bear a different number and said board shall keep a record of the emblems so issued, with the date of issuance, and the name of the operator to whom said emblems may be issued. Said board shall charge and collect from such operator the cost to the state of the manufacture and delivery to said board of such emblems. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of five thousand dollars for the purpose of designing, preparing and securing such emblem; said money to be expended by said board on warrants drawn in the manner provided by law, and said amount to be a revolving fund into which shall be paid from time to time as they are collected the amounts received from operators of motor vehicles for said emblems and the legislature may from time to time withdraw from said fund such amounts as it may deem proper, provided, that said fund shall not be decreased below the sum of five thousand dollars."

AMENDMENT NUMBER EIGHT

Add the following sections to said bill, to be numbered section 7, section 8, section 9, section 10, section 11 and section 12, and reading as follows:

"SEC. 7. Any person, firm, association, or corporation who shall use any public highway in this state for the transportation of persons or property for hire, either as a public or a private carrier, without first obtaining the license herein provided for, or without carrying upon each motor vehicle so used the emblem herein provided for, or who fails, neglects or refuses to make any return hereunder or any report required by the state board of equalization or who makes any false return, shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment. Any such operator of a motor vehicle who holds a California railroad commission certificate entitling him or it to operate as a common carrier and who fails, neglects or refuses for the period of thirty days from the end of any quarter of the calendar year to pay the license fee hereby imposed shall have his or its certificate revoked by said railroad commission, and it shall be mandatory upon said railroad commission to revoke said certificate upon written complaint to it by said board of equalization that said operator has for the period of thirty days failed, neglected or refused to pay such license fee, and said revocation shall be in addition to and independent of the penalty for misdemeanor herein prescribed. If any such operator of a motor vehicle

shall fail, neglect or refuse for the period of thirty days next succeeding the end of any quarter of a calendar year to pay the license fee hereby imposed, the division of motor vehicles of the department of finance of the State of California shall upon written complaint of said board of equalization and upon ten days notice to such operator, revoke any and all registration certificates held by such operator for any motor vehicles employed by him or it in the business of transportation of persons or property upon the highways of this state for hire.

SEC. 8. All sums paid to the state controller under and by virtue of this act, excepting such sums as are paid for said emblems, shall be deposited by him in the state treasury to the credit of the motor vehicle fuel fund, and shall be applied and the same are hereby appropriated one-half to the State of California to be devoted exclusively to the maintenance and repair of public highways within this state; the remaining one-half shall be apportioned among the respective counties of this state, in the proportion that the number of motor vehicles registered within such county for the preceding calendar year bears to the total number of motor vehicles registered in the State of California under the motor vehicle act of such state for the preceding year, and such sums so paid to said counties shall be devoted exclusively to the maintenance and repair of the public highways within such county.

SEC. 9. This act shall not apply to taxicabs or like motor carriers which do not run over regular routes nor shall it apply to hotel busses meeting trains, cars or boats or to sight-seeing motor vehicles.

SEC. 10. Nothing in this act shall be construed to apply to any sums received by any operator on account of transportation of United States mails under contract.

SEC. 11. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared unconstitutional.

SEC. 12. All acts and parts of acts in conflict herewith are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 869—An act providing for reciprocal and interexchanges of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 6, both inclusive, of the title of the printed bill, and in lieu thereof insert the following:

"An act to amend section five of, and to add a new section to be numbered seven *a*, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee' approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, both inclusive, and all of pages 2, 3, 4, 5 and 6, and in lieu thereof insert the following:

"SECTION 1. Section five of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved

May 26, 1917, as amended," approved June 3, 1921, is hereby amended to read as follows:

Sec. 5. There shall at all times be maintained as assets in cash or securities of the kind designated by the laws of the state where the principal office is located for the investment of funds of insurance companies:

(a) A sum equal to one hundred per cent of the pro rata unearned premium deposits collected from subscribers.

(b) A sum sufficient to discharge all liabilities other than the unearned premium deposit reserve arising under policies issued.

The liabilities for losses outstanding similar to those for which companies insuring similar risks are required by law to maintain reserves shall be calculated and maintained in the manner provided for by law for the maintenance of such reserves; provided, however, that all reserves for losses outstanding on indemnity exchanged prior to July 1, 1919, shall be calculated according to the provision of law in force at the time said contracts were entered into.

If at any time the assets so held in cash or such securities shall be less than the reserves as required above, the subscribers or their attorney for them shall make up the deficiency within thirty days after notice from the insurance commissioner so to do; provided, however, that every exchange must maintain in cash and such securities an amount not less than fifty thousand dollars in excess of the assets to be maintained to meet the reserves required by subsection (b) of this section. In estimating the financial condition of any exchange there shall be allowed as admitted assets assessments or premium deposits actually levied and in process of collection not over ninety days due.

Sec. 2. A new section is hereby added to said act, approved June 3, 1921, to be numbered seven a, and to read as follows:

Sec. 7a. Any exchange operating in this state may consolidate with or reinsure any part or its entire business in another exchange. If the principal office of an exchange entering into such contracts of consolidation or of re-insurance is located in this state, the contract for such consolidation or reinsurance shall be submitted to and approved by the insurance commissioner of this state before becoming effective."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the printed bill strike out the numerals "1912" and insert in lieu thereof the numerals "1921".

AMENDMENT NUMBER TWO.

In line 4 of the printed bill, after the word "repealed" add the following words "except as to claims for expenditures incurred in accordance with law prior to June 30, 1923."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof, and providing for the keeping of such plans, specifications and certificates as public records

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810d, relating to estates of minors—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 291?

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out the words "less than five" and insert in lieu thereof the words "one thousand dollars or less".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the words "hundred dollars".

The roll was called, and Senate amendments to Assembly Bill No. 291 were concurred in by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard Carter, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Erb, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston Kline, McMillan, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, West, Woodbridge, Wright, and Mr Speaker—44.

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate amended and on this day passed as amended, Assembly Bill No 476—An act to amend section 7 of an act entitled, "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 476?

AMENDMENT NUMBER ONE

On page 1, line 5, of the title of the printed bill, strike out the "11" after the word "April" and insert in lieu thereof "27".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the "11" following the word "April" and insert in lieu thereof "27".

The roll was called, and Senate amendments to Assembly Bill No. 476 were concurred in by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, Mitchell, A. G., Noyes, Pomeroy, Prendergast, Reindollar, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 697?

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the following: "not to exceed ten dollars a day,".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the word "experts" and insert in lieu thereof the word "expert".

AMENDMENT NUMBER THREE.

On page 1, of the printed bill, strike out lines 15, 16 and 17 and in lieu thereof insert the following: "approved by the court. It shall be the duty of".

The roll was called, and Senate amendments to Assembly Bill No. 697 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Graves, Hawes, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California, to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics; to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation

butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act.' Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 879?

AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed bill, after the word "milk" following the word "fat", insert the following: ", (except that to be manufactured into cheese and except that to be skimmed for making butter "for cooking and baking only" as provided in paragraph (*b*) of section six of this act)".

AMENDMENT NUMBER TWO

On page 3, line 26, of the printed bill, after the word "cream" insert the following: ", (except that for making butter "for cooking and baking only" as provided in paragraph (*b*) of section six of this act)".

AMENDMENT NUMBER THREE

On page 4, line 37, of the printed bill after the word "copyrighted", insert the following "or registered in the office of the secretary of state of the State of California".

AMENDMENT NUMBER FOUR.

On page 5, line 25, of the printed bill, strike out the word "homogenized".

AMENDMENT NUMBER FIVE.

On page 5, line 45, of the printed bill, strike out the words "and coloring"

AMENDMENT NUMBER SIX

On page 6, line 11, of the printed bill, strike out the word "milliheters" and in lieu thereof insert the word "milliliters".

AMENDMENT NUMBER SEVEN.

On page 13, line 17, of the printed bill, after the period following the word "therein", insert the following as a new paragraph.

"(*p*) No imitation milk or cheese or oleomargarine shall be used in any of the charitable or penal institutions that receive assistance from the state."

AMENDMENT NUMBER EIGHT.

On page 15, line 16, of the printed bill, after the word "frequency", strike out the period and in lieu thereof insert the following ", and if suitable toilet and lavatory facilities and clean towels are not provided for employees".

AMENDMENT NUMBER NINE.

On page 16, line 8, of the printed bill, after the word "shall" insert the word "date,".

AMENDMENT NUMBER TEN

On page 16, line 32, of the printed bill, after the word "of" insert the word "receiving,".

AMENDMENT NUMBER ELEVEN.

On page 16, line 38, of the printed bill, after the word "be" insert the word "received,".

AMENDMENT NUMBER TWELVE.

On page 20, strike out all of lines 36 to 41, inclusive, and in lieu thereof insert the following "All vehicles, boats or conveyances, while transporting milk or cream or clean empty containers, intended for milk or cream, shall either be enclosed or provided with canvas covering or otherwise afford necessary protection from the direct rays of the sun and from the outside warm air and from dust, mud, rain, and other sources of contamination, when in the judgment of an authorized representative of the department of agriculture of the State of California, it is necessary."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 879 by the following vote:

AYES—None.

NOES—Badham, Baker, Edwin Ball, Bernard, Broughton, Burns, Christian, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Fulwider, Hawes, Johnson, Jones, Lyman, Mathews, McMillan, Miller,

Mitchell, A. G., Noyes, Pemeroy, Prendergast, Rendollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—46.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dozier asked for and was granted unanimous consent to take up Assembly Bill No. 1064, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND AND SIXTY-FOUR.

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the Superintendents of Schools.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Dozier moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 6, line 5, of the printed bill, strike out the words "to be appointed by the county board of education" and insert in lieu thereof the words "to be appointed by the superintendent and the appointment confirmed by the county board of education."

Motion carried.

The Speaker appointed Mr. Dozier as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1064, with instructions, reports that the instructions of the Assembly have been carried out.

DOZIER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. Noyes moved that Assembly Bill No. 1144 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1144 re-referred to Committee on Revenue and Taxation.

MOTION TO RE-REFER.

Mr. Stow moved that Assembly Bill No. 1222 be withdrawn from the file, and ordered re-referred to Committee on Agriculture.

Motion carried.

Assembly Bill No. 1222 re-referred to Committee on Agriculture.

ASSISTANT CLERK POWERS READING.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV

of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

WRIGHT, Select Committee.

The question being on the adoption of the report of Select Committee of One and proposed amendments.

DEMAND FOR DIVISION OF THE QUESTION.

Mr. Carter demanded a division of the question.

The question being on the adoption of the report of Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, in lines 33 and 34, amend to read as follows: "For support, San Jose State Teachers College, sixty thousand dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Pedrotti, Spence, Smith and Foster, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, P. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stew, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—39.

The question being on the adoption of the further report of Select Committee of One amending the bill as follows:

AMENDMENT NUMBER TWO.

On page 12 of the printed bill, in lines 30, 31 and 32, amend to read as follows: "For salaries of officers and employes, San Jose State Teachers College, four hundred thousand dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Spalding, Reindollar, Schmidt, and Wright, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell,

T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Ekswand, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—39.

RECESS.

At twelve o'clock and three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

COMMUNICATION.

The following communication was filed:

By Mr. Speaker:

THE AMERICAN LEGION, SACRAMENTO POST, NO. 61,
SACRAMENTO, CALIFORNIA, April 23, 1923.

You and the ladies and gentlemen of the Legislature are cordially invited to luncheon, as the guests of Sacramento Post No. 61 of the American Legion, next Wednesday noon, April 25, 1923.

A program of entertainment and speaking has been arranged. Mr. Seth Millington, State Commander of the Legion for California, will be present.

Time: 12:10 p.m.

Place: Legion Headquarters, 718 I Street, Sacramento.

Charge: Our Guests.

RALPH W. SMITH,
Chairman of the Day.

MOTION.

Mr. Mueller moved that the Assembly accept the invitation with thanks.

Motion unanimously carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry, to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 732—An act authorizing and empowering directors of the Southern California Fair Association to hold annually a State Industrial, Horticultural, Agricultural, and Live Stock Fair at the city of Riverside, county of Riverside, State of California, at such time during the year as they may appoint—has had the same under consideration and respectfully reports the same back without recommendation, as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly bill No. 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STOW, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Kline: An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 2*f*, embracing sections 365 to 365*c*, both inclusive, relating to the California Highway Commission.

By Mr. Rock: An act making an appropriation to defray the expenses of legislative printing for the forty-fifth session of the Legislature of the State of California.

By Mr. Davis: An act to amend section 190 of the Penal Code, relating to punishment of murder.

By Mr. Moore: An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868."

Also: An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

By Mr. Donohue: An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

By Mr. Bromley: An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

By Mr. Lyman: An act to amend section 15 (*b*) of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provision of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder, to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

By Mr. Noyes: An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans

contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

By Mr. Mitchell, T. A. An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this state.

FOX, Chairman.

Report read.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion carried.

Time, one o'clock and forty-nine minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

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

Badaracco, Badham, Baker, C. C., Ball, Bernard, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Dozier, Eksward, Emme, Fellom, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SPECIAL ORDER SET.

On motion of Mr. Crittenden, the consideration of Assembly Bill No. 749 was made a special order for Thursday, April 26, 1923, at eleven o'clock and thirty minutes a.m.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At one o'clock and fifty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Eksward.

The roll of absentees was called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Kline: Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 2*g*, embracing sections 365 to 365*c*, both inclusive, relating to the California Highway Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Rock: Assembly Bill No. 1339—An act making an appropriation to defray the expenses of legislative printing for the forty-fifth session of the Legislature of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Davis: Assembly Bill No. 1340—An act to amend section 190 of the Penal Code, relating to punishment of murder.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Moore: Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled "An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests," approved March 6, 1868."

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donohue: Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Bromley: Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyman: Assembly Bill No. 1345—An act to amend section 15 (*b*) of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local

authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Noyes: Assembly Bill No 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamplands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Mitchell, T. A.: Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Bill read first time, and referred to Committee on Manufactures.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day.

Motion carried.

MOTION TO SUSPEND RULE SEVENTY-ONE.

Mr. Badaracco moved the suspension of Rule 71.

The question being on the motion to suspend Rule 71.

The roll was called, and the motion to suspend Rule 71 lost by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bromley, Broughton, Burns, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Hornblower, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stow, West, Whitacre, Williams, and Woodbridge—52.

NOES—Bernard, Carter, Christian, Clarke, Cleary, Connolly, Davis, Graves, Moore, Pomeroy, Roberts, Spalding, Weller, Wright and Mr. Speaker—15.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Snyder moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill in lines 41, 42 and 43, amend to read as follows: "For salaries of officers and employees Chico State Teachers College one hundred ninety thousand dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Cleary, Wright, West and Kline, and Miss Broughton, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One lost by the following vote:

AYES—Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—38.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—40.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stow moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, line 40, strike out the word "fifty" and in lieu thereof insert the words "sixty-five".

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Pedrotti, Spence, Weller, and Mitchell, T. A., the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Fellom moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Weller, Badham, Fulwider, Christian and Moore, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Connolly, Davis, Dawson, Dozier Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyman, Lyons, McPherson, Mitchell A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—35.

Time, two o'clock and forty-nine minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—75

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At two o'clock and fifty-one minutes p.m., Mr. Kline moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Miss Broughton, and Messrs. Spalding, West, Fellom and Schmidt, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under call of the House.

The question being on the motion to dispense with further proceedings under call of the House.

The roll was called, and the motion to dispense with further proceedings under call of the House carried by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Christian, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyman, Lyons, Mathews, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Broughton, Carlson, Clarke, Cleary, Coombs, McDowell, Miller, Mitchell, T. A., and Saylor—9.

The roll of absentees was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Duval, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyman, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—39.

The Speaker appointed Mr. Stow as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

STOW, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Heisinger, Christian, Mueller, Fellom and Noyes, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Duval, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyman, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—39.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McDowell moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12, lines 1 and 2, of the printed bill, amend to read as follows:
"For support, Fresno State Teachers College, forty-two thousand dollars."

AMENDMENT NUMBER TWO.

On page 11, lines 50, 51 and 52, of the printed bill, amend to read as follows:
"For salaries of officers and employees, Fresno State Teachers College, two hundred seventy-five thousand dollars."

REQUEST FOR ROLL CALL

On request of Messrs. Spence, Spalding, Heisinger and Kline, and Mrs Dorris, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—38.

The Speaker appointed Mr. McDowell as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

McDOWELL, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Bernard, Morrison and McDowell, and Mrs. Dorris, the Speaker ordered a roll call taken on the report of Select Committee of One and amendments.

The question being on the report of Select Committee of One and amendments.

The roll was called, and the report of Select Committee of One and amendments adopted by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—38.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill in line 10, strike out the word "seventeen" and insert in lieu thereof the words "fifty-eight".

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Mathews, Kline, Mueller and Whitacre, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Wright moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs Smith, Kline, Mueller, Wright and Schmidt, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—40.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston Kline, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Weller, and Mr. Speaker—36

Time, four o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—74

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and ten minutes p.m., further proceedings under the call of the House was dispensed with, on motion of Mr. Mueller.

The roll of absentees was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Morris moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Badham, Eksward, Rock and Burns, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House lost by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Dozier, Duval, Erb, Fulwider, Hornblower, Johnston, Jones, Lyman, Lyons, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, and Williams—34.

NOES—Anderson, Badaracco, Bernard, Bromley, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Eksward, Fellom, Fox, Hawes, Heisinger, Johnson, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Reindollar, Rosenshine, Saylor, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—39.

The roll of absentees was called, and the motion to refer to Select Committee of One lost by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—39.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—40.

RECESS.

At four o'clock and twenty-eight minutes p.m., on motion of Mr. Eksward, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Also: Assembly Bill No. 636—An act to amend chapter II of title III of part III of the Political Code, embracing sections 1487, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1503, 1505, and 1507, relating to the State normal schools or teachers colleges.

Also: Assembly Bill No. 184—An act to amend section 396 of the Political Code relating to the duties of the lieutenant governor.

Also: Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919;

Also: Assembly Bill No. 199—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds

and the levy and collection of taxes, and providing for the government of such district;
And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended

Also: Assembly Bill No. 542—An act to fix and determine titles to real property held subject to rights of way not definitely located,

Also, Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers;

Also Assembly Bill No. 148—An act to add section 1667*a* to the Political Code, relating to instruction in the public schools,
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1233—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected;

Also: Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools,
And reports that the same have been correctly re-engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class,

Also Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California, to be numbered 1350*a* and 1350*b* respectively, relating to the competency of executors of estates,

Also Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office,

Also Assembly Bill No 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor, also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created,
And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial;

Also, Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness;

Also, Assembly Bill No. 192—An act to authorize the establishment of intercity planning districts for two or more cities or towns in the same or different counties, providing for the government of such districts, designating the officers thereof and prescribing their powers and duties;

Also, Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds;

Also, Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts, the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 186 thereof.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places,

within municipalities for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission.

Also, Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons;

Also, Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146*a*, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes;

Also, Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals.

Also, Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary;

Also, Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460*a* and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code,

Also, Assembly Bill No. 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary,

Also, Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211*a*, regarding the definition of robbery and the degree thereof;

Also, Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery,

Also, Assembly Bill No. 946—An act to amend section 487 of the Penal Code, relating to grand larceny,

Also, Assembly Bill No. 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness;

Also: Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees;

Also: Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code;

Also: Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended;

Also: Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 511—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 147 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 324 read first time, and referred to Committee on Judiciary.

Senate Bill No. 113 read first time, and referred to Committee of Judiciary.

Senate Bill No. 130 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 506 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 511 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor;

Also: Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships;

Also: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 714 read first time, and referred to Committee on Judiciary.

Senate Bill No. 701 read first time, and referred to Committee on Judiciary.

Senate Bill No. 524 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 627c, relating to fish and game.

Also: Senate Bill No. 425—An act to amend section 626e of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 604 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 425 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 432—An act to amend sections 2, 3, 9, 11a, 12, 19, 20a and 20b of, and to add a new section to be numbered 9a, to an act entitled 'An act to define real estate brokers and salesmen, to provide for the regulation, supervision and licensing thereof, to create a State Real Estate Department and the office of Read Estate Commissioner, to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors, to provide for the regulation, supervision and licensing thereof, to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts inconsistent with the provisions of this act,' approved May 27, 1919, as amended.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 427—An act to add a new section to the Political Code, to be numbered 1744c, relating to the change of boundaries of high school districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 879—An act to refer to its provisions as the general dairy law of California, to provide for the maintenance of a uniform high standard of quality in California dairy products; to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes; to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics, to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese, to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897 entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—and

appointed Senators Slater, Powers, and Handy as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Bernard, Foster and Whitacre, as a Committee on Conference to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 879.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, in the sum of $86.85, to pay the bills as itemized below, and the State Treasurer be and he is hereby authorized and directed to pay the same.

Remington Typewriter Co., rent February 8 to March 8	$12 00
Remington Typewriter Co., rent March 8 to April 8	16 00
Hart's Lunch, Inc., lunch, Thursday, April 19	58 85
Total	$86 85

The above resolution ordered printed in the Journal and referred to Committee on Contingent Expenses.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 939—An act to amend section 107 of the Penal Code relating to escapes and attempts to escape and escapes from county jails and city jails, and from the custody of the sheriff while at work on any county work—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 939?

AMENDMENT NUMBER ONE.

Strike out the word "and" in line 2 of the title of the printed bill and all of lines 3 and 4 thereof and in lieu thereof insert the following: "from county jails, city jails and county hospital, and from custody of the sheriff."

The roll was called, and Senate amendment to Assembly Bill No. 939 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Broughton, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Schmidt, Scott, Spalding, Stevenot, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled, "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon

streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 34?

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the word "warrant".

AMENDMENT NUMBER TWO.

On page 6, line 37, of the printed bill, after the word "provided" strike out the period and insert in lieu thereof a comma and the following "and also including a percentage of one-fourth of one per cent of the amount of such installments and of such interest so entered. Such percentages when collected shall belong to the city or county and shall cover the expenses and compensation of the city or county treasurer incurred in the collection of such assessments, and of the interest and penalties thereon. No other percentage shall be claimed for any such collections. In the event that such collections are made by the county officials the county auditor shall at the close of the tax collecting season promptly render to the city auditor a detailed report showing the amounts of such installments, interest, penalties and percentages so collected on each proceeding and from what property collected, and also giving a statement of the percentages retained for the expenses of making such collections."

The roll was called, and Senate amendments to Assembly Bill No. 34 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Broughton, Carlson, Clarke, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Graves, Hawes, Heisinger, Johnston, Jones, Kline, McMillan, McPherson, Miller, Mitchell, T. A. Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Schmidt, Scott, Spalding, Stevenot, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1224?

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "felony" and insert in lieu thereof the word "misdemeanor".

The roll was called, and Senate amendment to Assembly Bill No. 1224 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Carlson, Clarke, Cleveland, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Graves, Hawes, Heisinger, Johnson, Jones, Kline, McMillan, Miller, Mitchell, T. A. Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

Also.

SENATE CHAMBER, SACRAMENTO, April 23, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this act into effect", approved June 16, 1913, as amended—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1268?

AMENDMENT NUMBER ONE

On page 2 of the printed bill, between lines 50 and 51, insert the following:

"In counties of the fifth class the sealer shall receive as compensation the sum of two thousand four hundred dollars per annum, payable in the same manner and at the same time as the salaries of other county officers are paid."

The roll was called, and Senate amendment to Assembly Bill No. 1268 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleveland, Coombs, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Jones, Kline, McMillan, McPherson, Miller, Mitchell, T. A. Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Savior, Scott, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Morrison moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 12 of the printed bill, after line 52, insert a new provision to read as follows:

"For new buildings San Francisco Teachers' College, two hundred thousand dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Pedrotti, Spence, Hornblower, Schmidt and Morrison, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One lost by the following vote:

AYES—Badaracco, Broughton, Carlson, Clarke, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Jones, Mathews, McDowell, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Spence, Stevenot, Whitacre, Woodbridge, and Wright—32.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dozier, Duval, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Moore, Noyes, Pedrotti, Pomeroy, Roberts, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—40.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McMillan moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 13 of the printed bill, line 23, strike out the words "ninety-six thousand five hundred sixty dollars.", and in lieu thereof insert the following "one hundred eighty-six thousand dollars."

AMENDMENT NUMBER TWO.

On page 13 of the printed bill, lines 24 and 25, strike out the words "twenty-eight thousand dollars", and in lieu thereof insert the words "sixty-eight thousand dollars"

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Graves, Pedrotti, Spence and Christian, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called and the motion to refer to Select Committee of One carried by the following vote:

AYES—Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—42.

NOES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Carter, Christian, Coombs, Davis, Dawson, Dozier, Duval, Eksward, Fox, Fulwider, Graves, Johnston, Kline, Lyman, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Prendergast, Rock, Smith, Weller, and Williams—32.

The Speaker appointed Mr. McMillan as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

McMILLAN, Select Committee

REQUEST FOR ROLL CALL.

On request of Messrs. Rock, McDowell, Moore, Spalding and Christian, the Speaker ordered a roll call taken on the report of Select Committee of One and amendments.

The question being on the report of Select Committee of One and amendments.

The roll was called, and the report of Select Committee of One and amendments adopted by the following vote:

AYES—Anderson, Baker, C. C., Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom,

Foster, Hawes, Heisinger, Hornblower, Johnson, Jones, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Badaracco, Badham, Baker, Edwin, Ball, Bromley, Burns, Christian, Cleveland, Coombs, Davis, Dozier, Duval, Fox, Fulwider, Graves, Johnston, Lyman, Lyons, McPherson, Moore, Morris, Pomeroy, Prendergast, Rock, Smith, Weller, and Williams—27.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Miss Miller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 9, following line 3, of the printed bill insert the following: "For permanent improvements, California industrial farm for women, one hundred twenty thousand dollars."

AMENDMENT NUMBER TWO.

On page 9, line 5, of the printed bill, strike out the word "four" and insert in lieu thereof the word "seventy-five".

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard and West, Mrs. Dorris, and Misses Broughton and Miller, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Cuttenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Baker, Edwin; Bromley, Burns, Carter, Cleveland, Connolly, Dozier, Duval, Eksward, Graves, Hornblower, Johnston, Kline, McPherson, Mitchell, A. G., Morris, Noyes, Pedrotti, Prendergast, Rock, and Stow—21.

The Speaker appointed Miss Miller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

MILLER, Select Committee.

Report of Select Committee of One and amendments adopted.

SPECIAL ORDER SET.

On motion of Mr. Carter, further consideration of Assembly Bill No. 999 was made a special order for Tuesday, April 24, 1923, at eleven o'clock a.m.

ADJOURNMENT.

At eleven o'clock and forty-nine minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, April 24, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 24, 1923.

At nine o'clock and thirty minutes a. m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Coombs, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 1330—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalites for violations hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ERB, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 211—An act to amend sections 363, 363*a*, 363*b*, 363*c*, 363*d*, 363*e*, 363*f*, 363*g*, and 363*h*, of the Political Code relating to the Department of Public Works—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California, to provide for the maintenance of a uniform high standard of quality in California dairy products, to prevent the manufacture and sale of unwholesome or adulterated dairy products, to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics, to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine, to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—report that we have met a like committee of the Senate consisting of Senators Slater, Powers, and Handy, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed

BERNARD,
FOSTER,
WHITACRE
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Cleveland, Donohue and Foster as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No 879.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Schmidt:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to provide for the semi-monthly payment of the salaries of all civil service employees of the State of California.

Referred to Committee on Introduction of Bills.

By Mr Baker, C. C.:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 953b of the Code of Civil Procedure relating to undertakings.

Referred to Committee on Introduction of Bills.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legslative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 732—An act authorizing and empowering directors of the Southern California Fair Association to hold annually a State industrial, horticultural, agricultural, and live stock fair at the city of Riverside, county of Riverside, State of California, at such time during the year as they may appoint.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following: "An act to establish an annual state fair at the city of Riverside, Riverside county, California, and to provide for the management and control of the same."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following

"SECTION 1. For the purpose of the further encouragement, development and promotion of the agricultural, horticultural, industrial and livestock interests of the State of California there is hereby established a state fair to be known as the Southern California State Fair, to be held annually at the city of Riverside, county of Riverside, at the site of the agricultural fair heretofore known as the "Southern California Fair."

SEC. 2. In consideration of the donation to the state of the property hereinafter described and until otherwise provided by law, the said state fair shall be held, managed, conducted, directed and financed by the Southern California Fair Association a non-profit corporation organized and existing under and by virtue of the laws of the State of California

SEC. 3. The consent of the State of California is hereby given to the conveyance to it of the land, with the improvements thereon, now and for several years last past used by the Southern California Fair Association as the site of the Southern

California Fair, and this act shall take effect when and not until title to said land, free and clear of all liens and incumbrances, approved by the attorney general of California, is donated and conveyed to the state for the uses and purposes expressed and declared in section one of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Bill read second time, and ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No 35—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 131—An act to amend sections 871, 855, 882, 883, and 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class—and respectfully requests your honorable body to concur in said amendment.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 131?

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the bracket and the words "or appoint" and the dash, and on page 2, line 15, of the printed bill, strike out the word "ment" and the comma and bracket following.

The roll was called, and Senate amendment to Assembly Bill No 131 was concurred in by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Burns, Clarke, Coombs, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Heisinger, Johnson, Kline, Lyons, Mathews McMillan, Miller, Mitchell, A G., Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 137—An act to declare a certain highway leading from the town of Mariposa, in Mariposa County, to Wawona, also in Mariposa County, and

commonly known as the Mariposa-Big Tree road, to be a part of the "seven per cent highway system";

Also Assembly Bill No. 97—An act to amend section 33 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, to extend the scope of the terms "place of employment," "employment," and "employer";

Also Assembly Bill No. 461—An act to amend sections 2959, 2965, and 2966 of the Civil Code, relating to mortgages on personal property;

Also Assembly Bill No 463—An act to amend sections 408 and 409, of the Political Code, relating to the Secretary of State.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and five minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 462—An act to amend section 538 of the Penal Code, relating to mortgages on personal property;

Also Assembly Bill No 283—An act to provide for the acceptance by the State of California of the provisions of an act passed by the Congress of the United States known as the "Sheppard-Towner" Act, and entitled "An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes," approved November 23, 1921;

Also, Assembly Bill No 247—An act amending sections 10 and 11 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, chiropody, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody,";

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 57—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof; to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof' which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts;

Also Assembly Bill No. 464—An act to amend sections 4130, 4140, and 4300c, of the Political Code, relating to recorders and fees;

Also: Assembly Bill No 58—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts, and relating to the salaries of certain justices of the peace

Also: Assembly Bill No 677—An act to amend section 653*b* of the Civil Code, relating to cooperative agricultural, viticultural and horticultural associations

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 1160—An act to repeal section 1511*b* of the Penal Code relating to the viewing of the body by a coroner's jury.

Also: Assembly Bill No. 1162—An act to amend section 1510 of the Penal Code, relating to coroner to summon jury to inquire into cause of death.

Also. Assembly Bill No. 1177—An act to amend section 4022 of the Political Code, relating to official bonds of county officers;

Also: Assembly Bill No. 959—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Also Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1263—An act to amend section 1597 of the Political Code, relating to school elections.

Also Assembly Bill No 205—An act to amend section 1739*a* of the Political Code relating to high school districts.

Also Assembly Bill No 149—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Also: Assembly Bill No. 346—An act to recognize and declare valid all proceedings in Owens Valley Irrigation District;

Also. Assembly Bill No. 1161—An act to amend section 1512 of the Penal Code, relating to witnesses;

Also Assembly Bill No 733—An act to amend sections 2, 15 and 16 of the "California Warehouse Act," approved June 3, 1921;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 541—An act to amend section 1184*a* of the Code of Civil Procedure, relating to notice to owner of labor performed and materials furnished;

Also: Assembly Bill No. 328—An act to add a new section to be numbered 1*a* to an act entitled "An act to provide for the care of the graves of soldiers, sailors and marines of the United States of America whose remains are buried in certain cemeteries," approved May 11, 1917, relating to places of interment;

Also Assembly Bill No. 1169—An act to amend section 4157 of the Political Code, relating to duties of the sheriff;

Also Assembly Bill No. 130—An act to amend section 4300*d* of the Political Code, relating to constable's and marshal's fees;

Also: Assembly Bill No 832—An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 64—An act to amend section 1269*a* of the Civil Code, relating to petitions for sale or mortgage of homestead where husband or wife is insane.

Also: Assembly Bill No 896—An act to provide for the organization and government of public park districts.

Also Assembly Bill No. 215—An act to amend section 1238 of the Code of Civil Procedure, relative to the right of eminent domain;

Also: Assembly Bill No. 327—An act to amend section 1 of an act entitled "An act to provide for the burial of soldiers, sailors and marines in this State who may hereafter die without leaving sufficient means to defray funeral expenses," approved March 15, 1889, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 75—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Also: Assembly Bill No. 31—An act to amend section 1910 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915 as amended, said section relating to the salaries of probation officers.

Also: Assembly Bill No. 272—An act to establish Gold Discovery Day;

Also: Assembly Bill No. 1213—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 112—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission, fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission, providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated, providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water, declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights, providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights, specifying certain duties of the claimants, possessors or users of water or water rights, declaring water rights forfeited under certain conditions, regulating the appropriation of water, excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act, defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved

June 16, 1913, as amended, relating to riparian lands under lease—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 938—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XV, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be a qualified elector or electors, to provide the method or methods of carrying out such provision or provisions, to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith.

Also: Assembly Bill No. 81—An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act:

Also: Assembly Bill No. 1119—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 70, 90, and 130 thereof and by adding a new section thereto to be numbered section 132*a* thereof, all relating to the definition and regulation of the business of banking.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16½ of article XI thereof, relating to deposits of public moneys—and reports that the same has been correctly enrolled and presented the same to the Governor on this twenty-fourth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman

ON CONTINGENT EXPENSES

ASSEMBLY CHAMBER, SACRAMENTO April 24, 1923

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, in the sum of $86.85, to pay the bills as itemized below, and the State Treasurer be and he is hereby authorized and directed to pay the same:

Remington Typewriter Co., rent February 8 to March 8	$12 00
Remington Typewriter Co., rent March 8 to April 8	16 00
Hart's Lunch, Inc., lunch, Thursday, April 19	58 85
Total	$86 85

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
MITCHELL, A. G.
LYONS.
ROCK.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badham, Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Croter, Davis, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Fulwider, Heisinger, Kline, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—45

NOES—None.

THIRD READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution of said State, relating to basis of taxation for State purposes.

Assembly Constitutional Amendment No. 1 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During reading of the constitutional amendment, Mr. Clarke moved that the Speaker appoint a Select Committee of One to amend the constitutional amendment as follows:

AMENDMENT NUMBER ONE

On page 1, line 6, of the printed bill, strike out the words "thirteen of article fourteen" and in lieu thereof insert the words "fourteen of article thirteen".

AMENDMENT NUMBER TWO

On page 1, line 24, of the printed bill, strike out the word "including" and in lieu thereof insert the word "and".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 21 and in lieu thereof insert the following: "railroad companies seven per cent on all street railways herein defined to include interurban electric railways and gasoline propelled railways, five and one-quarter per cent;"

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, strike out the word "three" and in lieu thereof insert the words "five and one-quarter".

AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed bill, strike out the word "two" and in lieu thereof insert the word "one".

AMENDMENT NUMBER SIX

On page 2, line 27, of the printed bill, strike out the word "three" and in lieu thereof insert the word "five"

AMENDMENT NUMBER SEVEN

On page 2, line 28 of the printed bill strike out the word "four" and in lieu thereof insert the words "seven and one-half".

AMENDMENT NUMBER EIGHT.

On page 2, lines 38 and 39, of the printed bill, strike out the words "one and one-half" and in lieu thereof insert the words "two and sixty hundredths".

AMENDMENT NUMBER NINE.

On page 2, line 43, of the printed bill, strike out the words "one and one-half" and in lieu thereof insert the words "two and sixty hundredths".

AMENDMENT NUMBER TEN

On page 3, line 17, of the printed bill, after the word "one" insert the words "and forty-five hundredths".

AMENDMENT NUMBER ELEVEN.

On page 4, line 23, of the printed bill, after the word "one" add the words "and six tenths".

Motion carried.

The Speaker appointed Mr. Clarke as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Constitutional Amendment No. 1, with instructions, reports that the instructions of the Assembly have been carried out.

CLARKE, Select Committee.

Report of Select Committee of One and amendments adopted.

Assembly Constitutional Amendment No. 1 ordered to reprint, re-engrossment, and on file for adoption.

ASSISTANT CLERK POWERS READING.

Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School.

Assembly Concurrent Resolution No. 21 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 21 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Clarke, Cleary, Cleveland, Coombs, Croter, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Heisinger, Johnson, Jones, Lyons, Mathews, McMillan, Miller, Moore, Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Carter, Graves, and Stow—3.

Title read and approved.

Assembly Concurrent Resolution No. 21 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 21.

Relating to investigation by the Legislature of the California Polytechnic School

WHEREAS, In the educational system of any State, provision should be made for technical and agricultural training as well as for training in the professions; and,

WHEREAS, The work of the California Polytechnic School giving instruction in technical and agricultural subjects affords an opportunity for training along such lines; and,

WHEREAS, The California Polytechnic School performs a much needed and necessary function in the educational system of this State; and,

WHEREAS, There exists serious doubt as to the advisability of doing away with such school or preventing the proper advancement of the same; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Speaker of the Assembly shall appoint three members and the President of the Senate shall appoint three members who shall investigate the present status of the California Polytechnic School at San Luis Obispo, inquire into the needs of the institution mentioned, study the development of such school and the present and possible uses of the property belonging to such school and report their findings in full to the Governor and the Superintendent of Public Instruction not later than September 1, 1924, together with their recommendation as to such modifications and improvements as will in the judgment of the committee cause the school to contribute most effectively to the educational service of the State of California; the committee shall likewise cause said report and recommendation to be submitted to each House of the Legislature within five days after it shall assemble in its forty-sixth regular session; and be it further

Resolved, That the committee shall have power to employ such clerical assistants as may be necessary and to appoint a chairman and a secretary from its own members and that the expenses incurred in such investigation not exceeding the sum of five hundred dollars shall be paid equally out of the contingent funds of the Senate and the Assembly.

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California to amend section 16 of article IV of the constitution, relative to the veto.

Assembly Consitutional Amendment No. 22 read.

COMMITTEE AMENDMENT.

During reading of the constitutional amendment, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out lines 20 to 25, both inclusive, and in lieu thereof insert the following: "law in like manner as if he had signed it, unless the legislature by adjournment prevents such return, in which case it shall be filed with his objections, in the office of the secretary of state within sixty days after such adjournment (Sundays excepted), or become a law. If any bill presented"

Amendment adopted.

Assembly Constitutional Amendment No. 22 ordered to reprint, engrossment, and on file for adoption.

Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923.

Assembly Concurrent Resolution No. 22 read.

The question being on the adoption of the resolution

The roll was called, and Assembly Concurrent Resolution No. 22 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Christian, Clarke, Cleveland, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Jones, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 22 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 22

Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923.

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 501 passed by the following vote:

AYES—Anderson, Badham, Ball, Broughton, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnson, Johnston, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Pedrotti, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Baker, C. C., Christian, and Lyman—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 807 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Broughton, Carter, Croter, Davis, Dawson, Dorris, Emme, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—Baker, C. C., Ball, Burns, Christian, Clarke, Cleary, Coombs, Dean, Eksward, Erb, Fulwider, Graves, Hornblower, Johnston, Jones, Moore, Noyes, Schmidt, Scott, and Wright—20.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COOMBS, Chairman.

The above reported bill ordered on file for second reading.

SPECIAL ORDER.

The hour of eleven o'clock a m having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Spence moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 13 of the printed bill, strike out all of lines 18 and 19 and insert in lieu thereof the following: "For construction and equipment of new buildings for California School for the Blind one hundred eighty thousand dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Pedrotti, Morris, Rock and Moore, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One

The roll was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Clarke, Cleary, Coombs Crittenden, Croter, Dean, Donohue, Dorris, Emine, Fellom, Fox, Hawes, Heisinger Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T A Morrison, Mueller, Prendergast, Reindollar, Roberts, Rosenshine Saylor, Schmidt, Spalding, Spence, Stevenot, West Whitacre, Woodbridge, and Wright—41.

NOES—Badham, Baker, C. C., Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, McMillan, McPherson, Mitchell, A. G Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Scott, Stow, Weller, Williams, and Mr Speaker—33.

The Speaker appointed Mr. Spence as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 999, with instructions, reports that the instructions of the Assembly have been carried out.

SPENCE, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Dozier, Christian, Moore and Stow, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—42.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Scott, Stow, Weller, Williams, and Mr. Speaker—34.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Coombs moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

Insert after the word "dollars" in line 34, page 6, "All funds hereafter received from the government of the United States in aid of said veteran's home, or of the members thereof, either by way of a per capita tax for said members, or otherwise received are made available, and are hereby appropriated to be expended upon the approval of the State Board of Control for the maintenance, construction and repair of buildings, or for the use and benefit of such members".

RECESS.

At twelve o'clock and seven minutes p.m., on motion of Mr. Morris, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Waestman reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-fifth class;

Also: Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof;

Also: Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class;

Also: Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class;

Also: Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class;

Also: Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class.

Also Assembly Bill No 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No 365—An act amending the Political Code by amending sections 4041, 4041*a*, 4041*b*, 4041*c*, 4041*d*, 4041*e*, 4041*f*, and by adding new sections numbered 4041*g* to 4041*s*, inclusive, all relating to the powers and duties of the board of supervisors—has had the same under consideration, and respectfully reports the same back without recommendations, as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases,

Also, Assembly Bill No 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases;

Also, Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State;

Also Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library,

Also: Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates,

Also: Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to public officers,
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 1163—An act to amend section 12, chapter LXXI, page 80, Statutes of 1915, relating to the duties and powers of the State Board of Embalmers so as to include therein the power to maintain a standard of proficiency in the practice of embalming, and the power to employ lecturers and demonstrators, and to require an educational standard before becoming eligible to take the examination—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1324—An act to amend section 1926 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the

nineteenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists,

Also: Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game,

Also: Senate Bill No. 581—An act to amend section 628a of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 334—An act to amend section 626g of the Penal Code, relating to the protection of fish and game,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court,

Also: Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays,

Also: Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto,

Also: Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California,

Also: Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California,

Also: Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 7, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith,' approved June 5, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and

in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911 and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith,' approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State,

Also Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints

Also Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions,

Also Senate Bill No 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts,

Also Senate Bill No 220—An act to define and prohibit bucketing and bucket shopping and bucket shops, to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping, to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping, to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 291—An act to amend section 16 of an act entitled 'An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years and in certain cases providing for their care, custody and maintenance providing for the probationary treatment of such persons and for the commitment of such persons to the Whittier State School and the Preston School of Industry the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith' approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading

REQUEST FOR UNANIMOUS CONSENT.

Mr. McDowell asked for and was granted unanimous consent to take up Senate Bill No 216, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SIXTEEN.

Senate Bill No 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation

of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution, and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McDowell moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 14, line 7, of the printed bill as amended, change the word "with" to "within".

AMENDMENT NUMBER TWO.

On page 9, line 40, of the printed bill as amended, change the word "of" to "or"

AMENDMENT NUMBER THREE

On page 15, line 34, of the printed bill as amended, change "forty" to "fifty"

AMENDMENT NUMBER FOUR

On page 18, line 17, of the printed bill as amended, change "one" to "three"

AMENDMENT NUMBER FIVE.

In line 20 to the title of the printed bill as amended, after the comma following the word "nineteen" insert the word "twenty-one" and a comma

AMENDMENT NUMBER SIX

On page 12, line 1, of the printed bill as amended, change "thirty" to "forty".

AMENDMENT NUMBER SEVEN.

On page 12, line 4 of the printed bill as amended, change "ten" to "fifteen"

AMENDMENT NUMBER EIGHT.

On page 12, line 6, of the printed bill as amended change "four" to "two".

AMENDMENT NUMBER NINE

On page 12, line 8 of the printed bill as amended, change "ten" to "fifteen"

AMENDMENT NUMBER TEN

On page 12, line 9, of the printed bill as amended, change "eleventh" to "sixteenth"

AMENDMENT NUMBER ELEVEN

On page 10 of the printed bill as amended, insert after line 22 the following:

"SEC. 7a. Section twenty-one of said act is hereby amended to read as follows:

SEC. 21. At the end of thirty days the treasurer must make return to the board of directors of the district of all assessments paid. All unpaid assessments shall bear interest at the rate of seven per cent per annum. Thereafter all unpaid assessments and accrued interest shall be collected when and as called, and paid to the treasurer of the county or counties, who shall collect and hold such moneys to the credit of the district. Unless bonds shall have been authorized as hereinafter provided all such payments shall be made in such amounts or installments and at such times respectively as the said board, from time to time, in its discretion, by order entered in its minutes, may direct. Upon making any order fixing and calling such installment or amount, the secretary shall also enter in the minutes of the board, and certify to each county treasurer for signature and mailing or publi-

cation in the counties in which any lands within the district are situated a notice in substantially the following form

Name (name) water storage district

(Location of the principal place of business) Notice is hereby given that, at a meeting of the board of directors held on_____ an installment of_____ percent of assessment number_____ was ordered paid within sixty days from the date thereof to the respective county treasurers of the counties wherein lands of such districts are situate. Any installment which shall remain unpaid on the (day fixed) will be delinquent, together with the accrued interest thereon, with ten per cent of such installment and interest added as penalty.

(Signed) ____ _____

Treasurer of _____County.

Such notice must be sent through the mail addressed to each owner of land in the district at his place of residence if known or entered upon the assessment roll of the district, and if not known, at the place where the principal office of the district is situated, or in lieu thereof such notice shall be published once a week for two successive weeks in each such county

If any such installment shall remain unpaid at the expiration of said sixty days from the date of the order, then the said installment of said assessment shall become delinquent, together with the accrued interest thereon and a penalty of ten per cent of the amount of said installment and interest shall be added thereto and collected for the use of the district

Immediately after the said installment has become delinquent the said county treasurer or county treasurers must publish once a week for two successive weeks in each county wherein lands of the district are situate, in one notice a list of all delinquencies in such county which notice shall contain a description of the property assessed, the name of the person to whom it is assessed or a statement that it is assessed to unknown owners if such is the fact, the amount then due on said property, and a notice that the property asessed will be sold on the date therein stated in front of the courthouse of said county to pay the amount then due on said property. The date of said sale shall not be less than ten days after the date of the last publication of said notice. At the time stated in said notice, or such other time to which said sale may have been postponed, the county treasurer must sell said property to the highest bidder for gold coin of the United States Out of the proceeds of said sale the county treasurer must deposit the amount due on said property as shown in said notice to the proper fund of the said district The county treasurer must pay to the owner of said property any surplus remaining after said deposit to the credit of the district, after first deducting any expense of sale Except where bonds have been issued upon an assessment the board of directors may direct the county treasurer to postpone said sale from time to time for not less than ten nor more than thirty days at one time, by a written notice posted at the place of sale

If no bid is made for said property equal to the amount due thereon, it must be struck off to the district for the said amount so due A certificate of such sale shall be executed by the county treasurer to the purchaser, or to the district if the property shall have been struck off to the district, and this certificate of sale shall be recorded in the office of the county recorder of said county Any person interested in said property may redeem the same at any time within three years after the date of said sale, by paying to the county treasurer the amount for which the said property was sold, and interest on the said sum at the rate of two per cent per month from the date of said sale, which amount shall be credited to the proper fund of said district.

If no redemption shall be made within said three years, the purchaser or the district, if the property shall have been sold to the district, shall be entitled to a deed executed by the county treasurer or his successor in office, and the effect of such deed shall be to convey said property free and clear of all liens and incumbrances except state, county and municipal taxes, assessments or taxes levied or assessed by or under statutory authority and any water storage district assessment or portion thereof remaining unpaid at the date of said sale, each installment whereof may be called and collected as herein provided The board of directors may sell such property sold to the district at any time at public auction after notice given for the same period and in the same manner as is herein provided for sale of delinquent assessments but not for a sum less than the amount for which said property was sold with interest at seven per cent per annum, and the deed executed in pursuance of such sale shall convey said property free of all incumbrances except as herein above provided for said deed by the county treasurer"

Motion carried.

The Speaker appointed Mr. McDowell as such Select Committee:

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 216, with instructions, reports that the instructions of the Assembly have been carried out.

McDOWELL, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Davis asked for and was granted unanimous consent to take up Assembly Bill No. 595, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINETY-FIVE.

Assembly Bill No. 595—An act to amend sections 5, 15*c*, 19, 22*b*, 26 and 57 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Davis moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill strike out the following "fifteen *c*,".

AMENDMENT NUMBER TWO

On page 2 of the printed bill strike out lines 4 to 26, both inclusive.

AMENDMENT NUMBER THREE

On page 2, line 27, of the printed bill, strike out the numeral "3" and in lieu thereof insert the numeral "2".

AMENDMENT NUMBER FOUR.

On page 2, line 48, of the printed bill, strike out the numeral "4" and in lieu thereof insert the numeral "3".

AMENDMENT NUMBER FIVE.

On page 3, line 18, of the printed bill, strike out the numeral "5" and in lieu thereof insert the numeral "4".

AMENDMENT NUMBER SIX

On page 3, line 25, of the printed bill, strike out the numeral "6" and in lieu thereof insert the numeral "5".

Motion carried.

The Speaker appointed Mr. Davis as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 595, with instructions, reports that the instructions of the Assembly have been carried out.

DAVIS, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Baker, Edwin, asked for and was granted unanimous consent to take up Assembly Bill No. 67, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SIXTY-SEVEN.

Assembly Bill No. 67—An act to add a new section to the Penal Code to be numbered 1208-2, relating to fees for furnishing bail.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Baker, Edwin, moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the word "ten" following the word "of" in line seven and insert in lieu thereof the word "five".

Motion carried

The Speaker appointed Mr. Baker, Edwin, as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 67, with instructions, reports that the instructions of the Assembly have been carried out

BAKER, EDWIN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage

REQUEST FOR UNANIMOUS CONSENT.

Mr Spence asked for and was granted unanimous consent to take up Assembly Constitutional Amendment No. 44, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER FORTY-FOUR.

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 34 of article IV thereof, relating to the State budget.

Assembly Constitutional Amendment No. 44 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During reading of the constitutional amendment, Mr Spence moved that the Speaker appoint a Select Committee of One to amend the Constitutional Amendment as follows:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, strike out the words "twenty-one" and insert in lieu thereof the words "twenty-nine".

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Constitutional Amendment No. 44, with instructions, reports that the instructions of the Assembly have been carried out.

SPENCE, Select Committee.

Report of Select Committee of One and amendment adopted.

Assembly Constitutional Amendment No. 44 ordered to reprint, re-engrossment, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hornblower asked for and was granted unanimous consent to take up Assembly Bill No 1334, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED THIRTY-FOUR.

Assembly Bill No. 1334—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1334 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

The question being on the motion by Mr. Coombs to refer the bill to a Select Committee of One for the purpose of amending.

REQUEST FOR ROLL CALL.

On request of Miss Broughton, and Messrs. Kline, Schmidt, Fulwider and Spence, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee carried by the following vote:

AYES—Anderson, Badaracco, Ball, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Whitacre, Woodbridge, and Wright—41.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Erb, Foster, Fulwider, Graves, Johnston, Kline, McMillan, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Stow, Weller, Williams, and Mr. Speaker—35.

The Speaker appointed Mr. Coombs as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

COOMBS, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Bromley, Pedrotti, and Rock, and Mrs. Dorris, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—44.

NOES—Badham, Baker, C. C., Bromley, Burns, Carter, Christian, Cleveland, Davis, Dawson, Duval, Erb, Foster, Fulwider, Graves, Johnston, Kline, McMillan, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—29.

RECESS.

At three o'clock and forty-six minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this

act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor,

Also Senate Bill No 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State, Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHRISTIAN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Public Utilities, to which was referred Assembly Bill No 956—An act requiring that railway trains upon which toilets are maintained shall be equipped with septic containers or other devices in connection with said toilets, and prescribing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHRISTIAN, Chairman

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11 12, 14, 18, 23 and 24 of article VI thereof, relating to the Judicial Department, and providing for the establishment of municipal courts.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 25 read, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 723 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist.

Also Senate Bill No 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 678 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 718 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921;

Also: Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

Also: Assembly Bill No. 379—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901.

Also: Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands.

Also: Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State;

Also: Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors.

Also: Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662*a*, relating to the registration of minors;

Also: Assembly Bill No. 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds, approved June 16, 1913, as amended.

Also: Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919.

Also: Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923

MR SPEAKER Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the state for the construction of sewers, septic tanks and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody and disbursement of taxes therein the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds, to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Judiciary

DOZIER, Chairman.

The above reported bill ordered re-referred to Committee on Judiciary.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the state, for the construction of sewers, septic tanks and other sanitary purposes, the acquisition of property thereby the calling and conducting of elections in such districts, the assessment, levy, collection, custody and disbursement of taxes therein, the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds, to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MORRIS, Chairman

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 179—An act to fix salaries in counties of the twenty-sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
LYMAN.
CROTER.
BAKER, C. C.
CLEARY.
McDOWELL.
HEISINGER.
WHITACRE.

The above reported bill ordered on file for second reading.

SENATE MESSAGES—(RESUMED).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Concurrent Resolution No 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 13?

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out the word "two" and in lieu thereof insert the word "three".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 4 to 11, both inclusive, and in lieu thereof insert the following

"*Resolved*, That while the legislature is in session the committee in carrying out such investigation shall be assigned the use of a stenographer and an assistant sergeant-at-arms, and at all times in conducting such investigation shall have the right to subpoena such witnesses as they may deem necessary."

The roll was called, and Senate amendments to Assembly Concurrent Resolution No. 13 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dozier, Duval, Emme, Erb, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Wright, and Mr. Speaker—54.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleary asked for and was granted unanimous consent to take up Assembly Bill No. 1262, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SIXTY-TWO.

Assembly Bill No. 1262—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Cleary moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "amending" and in lieu thereof insert the words "to amend".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "one" and in lieu thereof insert the word "four".

AMENDMENT NUMBER THREE

On page 7 of the printed bill, after line 8, insert the following:

"16*a*. The county traffic officer, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to said traffic officer six deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one thousand eight hundred dollars per annum which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles for said traffic officer and his said deputies, and gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines and shall also pay all expenses necessarily incurred for meals by such traffic officer and such deputies when away from the county seat and engaged in the pursuit of their duties. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever such office of county traffic officer is created by law."

Motion carried.

The Speaker appointed Mr. Cleary as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1262 with instructions, reports that the instructions of the Assembly have been carried out.

CLEARY, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bernard asked for and was granted unanimous consent to take up Assembly Bill No. 1321, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED TWENTY-ONE.

Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Bernard moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, after the period, insert the following: "All such surveys shall be tied by courses and distances to the corners of all legal subdivisions through which they pass and to other natural or artificial monuments, giving the courses and distances therefrom."

Motion carried.

The Speaker appointed Mr. Bernard as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No 1321, with instructions, reports that the instructions of the Assembly have been carried out.

BERNARD, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SENATE MESSAGES—(RESUMED).

The following message from the Senate was taken up and read:

SENATE CHAMBER SACRAMENTO, April 23, 1923.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23 1915, by amending section 52 thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 748?

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out the word "shall" and insert in lieu thereof, the word "may".

AMENDMENT NUMBER TWO.

On page 1, lines 15 and 16, of the printed bill, strike out the words "and other evidences of indebtedness" and insert in lieu thereof "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER THREE

On page 2, line 6, of the printed bill, strike out the words "and other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER FOUR.

On page 2, line 16, of the printed bill, strike out the words "or other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, strike out the words "or other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER SIX

On page 2, line 40, of the printed bill, strike out the words "or other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER SEVEN.

On page 3, line 3, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER EIGHT.

On page 3, lines 15 and 16, of the printed bill, strike out the words "or any other evidence of indebtedness" and in lieu thereof insert "or any other evidence of interest in or indebtedness of".

AMENDMENT NUMBER NINE

On page 3, lines 30 and 31, of the printed bill, strike out the words "and other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER TEN.

On page 3, line 37, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER ELEVEN.

On page 3, lines 40 and 41, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER TWELVE.

On page 3, line 48, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 1, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER FOURTEEN.

On page 4, lines 14 and 15, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER FIFTEEN.

On page 4, lines 24 and 25, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER SIXTEEN.

On page 4, lines 31 and 32, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 35, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER EIGHTEEN.

On page 4, lines 39 and 40, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER NINETEEN.

On page 4, line 47, of the printed bill, strike out the words "or other evidence of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER TWENTY.

On page 4, lines 49 and 50, of the printed bill, strike out the words "and other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, lines 4 and 5, of the printed bill, strike out the words "or other evidences of indebtedness" and in lieu thereof insert "or other evidence of interest in or indebtedness of".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 26, of the printed bill, strike out the words "or other evidences of indebtedness" and insert in lieu thereof "or other evidence of interest in or indebtedness of".

The roll was called and Senate amendments to Assembly Bill No. 748 were concurred in by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Carlson, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1158 of the Civil Code, relating to recording.

Referred to Committee on Introduction of Bills.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12, lines 10 and 11, of the printed bill, strike out the words "Two hundred seventeen thousand seven hundred forty" and insert in lieu thereof "Two hundred fifty-three thousand seven hundred forty".

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Moore, Bernard, Rock and Morris, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One. The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Mueller moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Pedrotti, Christian and Fulwider, and Mrs. Saylor, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—35.

Time, eight o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Mueller.

The roll of absentees was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—39.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—38.

The Speaker appointed Mr. Mueller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

MUELLER, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Mueller, Carter, Badham and Hornblower, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Dozier moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Badham, Weller, Mitchell, A. G., Smith and Davis, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House lost by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Smith, Weller, Williams, and Mr. Speaker—33.

NOES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—43.

The roll of absentees was called, and the Report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—38.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Snyder moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, in lines 41, 42, and 43, amend to read as follows:

"For salaries of officers and employees Chico State Teachers College one hundred and eighty-nine thousand eight hundred and eighty dollars."

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Lyons, Bernard, Spence and Christian, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called, and the motion to refer to Select Committee of One carried by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—37.

The Speaker appointed Mr. Snyder as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

SNYDER, Select Committee.

Report of Select Committee of One and amendment adopted.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Kline moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 5 of the amended printed bill, line 46, strike out the word "seven" and insert in lieu thereof the word "eight".

AMENDMENT NUMBER TWO.

On page 10 of the amended printed bill, under Developmental, strike out lines 21 and 22, and insert in lieu thereof the words, "fifty-one thousand four hundred".

AMENDMENT NUMBER THREE.

On page 11 of the amended printed bill, under Developmental, strike out all of line 4, and insert in lieu thereof the words, "two hundred fifty-three thousand four hundred eighty dollars".

AMENDMENT NUMBER FOUR.

On page 11 of the printed amended bill, strike out lines 5 and 6, and insert in lieu thereof the words: "For support, state mining bureau, one hundred six thousand four hundred eighteen dollars".

Motion carried.

The Speaker appointed Mr. Kline as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

KLINE, Select Committee.

Report of Select Committee of One and amendments adopted.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. West moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4, lines 10 and 11, of the printed bill, strike out the following: "three hundred six thousand two hundred ninety-eight", and in lieu thereof insert the following: "three hundred sixty thousand six hundred sixty-three and 42/100".

AMENDMENT NUMBER TWO.

On page 4, lines 12 and 13, of the printed bill, strike out the following: "two hundred forty-eight thousand three hundred thirty-eight and 32/100", and in lieu thereof insert the following: "three hundred eight thousand five hundred thirty-six and 58/100".

Motion carried.

The Speaker appointed Mr. West as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

WEST, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Fellom, Schmidt, Morris, Bernard and Kline, the Speaker ordered a roll call taken on the report of Select Committee of One and amendments.

The question being on the report of Select Committee of One and amendments.

The roll was called, and the report of Select Committee of One and amendments adopted by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Millet, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—36.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, following line 40, insert the following:

"For the support, maintenance and equipment of the southern branch of the University of California, one million two hundred fifty thousand dollars."

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Carter, Morris, Schmidt, Morrison and Kline, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. West moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Burns, Rock, Erb, Schmidt and West, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Bernard, Broughton, Carlson, Christian, Clarke, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Fellom, Fulwider, Graves, Hawes, Heisinger, Jones, Mathews, McDowell, Miller, Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, and Woodbridge—31.

NOES—Anderson, Ball, Bromley, Burns, Coombs, Duval, Eksward, Erb, Foster, Kline, McPherson, Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Spalding, and Mr. Speaker—21.

Time, eleven o'clock and forty-four minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and forty-seven minutes p.m., Mr Kline moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Messrs. Fellom, Heisinger, West, Spence and Graves, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under call of the House.

The question being on the motion to dispense with further proceedings under call of the House.

The roll was called, and the motion to dispense with further proceedings under call of the House lost by the following vote:

AYES—Anderson, Ball, Bromley, Burns, Carter, Cleveland, Coombs, Davis, Dozier, Duval, Eksward, Erb, Foster, Fox, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Pedrotti, Pomeroy, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—27.

NOES—Broughton, Carlson, Christian, Clarke, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Fulwider, Graves, Heisinger, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, and Woodbridge—33.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and forty-nine minutes p.m., Mr. Carter moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Messrs. Emme, Donohue, Graves and Christian, and Mrs. Saylor, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under call of the House.

The question being on the motion to dispense with further proceedings under call of the House.

The roll was called, and the motion to dispense with further proceedings under call of the House carried by the following vote:

AYES—Anderson, Ball, Bromley, Burns, Carter, Cleveland, Connolly, Coombs, Davis, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Heisinger, Kline, McPherson, Mitchell, A. G., Moore, Pomeroy, Prendergast, Roberts, Rock, Scott Smith, Weller, Williams, and Mr. Speaker—30.

NOES—Broughton, Carlson, Christian, Clarke, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Graves, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, and Woodbridge—29.

The roll of absentees was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Emme moved a call of the House.

REQUEST FOR ROLL CALL

On request of Messrs. Fellom, Eksward, Christian, and Donohue, and Mrs. Saylor, the Speaker ordered a roll call taken on the motion for call of the House.

The question being on the motion for call of the House.

The roll was called, and the motion for call of the House carried by the following vote:

AYES—Broughton, Carlson, Christian, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Graves, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, and Woodbridge—28.

NOES—Ball, Bromley, Carter, Cleveland, Connolly, Coombs, Davis, Dozier, Eksward, Foster, Kline, Mitchell, A. G., Moore, Pomeroy, Roberts, Smith, and Mr. Speaker—17.

Time, eleven o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

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

Anderson, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—73

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Emme.

The roll of absentees was called, and the report of Select Committee of One and amendment refused adoption by the following vote:

AYES—Bernard, Broughton, Carlson, Clarke, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—33.

NOES—Anderson, Baker, C. C., Ball, Bromley, Burns, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Davis, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Weller, Williams, and Mr. Speaker—40.

SPECIAL ORDER SET.

On motion of Mr. Kline, further consideration of Assembly Bill No. 999 was made a special order for Wednesday, April 25, 1923, at eleven o'clock a.m.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, April 25, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 25, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Noyes, Mr. McMillan was granted leave of absence for the day.

On motion of Mr. Lyons, Mr. Pedrotti was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mrs. Saylor and Mr. Fox the following of the faculty and students of Berkeley High School were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

Faculty—A. A. Gray, head of the history department; Miss Margaret E. Bennett, and Miss Elizabeth Wheeler, of the history department, Miss McCullough of the commercial department.

Students—Willa Conzelmann, Lawrence Mitchell, Carroll Kidder, Jean Moir, Agnes Newman, Dorothy Hiefield, Angelique Hinckley, Carrol Kechner, Alameda Gilkey, Glory Haley, Ruth McCulloch, Lawrence Yater, Edwin Buckalew, Patricia Bendall, Florence Bullard, Berte Francis, Merle Wheeler, Muriel Rosenquist, Edith Smith, Margaret Nichols, Chester Winningstad, Seth McKenna, Ruth Klepper, Maurine Johnson, Helen Brasfield, Paul Bartlett, Edna Turner, Elva Miller, Knight Biggerstaff, Frances Cahill, Edna Hampton, Gladys Hull, Astrid Johnson, Linnea Johnson, Helen Kastens, Marguerite Lynn, Marguerite Milnthorpe, Mabel Maclean, Alice Mork, Phyllis Mumma, Dora Richards, Inez Schaepe, Bertha Schockley, Edyth Stroebel, Anita Gordon, Josephine Logan, Mabel Anderson, Eleanor Bates, Hazel Hewitt, Frances Kockritz, Janet Sayer, Wesley Miller, Dolores Mote, Margaret Nichols, John Sears, Emma Snow, Ruth Taft, Herbert Vicars, Paul Wilson, Alice Zecker, Raymond Fox, Margaret Ellis, George Orley, Hugh Falconer, Norman Everton, Walter Waldorf, Fairbain Kimball, Amelia Irwine, Renwick Congdon, Carmen Christensen, Paul Culbert, Charles Cutler, Katherine Ehrgott, Harland Frederick, Lois Hoit, Thelma Hoover, Janice Hoyt, Maurine McKeany, Nelson Miles, Leonie Miller, John Moore, Henry Nichols, Philip Paz, Harlyn Ring, Lorimer Skidmore, Helen Snyder, John Thornton, Philip Usinger, Wilmer Voorhees, Georgia Smith, Marjorie Gear, Clayton Briggs, Bernice Ehlert, Thomas Eichelberger, Adelaide Hauscom, Everett Hull, John Johnson, Robert Kinkead, Carl Larson, John McDaniels, Charles Pugh, Marian Rideout, Edward Stephens, Ruth Sterrett, Lois Tyrrell, Crimo White, Carol Gear, Gwendolyn Barnes, Margaret Collins, Elizabeth Dempster, Clarence Fagerstrom, Sidney Glasson, Jack Glessner, Henry Graitan, Wilbur Hayes, Constance Johnson, Gale King, Horace Mann, Gleb Post, Delpha Stevens, Sidney Watson, Dorothy Wells, Margaret Webber, Paul McGuire, Josephine Fuhrer, Evalyn Henderson, Ruth Richards, Herbert Clossen, Pauline Baker, Lawrence Cooper, Alice Edwards, Parker Kelty, Kelty Martin, Esther Sadowski, Helen Watson, Barbara Weddle, Helen-Mar Wheeler, Rhesa Hall, Derrick Lehmer, Harriett Lobarthe, John Lewis, and Will Engle.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Moore, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Connolly: Assembly Constitutional Amendment No. 57—Proposed amendment to article XIII of the constitution, relative to taxation.

Introduced, and referred to Committee on Revenue and Taxation.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Connolly:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mrs. Woodbridge asked for and was granted unanimous consent to take up Assembly Bill No. 653, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SIX HUNDRED FIFTY-THREE.

Assembly Bill No. 653—An act to add a new section to be numbered section 15*a* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers in this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said fund", approved June 16, 1913, relating to retirement of attendance officers.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mrs. Woodbridge moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 1 of the title, strike out the letter "*a*" after the word "fifteen" and insert in lieu thereof the letter "*b*".

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, strike out the letter "*a*" after the word "fifteen" and insert in lieu thereof the letter "*b*".

AMENDMENT NUMBER THREE

On page 1, line 8, of the printed bill, strike out the letter "*a*" after the number "fifteen" and insert in lieu thereof the letter "*b*".

Motion carried.

The Speaker appointed Mrs. Woodbridge as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 653, with instructions, reports that the instructions of the Assembly have been carried out.

WOODBRIDGE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 36, insert the following

"SEC. 8. The enforcement of the provisions of this act is hereby vested in the division of weights and measures of the state department of agriculture and said division shall have the power, and it shall be their duty, to see that said provisions are enforced."

AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed bill, strike out the number "8" and in lieu thereof insert the number "9"

AMENDMENT NUMBER THREE.

On page 2, line 42, of the printed bill, strike out the number "9" and in lieu thereof insert the number "10".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 211—An act to amend sections 363, 363*a*, 363*b*, 363*c*, 363*d*, 363*e*, 363*f*, 363*g*, and 363*h*, of the Political Code, relating to the Department of Public Works.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of lines 1 to 7, both inclusive, of the title of the printed bill, and in lieu thereof insert the following

"An act to amend sections three hundred sixty-three, three hundred sixty-three *a*, three hundred sixty-three *c* and three hundred sixty-three *h* of the Political Code, relating to the department of public works".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 to 27, both inclusive, and in lieu thereof insert the following

"363. A department of the government of the State of California to be known as the department of public works is hereby created. The department shall be conducted under the control of the executive officer to be known as director of public works, which office is hereby created. The director shall be appointed by and hold office at the pleasure of the governor and shall receive a salary of five thousand

dollars per annum. The director shall act as chief of the division of engineering and irrigation, without additional compensation. He shall be and is hereby designated state engineer. Before entering upon the duties of his office he shall execute an official bond to the State of California in the penal sum of twenty-five thousand dollars, conditioned upon the faithful performance of his duties. Except as otherwise in this article prescribed the provisions of article two of this chapter title and part of the Political Code as the same exists at the time this act takes effect and as the same may be amended from time to time shall govern and apply to the conduct of the department of public works in every respect the same as though such provisions were herein set forth at length. Whenever in said article two the term "head of the department", "head of a department" or similar designation occurs the same shall for the purpose of this article mean the director of public works.

SEC. 2. Section three hundred sixty-three *a* of the Political Code is hereby amended to read as follows:

363*a*. For the purpose of administration, the department shall be forthwith organized by the director of public works in such manner as with the approval of the governor shall be deemed necessary to properly segregate and conduct the work of the department. The work of the department is hereby divided into at least three divisions to be known respectively as the division of engineering and irrigation, the division of water rights and the division of architecture. The director of public works with the approval of the governor may create such other division and subdivisions as may be necessary and change or abolish the same from time to time with the approval of the governor. The chief of the division of water rights shall receive an annual salary of five thousand dollars, the chief of the division of architecture shall receive an annual salary of four thousand eight hundred dollars.

SEC. 3. Section three hundred sixty-three *c* of the Political Code is hereby amended to read as folows:

363*c*. Except as in this article otherwise provided the department of public works shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities and jurisdiction of the state Carey act commission, advisory board to the state Carey act commission, state engineer, the state water commission and the department of engineering, and of the several officers, deputies and employees of such bodies and offices; and whenever by the provisions of any statute or law now in force or that may hereafter be enacted a duty or jurisdiction is imposed or authority conferred upon any of said bodies, offices, officers, deputies or employees, or upon any other person by any statute, the enforcement of which is transferred to the department such duty, jurisdiction and authority are hereby imposed upon and transferred to the department of public works and the appropriate officers thereof with the same force and effect as though the title of said department of public works had been specifically set forth and named therein, in lieu of the names of any such board, commission office, officer, deputy or employee thereof as the case may be. For the purposes of this article, the terms "state Carey act commission" "advisory board to the state Carey act commission" "state engineer" and "state department of engineering" shall be construed to mean and refer to the "department of public works", and wherever in any statute or law the term "member of state Carey act commission" "member of advisory board to the state Carey act commission" and "member of state department of engineering" is used, it shall be construed to mean and refer to the "department of public works" and the appropriate officers thereof and wherever in any statute or law reference is made to the "advisory board to the department of engineering" or to a "member of the advisory board to the department of engineering", such reference, in so far as it relates to matters not coming within the jurisdiction of the California highway commission shall be construed to mean and refer to the "department of public works" or to the appropriate officers thereof, respectively; and whenever in any statute or law the term "executive member of the state water commission" or "state water commission" is used, it shall be construed to mean and refer to the chief of the division of water rights, except as otherwise provided in this article.

Except as in this article otherwise provided, said bodies and offices the duties, powers, purposes, responsibilities and jurisdiction of which are so transferred to and vested in the department of public works, and the positions of all officers, deputies and employees thereunder are and each of them is hereby abolished and shall have no further legal existence, but the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes, responsibilities and jurisdiction together with all lawful rules and regulations established thereunder are hereby expressly continued in force. The department of public works shall also be in possession and control of all records, books, papers, offices, equipment, supplies, moneys, funds, appropriations, land and other property, real or personal, now or hereafter held for the benefit or use of said bodies, offices and officers.

SEC. 4. Section three hundred sixty-three *h* of the Political Code is hereby amended to read as follows:

363*h*. From and after the date upon which this act takes effect, the department of public works shall be and is hereby authorized and empowered to expend the moneys in any appropriation or in any special fund in the state treasury now

remaining or made available by law for the administration of the provisions of all the statutes the enforcement of which is committed to the department or for the use, support, or maintenance of any board, commission, office or officer, that is abolished by the provisions of this article and whose duties, powers, and functions are, by the provisions of this article, transferred to and conferred upon the department of public works. Such expenditures by the department or commission shall be made in accordance with law in carrying on the work for which such appropriations were made or such special funds created.

SEC. 5. This act in so far as it does not add to, take from, or alter an existing law shall be construed as a continuation thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-fifth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the words "and fees" in line 2 of the title of the printed bill, and in lieu thereof insert the following: ", fees and expenses".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill strike out the words "of the counties" and in lieu thereof insert the words "in counties".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill after line 6 add the following:

"1. The county clerk, three thousand five hundred dollars per annum, and when a new register of voters is required by law to be made, he shall receive in addition fifteen cents per name for each voter registered, which shall be in full for all services required in registering voters and making the great register; *provided*, that in counties of this class there shall be and is hereby allowed to the county clerk, one deputy, who shall be appointed by said county clerk, who shall be paid a salary of one hundred seventy-five dollars per month, and one deputy who shall be appointed by said county clerk, who shall be paid a salary of one hundred fifty dollars per month, said salaries of said deputies to be paid by said county monthly at the same time and in the same manner and out of the same fund, as the salary of the county clerk is paid.

2. The sheriff, four thousand five hundred dollars per annum and also all fees for service in actions arising out of his county; *provided*, that in counties of this class there shall be and is hereby allowed to the sheriff one deputy who shall be appointed by said sheriff, who shall be paid a salary of one hundred seventy-five dollars per month, and one deputy who shall be appointed by said sheriff, who shall be paid a salary of one hundred dollars per month, said salaries to be paid by said county monthly at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid.

3. The recorder, three thousand dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the recorder, one deputy, who shall be appointed by said recorder, who shall be paid a salary of one hundred seventy-five dollars per month, and one deputy, who shall be appointed by the recorder, who shall be paid a salary of one hundred twenty-five dollars per month and two copyists who shall be appointed by said recorder, who shall be paid a salary of one hundred ten dollars a month each, said salaries of said deputies and of said copyists to be paid by said county, monthly at the same time and in the same manner and out of the same fund, as the salary of the recorder is paid.

4. The auditor, three thousand five hundred dollars per annum; *provided* that in counties of this class there shall be and is hereby allowed to the auditor, clerks and employees, who shall be appointed by said auditor, who shall be paid salaries as follows: One deputy auditor at a salary of one hundred seventy-five dollars per month and a sum not to exceed six hundred dollars in any one year for such additional clerk hire as may be necessary, said salaries of the clerks and employees herein provided for shall be paid by said county monthly at the same time and in the same manner and out of the same fund, as the salary of the auditor is paid.

5. The treasurer, three thousand five hundred dollars per annum; and such fees as are now or may hereafter be allowed by law.

6. The tax collector, three thousand five hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the tax collector, a deputy, who shall be appointed by said tax collector, who shall be paid a salary of one hundred seventy-five dollars per month, and one deputy who shall be appointed by said tax collector, who shall be paid a salary of one hundred twenty-five dollars per month, said salaries to be paid by said county monthly at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid, *provided, further*, that in counties of this class there shall be and is hereby allowed to the tax collector a copyist for the period of time embraced between the first day of August and the thirty-first day of December, both dates inclusive, in each year. Said copyist shall be appointed by said tax collector, and shall be paid a salary of one hundred ten dollars per month during the period of time said copyist shall be employed, to be paid by said county monthly at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid; *provided, further*, that said tax collector shall be entitled to receive and retain for his own use ten per centum only of all licenses collected by him *and provided, further*, that the tax collector shall be allowed a sum not to exceed six hundred dollars per annum for the hire of such additional clerks and assistance as may be necessary, to be paid in the same manner and out of the same fund as the salary of the tax collector is paid

7. The assessor, four thousand five hundred dollars per annum, and also such fees and commissions as are allowed by law, *provided*, that in counties of this class there shall be and is hereby allowed to the assessor, a deputy, who shall be appointed by said assessor who shall be paid a salary of one hundred seventy-five dollars per month, to be paid by said county monthly at the same time and in the same manner and out of the same fund, as the salary of the assessor is paid, *and provided, further*, that in counties of this class there shall be and is hereby allowed to the assessor, a deputy who shall be appointed by said assessor, who shall be paid a salary of one hundred fifty dollars per month, to be paid by said county monthly, at the same time, and in the same manner and out of the same fund as the salary of the assessor is paid *provided, further*, that in counties of this class there shall be and is hereby allowed to the assessor a field deputy who shall be appointed by said assessor from the first day of March to the thirtieth day of June, both days inclusive, during each year, who shall be paid a salary of one hundred fifty dollars per month, to be paid by said county monthly, at the same time and in the same manner and out of the same funds as the salary of the assessor is paid; *and provided, further*, that in counties of this class there shall be and is hereby allowed to the assessor, a copyist, who shall be appointed by said assessor from the first day of January to the thirty-first day of July, inclusive, during each year. Said copyist shall be paid a salary of one hundred ten dollars per month, to be paid by said county monthly, at the same time, and in the same manner and out of the same fund as the salary of said assessor is paid, *provided, further*, that said assessor shall be entitled to receive and retain for his own use six per centum only in personal property tax collected by him as authorized by section three thousand eight hundred twenty of the Political Code of the State of California, *provided, further*, that there is hereby allowed to the assessor such additional deputies as may be necessary to carry on the work of his office for a length of time not to exceed three months for each deputy, and the aggregate compensation to be paid all of such deputies shall not exceed four thousand five hundred dollars in any one year.

8. The district attorney three thousand dollars per annum; *provided*, that in counties of this class, the district attorney may appoint a deputy which office of deputy district attorney is hereby created, said deputy to be employed at such times and to receive such salary not to exceed the sum of one hundred fifty dollars per month as the board of supervisors may fix by resolution, *provided, further*, that said district attorney may appoint a stenographer at a salary of one hundred ten dollars per month. Said deputy and said stenographer shall be paid at the same time and out of the same fund as other county officers are paid

9. The superintendent of schools, three thousand six hundred dollars per annum and actual traveling expenses while attending to his duties as such superintendent of schools, *provided*, that such traveling expenses shall not in any one year exceed the sum of seven hundred fifty dollars, *provided*, that in counties of this class there shall be and is hereby allowed to the superintendent of schools, a deputy, who shall be appointed by said superintendent of schools and who shall be paid a salary of one hundred seventy-five dollars at the same time and in the same manner and out of the same fund as the salary of the superintendent of schools is paid.

10. The coroner, such fees as are now or may be hereafter allowed by law.

11. The public administrator such fees as are now or may be hereafter allowed by law

12. The surveyor, such fees as are now or may be hereafter allowed by law

13. For the purpose of fixing the compensation of justices of the peace and constables according to their duties, townships in counties of this class are hereby classified according to their population as follows Townships having a population of ten thousand or more shall belong to and be known as townships of the first class; townships having a population of less than ten thousand and more than five thousand shall belong to and be known as townships of the second class; townships having a

population of less than five thousand and more than one thousand shall belong to and be known as townships of the third class, townships having a population of less than one thousand and more than nine hundred shall belong to and be known as townships of the fourth class, townships having a population of less than nine hundred shall belong to and be known as townships of the fifth class. The population of the several townships shall be determined by the board of supervisors upon the enactment of this act and also at the time of the formation of any new township or townships for the purpose of this and the succeeding subdivisions by the last federal census taken during the year 1910. Justices of the peace shall receive the following salaries

In townships of the first class the sum of one hundred fifty dollars per month; *provided*, that each justice of the peace in townships of this class shall be an attorney at law admitted to practice before the supreme court of this state;

In townships of the second class the sum of one hundred twenty-five dollars per month,

In townships of the third class the sum of fifty dollars per month;

In townships of the fourth class the sum of ten dollars per month,

In townships of the fifth class the sum of five dollars per month,

Said salaries shall be paid in the same manner, and out of the same fund as the salaries of county officers are paid, and shall be compensation in full for all services rendered All fees received by justices of the peace shall be paid into the county treasury every month. Justices of the peace of the first and second classes shall be allowed their necessary office expenses not to exceed the sum of fifteen dollars per month *provided, further*, that all justices of the peace shall be allowed their civil and criminal dockets and legal blanks at the expense of the county *provided, further*, that the justices of the peace of the townships of the third class when in the trial of criminal cases it becomes necessary to rent a hall to conduct said trial, the said justices of the peace of said counties of the third class shall be allowed the rental paid therefor, but not to exceed the sum of three dollars for any one day; *and provided, further*, that said rental shall not exceed in any one month the sum of fifteen dollars

14. Constables shall receive the following salaries

In townships of the first class the sum of one hundred dollars per month. Said constables shall be entitled to receive and retain for their own use and benefit all fees collected for the service of civil processes.

In townships of the second class the sum of eighty dollars per month Said constables shall be entitled to receive and retain for their own use and benefit all fees collected for the service of civil processes

In townships of the third, fourth and fifth classes such fees as are now or may be hereafter allowed by law and in addition thereto three dollars per day for each day's actual attendance in court during a jury trial therein or preliminary examination for felony, *provided* that no constable shall receive more than three dollars for any one day's attendance on any court. It is hereby found as a fact that the salaries provided for in this subdivision do not work an increase in compensation and the same shall apply immediately to incumbents.

15. Each member of the board of supervisors one hundred dollars per month, and ten cents per mile while traveling from his residence to the county seat, and also mileage for his services as road commissioner at the rate of twenty cents per mile one way, for the distance actually traveled in the discharge of his duties as road commissioner, *provided*, that such mileage as road commissioner shall not in any one year exceed the sum of three hundred dollars

16. The county traffic officer, two thousand one hundred dollars per annum *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer three deputies, which offices are hereby created; said deputies shall be appointed by said county traffic officer who shall each receive a salary of one thousand eight hundred dollars per annum which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid.

17. Each member of the board of education including the secretary, five dollars per day when the board is in session and ten cents per mile for traveling to and from his or her residence to the county seat at each session, unless otherwise provided by law

In counties of this class, the official phonographic reporter of the superior court shall receive the sum of one hundred fifty dollars per month as compensation for the reporting of criminal cases both in the superior court and justices court in the county, and for the transcription of the shorthand notes of such cases he shall receive fifteen cents per folio of one hundred words for the original and seven and one-half cents per folio for each copy thereof as compensation for reporting and for the transcription of his shorthand notes In civil cases he shall receive the fees now or hereafter authorized by law; *provided*, that he shall receive from the county no fees for the county's share of the cost of reporting in any civil cases in which the county is a party. The salary of the reporter shall be paid out of the county treasury in the same manner as other county officers are paid

SEC 2 The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations

thereof and not as new enactments, and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4, line 37, of the printed bill, strike out the words "a majority," and insert in lieu thereof the word "two-thirds".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 6, add the following

"1. The county clerk three thousand six hundred dollars per annum and a fee of twelve and one-half cents for each elector registered; *provided, however*, that the amount received from such fees shall in no event exceed two thousand eight hundred dollars in any two year period, *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk, which said positions are hereby created, the following deputies, who shall be appointed by the county clerk of the said county and shall be paid salaries as follows One chief deputy at a salary of two thousand four hundred dollars per annum, one deputy at a salary of two thousand one hundred dollars per annum, one deputy at a salary of one thousand nine hundred fifty dollars per annum, three deputies at a salary of one thousand eight hundred dollars each per annum, one deputy at a salary of one thousand six hundred fifty dollars per annum, and one deputy at a salary of one thousand five hundred dollars per annum, *provided*, that in such years as the compilation of a great register of voters is required by law, to be made, the county clerk in counties of this class, shall be, and he is hereby allowed the following additional deputies: As many deputies as are necessary, in his discretion, from January first to November first, at one hundred twenty-five dollars, each, per month, and whose compensation shall not exceed two thousand five hundred dollars in the aggregate for all deputies so employed, *provided, further*, the county clerk may appoint such number of registration deputies in any precinct as he may deem necessary for the convenient registration of voters in their respective precincts and that each of said deputies so appointed for such purpose shall receive as compensation therefor the sum of eight cents for each elector registered by each of said deputies, said compensation to be paid out of the general fund of the county on presentation and filing with the board of supervisors of said county the duly verified claim therefor approved by said county clerk. The deputies herein provided for shall be paid by such county at the same time and in the same manner and out of the same fund that the salary of the county clerk is paid In counties of this class the county clerk shall pay into the county treasury all fees received by him in his official capacity It is hereby found as a fact and so declared that the salaries provided for in this section does not work an increase in the compensation of the county clerk.

2. The sheriff, four thousand eight hundred dollars per annum. The sheriff shall also receive for his own use the fees for mileage which are now, or which may hereafter be allowed by law, and the fees and commission for the service of all

papers whatsoever issued by any court of this state, outside of this county. The sheriff shall also receive the necessary expenses incurred in the pursuit of criminals, *provided*, that no constructive mileage shall be allowed. In counties of this class there shall be, and there is hereby allowed to the sheriff, which said positions are hereby created, the following deputies, who shall be appointed by the sheriff of such county, and shall be paid salaries as follows: One under sheriff at a salary of two thousand two hundred fifty dollars per annum, four deputies at a salary of one thousand nine hundred fifty dollars per annum and six deputies, one of whom shall be a woman, at a salary of one thousand eight hundred dollars each per annum. The deputies herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund that the salary of the sheriff is paid. In counties of this class the sheriff shall make no charge for the boarding of prisoners over and above the actual cost of materials. The provisions herein contained shall apply to present incumbents.

3. The recorder, four thousand dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby allowed to the recorder, which said positions are hereby created, the following deputies and copyists, who shall be appointed by the recorder of such county, and shall be paid salaries as follows: One chief deputy recorder at a salary of one thousand nine hundred fifty dollars per annum, two deputies at a salary of one thousand five hundred dollars per annum, two copyists at a salary of one thousand two hundred dollars per annum; *provided*, that said copyists being eligible, may also be appointed deputy recorders without further compensation. The recorder may also employ such additional copyists, not to exceed three, as may be required to copy instruments filed for record within a reasonable time after the same are filed for record and which the other copyists herein provided, are unable to copy within such time. The compensation of such additional copyists shall be paid out of the general fund of said county at the rate of ninety dollars a month, and proper claims therefor shall be presented to and allowed by the board of supervisors. The deputies and copyists herein provided for other than additional copyists, shall be paid by said county at the same time and in the same manner and out of the same fund that the salary of the recorder is paid; *provided*, that in counties of this class the recorder may be allowed the actual necessary expenses incurred by him in the performance of his official duties and shall pay into the county treasury all fees received by him in his official capacity from whatsoever source they may be derived. The provisions herein contained shall apply to present incumbents.

4. The auditor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the auditor, which said positions are hereby created the following deputies and assistants who shall be appointed by the auditor of such county, and shall be paid salaries as follows: One chief deputy auditor at a salary of two thousand four hundred dollars per annum, one deputy at a salary of two thousand one hundred dollars per annum, two deputy auditors at a salary of one thousand nine hundred fifty dollars each per annum, one deputy at a salary of one thousand six hundred fifty dollars per annum, one deputy who shall be a stenographer at a salary of one thousand five hundred dollars per annum; *provided, further*, that the auditor may appoint ten additional assistants for a period of employment not to exceed two months in each year, to be paid four dollars and fifty cents each per diem. The deputies and assistants herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund as the salary of the auditor is paid. In counties of this class the auditor shall pay into the county treasury all fees received by him in his official capacity.

5. The treasurer, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, which said position is hereby created, one deputy, who shall be appointed by the treasurer of such county, and shall be paid a salary of two thousand one hundred dollars per annum. The deputy herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund that the salary of the treasurer is paid. In counties of this class the treasurer shall pay into the county treasury all fees received by him in his official capacity.

6. The tax and license collector, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the tax and license collector, which said positions are hereby created, the following deputies and assistants, who shall be appointed by the tax and license collector of said county, and shall be paid salaries as follows: One chief deputy at a salary of one thousand nine hundred fifty dollars per annum, one deputy at a salary of one thousand six hundred fifty dollars per annum, three assistants for a period of employment not exceeding eight months each per year to be paid four dollars and fifty cents per diem each and three assistants for a period of employment not exceeding five months each per year to be paid four dollars and fifty cents per diem each, and four additional copyists for a period of employment not exceeding four months each per year to be paid four dollars and fifty cents per diem each; such additional assistants, not to exceed seven, for a period of time not to exceed two months, said additional assistants

to be paid out of the general fund of the county at the rate of four dollars and fifty cents per diem each. The deputies and assistants herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund that the salary of the tax and license collector is paid. The provisions herein contained shall apply to present incumbents.

7. The assessor, five thousand dollars per annum. In counties of this class there shall be and there is hereby allowed to the assessor the following deputies and employees, who shall be appointed by the assessor and who shall be paid salaries as follows: One chief deputy assessor who shall receive a salary of two thousand two hundred fifty dollars per annum, one deputy assessor who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall be a stenographer at one thousand five hundred dollars per annum, six deputies who shall be employed not to exceed one hundred twenty days each year whose per diem shall be eight dollars each when actually employed, six deputies who shall be employed not to exceed one hundred twenty days in each year whose per diem shall be seven dollars each when actually employed, four deputies who shall be employed not to exceed one hundred twenty days in each year whose per diem shall be six dollars each when actually employed; ten deputies who shall be employed not to exceed one hundred twenty days in each year whose per diem shall be four dollars and fifty cents each when actually employed; such additional deputies, whose aggregate compensation shall not exceed two thousand four hundred dollars in any fiscal year, as may be necessary to carry on the work of his office, *provided*, that the above salaries and compensations shall be in full payment for all services rendered by him as such assessor and that no commission for the collection of state taxes or infirmary poll taxes for road taxes or personal property taxes shall be retained by him, nor shall the assessor receive any compensation for making out the military roll of persons returned to him as subject to military duty as provided by section one thousand nine hundred one of the Political Code of the State of California, but that all fees and commissions shall be paid into the county treasury. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same fund as the salary of the county assessor is paid, *provided*, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties. The provisions herein contained shall apply to present incumbents.

8. The district attorney four thousand dollars per annum, *provided*, that in counties of this class there shall be, and there is hereby allowed to the district attorney, which said positions are hereby created, the following: One assistant district attorney at a salary of two thousand seven hundred dollars per annum, two deputy district attorneys at a salary of two thousand four hundred dollars each per annum, one detective at a salary of two thousand two hundred fifty dollars per annum; said detective to also be allowed his necessary traveling and other expenses in the performance of the duties of his office, and two stenographers at a salary of one thousand five hundred dollars each per annum. The assistant, deputies, detective and stenographers herein provided for shall be appointed by, and hold office at the pleasure of, the district attorney, and shall be paid by said county at the same time and in the same manner and out of the same fund that the salary of the district attorney is paid; *provided*, that the necessary traveling expenses of the detective shall constitute a county charge; *and provided, also*, that the assistant district attorney herein provided for shall possess the powers of, and may perform the duties attached by law to the office of his principal; *provided, further*, that no employee of the district attorney's office shall accept any other compensation by reason of services rendered in any action or proceeding wherein fees or per diem would constitute a charge against the county. The provisions herein contained shall apply to present incumbents.

9. The coroner and public administrator, three thousand dollars per annum, and his actual necessary expenses in traveling outside of the county seat. He shall hold inquests as prescribed by chapter two, title twelve, part two of the Penal Code, except that he may in his discretion dispense with a jury. The coroner or other officer holding an inquest upon the body of a deceased person may subpoena a physician or surgeon to inspect the body or a chemist to make analysis of the contents of the stomach or tissues of the body, or hold a post mortem examination of the deceased, and give his professional opinion as to the cause of death. The coroner in counties of this class, shall be and is hereby allowed one deputy at a salary of one hundred dollars per month and his necessary traveling expenses in traveling outside of the county seat, said deputy shall have the power, and it shall be his duty, when directed by the coroner, to hold inquests, and all power conferred by law upon the coroner may be exercised by said deputy; one clerk, which office is hereby created, at a salary of one hundred fifty dollars per month and his actual necessary expenses in traveling outside of the county seat, whose duty it shall be when called upon by the coroner, to attend all inquests and take down in shorthand the testimony of all witnesses at such inquests, when such testimony is taken down by such clerk his transcription thereof duly certified to by him, shall constitute the depositions of the witnesses testifying at such inquests so reported by such clerk; the salary of the said deputy and said clerk herein provided for shall be paid by the county, in the same manner, at the same time, and out of the same funds

as the salary of the coroner and public administrator is paid. Said deputy and said clerk shall be appointed by the coroner, and shall hold office at the pleasure of the coroner. All fees and commissions collected by the coroner and public administrator in his official capacity and by his said deputy in his official capacity shall be paid into the county treasury.

10. The superintendent of schools, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and is hereby allowed to the superintendent of schools, which said positions are hereby created, the following deputies, who shall be appointed by the superintendent of schools of such county, and shall be paid salaries as follows: One field deputy at a salary of two thousand two hundred fifty dollars per annum, and two deputies at a salary of one thousand eight hundred dollars per annum each. The deputies herein provided shall be paid by said county at the same time and in the same manner and out of the same fund that the salary of the superintendent of schools is paid. In counties of this class the superintendent of schools shall receive his actual and necessary traveling expenses for visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools. The provisions herein contained shall apply to present incumbents.

11. The surveyor, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the surveyor, which positions are hereby created, the following deputies, who shall be appointed by the surveyor of such county: One chief deputy surveyor at a salary of two thousand four hundred dollars per annum, and one deputy at a salary of one thousand eight hundred dollars per annum. The deputies herein provided for shall be paid by said county at the time and in the same manner and out of the same fund as the salary of the surveyor is paid; *provided further*, that after the expiration of the term of the present incumbent the surveyor and his deputies shall during the time they are holding office be and they are hereby prohibited from engaging in private employment at surveying.

12. Supervisors, three thousand dollars per annum each, and actual and necessary traveling expenses in the performance of the duties of their office; *provided*, that in counties of this class the board of supervisors shall have power to provide for the maintenance and support of minor children under eighteen years of age who are orphans or half orphans, abandoned or destitute minors, to lease, construct, maintain appropriate buildings therefor, to provide suitable salaries for the necessary teachers and superintendents thereof. In the event that any regularly organized corporation whose sole purpose is the care, welfare and support of orphans, half orphans, abandoned or destitute minors under eighteen years of age, has already a building, structure, grounds and officers and have been in the business of caring for such destitute minors for eight years prior to the passage of this act, then the board of supervisors of the county are authorized to pay to the directors of the said corporation so caring for said destitute minors a sum not to exceed the sum of fifteen dollars per month for each minor so cared for.

Every institution receiving aid as above provided for must keep the following records which at all times must be open for inspection to the board of supervisors of such county, or to any person appointed by them to examine the same.

1. A record on which must be entered the date of admission, name, age, sex, and place of birth of each and every orphan, half orphan, destitute or abandoned child, who is or may hereafter be received or admitted into such institution, and the date of discharge of any such child, when such discharge is made, the parentage, if known; the estate, if any, to which the child is heir, and the insurance, if any, on the father's or mother's life, so far as can be ascertained, the place where either parent or both died, the nativity of the parents, where married, the marriage certificate, where recorded, when they came to California, place of residence in California, and habits of sobriety.

2. A book entitled "monthly accounts." In it must be entered, on the debtor side, all the moneys received from any and all sources segregated under the proper heads, on the credit side must be entered all disbursements made, specifying for what purposes made, and the amount entered in detail so disbursed, segregated under then proper heads.

3. A pay roll of the employees, and the amounts disbursed to each.

4. A book in which must be entered in detail the amounts paid for the specific support of every orphan, half orphan, destitute or abandoned child and the date of such payments.

13. In counties of this class the township officers shall receive the following compensation, to wit: In townships having a population of twenty-five thousand or more, justices of the peace shall receive a monthly salary of two hundred dollars and may appoint one clerk at a salary of one hundred dollars per month, and constables a monthly salary of one hundred thirty-five dollars.

In townships having a population of ten thousand or more and less than twenty-five thousand, justices of the peace shall receive a monthly salary of one hundred sixty-five dollars and may appoint one clerk at a salary of fifty dollars per month and constables a monthly salary of one hundred ten dollars.

In townships having a population of four thousand nine hundred and thirty, or more, and less than ten thousand, justices of the peace shall receive a monthly salary of one hundred forty dollars, and constables a monthly salary of one hundred twenty-five dollars.

In townships having a population of four thousand one hundred forty, or more, and less than four thousand nine hundred thirty, justices of the peace shall receive a monthly salary of seventy-five dollars, and constables a monthly salary of one hundred dollars.

In townships having a population of three thousand nine hundred thirty-five, or more, and less than four thousand one hundred forty, justices of the peace shall receive a monthly salary of one hundred dollars, and constables a monthly salary of ninety dollars

In townships having a population of three thousand five hundred eight, or more, and less than three thousand nine hundred thirty-five, justices of the peace shall receive a monthly salary of one hundred dollars, and constables a monthly salary of seventy-five dollars.

In townships having a population of three thousand four hundred ninety-five, or more, and less than three thousand five hundred eighty, justices of the peace shall receive a monthly salary of twenty dollars, and constables a monthly salary of twenty-five dollars.

In townships having a population of two thousand six hundred thirty, or more, and less than three thousand four hundred ninety-five, justices of the peace shall receive a monthly salary of sixty-five dollars, and constables a monthly salary of seventy-five dollars.

In townships having a population of two thousand four hundred ninety, or more, and less than two thousand six hundred thirty, justices of the peace shall receive a monthly salary of seventy-five dollars, and constables a monthly salary of sixty-five dollars

In townships having a population of two thousand four hundred fifty-five, or more, and less than two thousand four hundred ninety, justices of the peace shall receive a monthly salary of ninety dollars, and constables a monthly salary of seventy-five dollars.

In townships having a population of one thousand seven hundred seventy, or more, and less than two thousand four hundred fifty-five justices of the peace shall receive a monthly salary of sixty-five dollars, and constables a monthly salary of seventy-five dollars

In townships having a population of one thousand four hundred thirty-five or more, and less than one thousand seven hundred seventy justices of the peace shall receive a monthly salary of fifty dollars, and constables a monthly salary of sixty dollars.

In townships having a population of one thousand two hundred fifteen or more, and less than one thousand four hundred thirty-five, justices of the peace shall receive a monthly salary of ninety dollars, and constables a monthly salary of ninety dollars.

In townships having a population of eight hundred fifty-five or more and less than one thousand two hundred fifteen, justices of the peace shall receive a monthly salary of twenty dollars, and constables a monthly salary of twenty dollars

In townships having a population of eight hundred, or more and less than eight hundred fifty-five, justices of the peace shall receive a monthly salary of thirty dollars, and constables a monthly salary of thirty dollars

In townships having a population of five hundred eighty, or more, and less than eight hundred, justices of the peace shall receive a monthly salary of one hundred dollars, and constables a monthly salary of one hundred dollars

In townships having a population of three hundred thirty, or more, and less than five hundred eighty, justices of the peace shall receive a monthly salary of twenty dollars, and constables a monthly salary of twenty dollars.

Salaries of justices of the peace shall be in full compensation for all services rendered by them in both civil and criminal cases. Salaries of constables shall be in full compensation for all services rendered by them in criminal cases, and in addition to the monthly salaries herein allowed, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil cases, and shall also be allowed all necessary expenses actually incurred in arresting and conveying prisoners to court or to prison, which said expense shall be audited and allowed by the board of supervisors and paid out of the county treasury.

The salaries of justices of the peace and of constables shall be paid monthly by the county in the same manner that the salaries of county officers are paid; *provided*, that for the purposes of this section, the population of the several judicial townships of this county shall be ascertained by multiplying the number of votes cast for president at the election held in the year 1916, A. D., by five, which said population in said judicial townships has been computed and is determined to be as follows, to wit

Judicial Township No. 1	1,935
Judicial Township No. 2	1,215
Judicial Township No. 3	13,025
Judicial Township No. 4	3,580
Judicial Township No. 5	2,490
Judicial Township No. 6	27,350
Judicial Township No. 7	475
Judicial Township No. 8	330
Judicial Township No. 9	855
Judicial Township No. 10	580
Judicial Township No. 11	2,455
Judicial Township No. 12	3,495
Judicial Township No. 13	2,630
Judicial Township No. 14	800
Judicial Township No. 15	3,935
Judicial Township No. 16	4,930
Judicial Township No. 17	4,140
Judicial Township No. 18	1,770
Judicial Township No. 19	5,310

14. In the superior court, jurors' fees and witness fees shall be as follows:

For attending as a grand juror, for each day's actual attendance per day, three dollars, and twenty-five cents per mile for each mile actually traveled in going only, and but once during the term for which such juror is drawn, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

For attending as a trial juror for each day's actual attendance, per day three dollars, and fifteen cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

For attending as a witness in criminal cases and before the grand jury, for each day's actual attendance the sum of two dollars, and fifteen cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such witness for said per diem and mileage, and the treasurer shall pay the same, *provided, however,* that in criminal cases such per diem and mileage shall only be allowed on a showing to the court by the witness the same was necessary for the expenses of the witness in attending, and the court shall determine the necessity for the same, and may disallow any fees to a witness unnecessarily subpenaed.

The fees for jurors in criminal cases in justice courts shall be two dollars per day for each day of actual service as a juror and the justice of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and the treasurer shall pay the same.

15. The county librarian shall receive two thousand seven hundred dollars per year.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments, and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill after line 6 add the following:

"1. The county clerk three thousand six hundred dollars per annum, and such fees and commissions as are now or may hereafter be allowed by law; *and provided,* that in counties of this class, there shall be and is hereby allowed to the county clerk one deputy to be appointed by said county clerk who shall be paid a salary of

two thousand one hundred dollars per annum, one deputy to be appointed by said county clerk who shall be paid a salary of one thousand eight hundred dollars per annum, and one deputy (who shall be a stenographer) to be appointed by said county clerk who shall be paid a salary of one thousand five hundred dollars per annum, which salary of said deputies herein provided for shall be paid out of the same fund, at the same time, and in the same manner as the salaries of other county officers are paid; *provided, further*, that in any year when a new and complete registration of voters, or a supplemental registration of voters, is required by law the county clerk may appoint such number of deputies as may be necessary for the convenient registration of voters in their respective precincts, and that each of said deputies so appointed for such purpose shall receive as compensation therefor the sum of ten cents for each elector registered by such deputy, said compensation to be paid out of the general fund of the county on presentation and filing with the board of supervisors of said county a duly verified claim therefor approved by said county clerk; *provided further*, that in any year when a general election, primary election, special state election, special county election, or special district election ordered by the board of supervisors, is held, there shall be allowed to said county clerk such number of assistants as is necessary to properly prepare for and conduct any of said elections and which said assistants shall be paid out of the general fund of the county on the presentation and filing with the board of supervisors duly verified claims therefor approved by said county clerk.

It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in the compensation for the services required of the county clerk by law, or by virtue of his office, and it is intended hereby that the same shall apply immediately to the present incumbent.

2. The sheriff three thousand five hundred dollars per annum, and such fees and commissions as are now or may hereafter be allowed by law, and his actual traveling expenses; *and, provided*, that in counties of this class there shall be and is hereby created the office of under sheriff, to be appointed by the sheriff, who shall be paid a salary of two thousand dollars per annum; also one deputy, to be appointed by the sheriff, who shall be paid a salary of one thousand six hundred eighty dollars per annum, and also one deputy, to be appointed by the sheriff, who shall be paid a salary of one thousand six hundred eighty dollars per annum, which salaries of said under sheriff and said deputy sheriffs herein provided for, shall be paid out of the same fund and in the same manner and at the same time as the salaries of other county officers are paid.

It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in the compensation for the services required of the sheriff by law, or by virtue of his office, and it is intended hereby that the same shall apply immediately to the present incumbent.

3. The recorder two thousand dollars per annum and six cents for each folio recorded.

It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in the compensation for the services required of the recorder by law, or by virtue of his office, and it is intended hereby that the same shall apply immediately to the present incumbent.

4. The auditor three thousand dollars per annum and the following deputy, which office of deputy auditor is hereby created. One deputy at a salary of one thousand eight hundred dollars per annum, payable at the same time, out of the same funds and in the same manner as the salaries of other county officers are paid; *provided further*, that in counties of this class there shall be, and is hereby allowed to the auditor such assistants as may be required each year, such assistants shall be appointed by said auditor and shall be paid a salary of one hundred dollars per month during the period of time said assistants shall be employed and whose salaries shall be paid at the same time in the same manner and out of the same fund as the salaries of other county officers are paid; *provided*, that no more than one thousand five hundred dollars shall be expended for such assistants in any one year.

5. The treasurer two thousand seven hundred dollars per annum.

It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in the compensation for the services required by the treasurer by law, or by virtue of his office, and it is intended hereby that the same shall apply immediately to the present incumbent.

6. The tax collector, three thousand dollars per annum; *provided*, that in counties of this class there shall be, and is hereby allowed to the tax collector a deputy who shall be appointed by said tax collector and shall be paid a salary of one thousand five hundred dollars per annum, which salary shall be paid at the same time, in the same manner and out of the same fund as the salaries of other county officers are paid; *provided, further*, that in counties of this class, there shall be and is hereby allowed to the tax collector two deputies for the period of time employed between the first day of August and the thirty-first day of December of each fiscal year,

which said deputies shall be appointed by the said tax collector and shall be paid a salary of one hundred dollars per month during the period of time said deputies shall be employed and which said salaries shall be paid at the same time, in the same manner and out of the same fund as salaries of other county officers are paid.

7. The assessor, four thousand dollars per annum, and such fees and commissions as are now or may hereafter be allowed by law; *and provided, that in counties of* this class there shall be and there is hereby allowed the assessor, a deputy, who shall be appointed by said assessor and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the same fund and in the same manner as the salaries of county officers are paid; *provided, further*, that in counties of this class there shall be and there is hereby allowed the assessor, two copyists for a period not exceeding four months in any one year, at a salary of sixty dollars each per month.

It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in the compensation for the services required of the assessor by law, or by virtue of his office, and it is intended hereby that the same shall apply immediately to the present incumbent.

8. The district attorney, two thousand seven hundred fifty dollars per annum; he may also appoint an assistant district attorney, which office is hereby created, whose salary shall be sixteen hundred dollars per annum; and in counties of this class he may also appoint a clerk, who shall be a stenographer, whose office of clerk to the district attorney is hereby created, whose salary shall be fifteen hundred dollars per annum; the salaries of said assistant district attorney and clerk shall be payable as the salaries of other county officers.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, two thousand dollars per annum until the first Monday in January, 1923, from and after which date the superintendent of schools shall receive as compensation for the services required of him by law, or by virtue of his office, three thousand dollars per annum. The superintendent of schools shall be allowed his actual traveling expenses when visiting the schools of his county, and may appoint a deputy superintendent with a salary of one thousand six hundred eighty dollars per annum, payable at the same time, out of the same funds, and in the same manner as the salaries of other county officers are paid.

It is hereby found as a fact that the changes provided for in this subdivision do not work an increase in the compensation for the services required of the superintendent of schools by law, or by virtue of his office, and it is intended hereby that the salary of two thousand dollars per annum shall apply immediately to the present incumbent.

12. The surveyor, one thousand five hundred dollars per annum for all work performed for the county; *provided*, that in counties of this class there shall be and hereby is allowed to the surveyor one assistant to be appointed by the surveyor, whose salary shall be nine hundred dollars per annum, payable at the same time, out of the same fund and in the same manner as the salary of the surveyor is paid; and in addition thereto the surveyor shall be allowed actual traveling and other necessary expenses, incurred in connection with field work; *provided*, that whenever the surveyor is directed by the assessor to plat, trace or otherwise prepare maps, plats, or block book for the use of the county assessor he shall be allowed only the actual cost of preparing the same.

13. Justices of the peace in counties of this class shall receive the following monthly salaries to be paid each month in the same manner, at the same time and out of the same funds as the county officers are paid, which shall be in full for all services rendered by them. In townships having a population of more than five thousand two hundred dollars per month; in townships having a population of more than seventeen hundred and less than five thousand, one hundred twenty-five dollars per month; in townships having a population of more than one thousand five hundred and less than seventeen seventy-five dollars per month; in townships having a population of more than one thousand and less than fifteen hundred, fifty dollars per month; in townships having a population of less than one thousand, thirty-five dollars per month. The board of supervisors of such counties shall furnish and maintain for the use of justices of the peace in townships having a population of two thousand five hundred or more, an office suitable for use as a courtroom equipped with the necessary furniture for the proper and convenient conduct of business therein. The board of supervisors of such counties shall furnish and supply to the justices of the peace of the various townships in such counties the codes of this state and amendment thereto, and all necessary stationery, legal blanks and forms for the proper and convenient conduct of business.

14. The constables shall receive the following salaries to be paid each month as salaries of the county officers are paid, which shall be in full for all services rendered by them in criminal cases, and in all other criminal matters. In townships having a population of more than five thousand, one hundred fifty-five dollars per month; in townships having a population of more than seventeen hundred and less than five thousand, one hundred twenty-five dollars per month; in townships having

a population of more than fifteen hundred and less than seventeen hundred, seventy-five dollars per month; in townships having a population of more than one thousand and less than fifteen hundred, fifty dollars per month; in townships having a population of less than one thousand, thirty-five dollars per month; *provided*, that each constable shall be allowed and paid out of the treasury of the county for traveling expenses in his own district, for the service of a warrant of arrest or any other process in a criminal case, or other criminal matters (when such service is in fact made) both going and returning, twenty cents per mile; and shall also be allowed and paid mileage at the rate of twenty cents per mile for every mile actually traveled within his county, both going and returning, in making an arrest or conveying prisoners to prison or to court, and also all other necessary expenses incurred in the performance of any of his duties other than in civil cases, said mileage and other expenses shall be audited and allowed by the board of supervisors and paid out of the county treasury. In addition to the monthly salary allowed him herein each constable shall receive for his own use, the fees in civil cases, which are now or may hereafter be allowed by law, and shall also be allowed mileage at the rate of fifteen cents per mile for every mile actually traveled within his county.

15. Each member of the board of supervisors, one thousand two hundred dollars per annum, payable in monthly installments, and for serving as road commissioner two hundred dollars per annum; also each shall be allowed paid his actual necessary traveling expenses incurred by him while engaged in the county business outside of his district whether within or without the boundaries of his county, also his actual necessary expenses in attending the annual state convention of members of county boards of supervisors; *provided* that the expense of each member attending such convention shall not exceed forty dollars in any one year; also each supervisor shall be allowed and paid his traveling expenses, while supervising the roads of his district, at the rate of twenty cents per mile for each mile so traveled, *provided* that the amount so allowed and paid shall not exceed the sum of seventy-five dollars in any one month.

16. In counties of this class the official phonographic reporter of the superior court shall receive as compensation for his services the fees and compensation now or hereafter provided by law, and in addition thereto shall receive five dollars per day when not actually engaged in reporting in said court, but when in attendance on said court in compliance with and as provided by section two hundred seventy-one of the Code of Civil Procedure, the said per diem of five dollars to be paid in the same manner as provided in criminal cases.

17. The county traffic officer, two thousand four hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer two deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of two thousand four hundred dollars per annum, which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said traffic officer and his deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law.

The population of the several judicial townships for the purpose of fixing compensation of township offices shall be ascertained and declared by the board of supervisors on the first Monday after the first day of January in every odd numbered year.

19. Witnesses subpoenaed in criminal cases and in cases of dependent and delinquent persons shall receive two dollars per day and ten cents per mile for every mile actually traveled. The court shall make an order directing the auditor to draw his warrant on the county treasury for the amount due, and the treasurer shall pay the same. The court may disallow any fee to a witness unnecessarily subpoenaed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, line 3, after the period add the following: "In counties of the eighteenth class the county officers shall receive as compensation for

services required of them by law or by virtue of their offices, the following salaries, to wit:

1 The county clerk, three thousand five hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk the following deputies who shall be appointed by the county clerk and shall be paid salaries as follows One chief deputy clerk at a salary of one hundred and seventy-five dollars per month and two deputy clerks at a salary of one hundred and twenty-five dollars each per month The salaries of the deputies herein provided for shall be paid by said county in equal monthly installments at the time and in the same manner and out of the same funds as the salary of the county clerk *provided, also*, that in counties of this class there shall be and is hereby allowed to the county clerk such additional clerks and assistants as the county clerk may require, and whose compensation in the aggregate shall not exceed one thousand five hundred dollars in any one year, and he shall also receive an additional sum of ten cents per name for each affidavit for registration taken outside the office by deputy registration clerks, claims for the services of such additional clerks and assistants and for registration outside of his office shall be presented to and allowed by the board of supervisors as other claims against the county are presented and allowed

2. The sheriff, four thousand dollars per annum, *provided*, that in counties of this class there shall be and hereby is allowed to the sheriff three deputies who shall be appointed by the sheriff one at a salary of one hundred fifty dollars per month, one at a salary of one hundred thirty-five dollars per month, and one at a salary of one hundred dollars per month The salaries of said deputies shall be paid by said county at the same time and in the same manner and out of the same funds as the salary of the sheriff is paid *provided, further*, that there shall be allowed the said sheriff and his deputies the actual traveling expenses in attending to the duties of the office both civil and criminal including his necessary expenses for pursuing criminals or transacting any criminal business All fees, commissions and mileage shall be turned over to the county and become the property of the county

3. The recorder, three thousand dollars per annum, *provided*, that in counties of this class there shall be and is hereby allowed to the recorder the following deputies, who shall be appointed by the recorder and shall be paid salaries as follows: One chief deputy at a salary of one hundred fifty dollars per month, and two deputies at a salary of one hundred twenty-five dollars per month each, said salaries to be paid by said counties in monthly installments at the same time and in the same manner and out of the same funds as the salary of the recorder is paid; *provided, also*, that in counties of this class there shall be and is hereby allowed to the recorder such additional clerks and assistants as the recorder may require, and whose compensation in the aggregate shall not exceed one thousand dollars in any one year *and provided, further*, that such clerk or clerks as may be necessarily employed to enable the recorder to perform the duties devolved upon him by the provisions of the Torrens land title act, shall be paid one hundred twenty-five dollars per month each The compensation of attorneys employed under section one hundred eight of said title act shall not exceed twenty-five dollars per day for each day actually devoted to the duties of such employment. Claims for such additional clerks and assistants to be allowed and paid as other claims against the county are allowed and paid

4 The auditor, three thousand dollars per annum *provided*, that in counties of this class there shall be and is hereby allowed to the auditor one chief deputy, who shall be appointed by the auditor and paid a salary of one hundred fifty dollars per month, said salary to be paid by the county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the auditor is paid, *provided, also*, that in counties of this class there shall be and hereby is allowed to the auditor such additional clerks and assistants as the auditor may require, and whose compensation in the aggregate shall not exceed one thousand dollars in any one year. Claims for the services of such additional clerks and assistants to be allowed and paid as other claims against the county are allowed and paid

5 The treasurer, one thousand five hundred dollars per annum

6 The tax collector, three thousand dollars per annum, which shall be in full compensation for all services rendered by him, *provided*, that in counties of this class there shall be and hereby is allowed to the tax collector one deputy who shall be appointed by said tax collector, at a salary of one hundred fifty dollars per month, said salary to be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the tax collector is paid *also provided*, that the said tax collector shall be allowed such additional clerks and assistants as he may require and whose compensation in the aggregate shall not exceed the sum of seven hundred dollars in any one year Claims for services of such additional clerks and assistants to be allowed and paid as other claims against the county are paid All commissions and fees of whatever character of the tax collector shall be paid in the county treasury

7 The assessor, three thousand dollars per annum, which shall be in full compensation for all services rendered by him *provided*, that in counties of this class there shall be and is hereby allowed to the assessor one chief office deputy at a salary of one hundred fifty dollars per month, one office deputy at a salary of one hundred

thirty-five dollars per month, said deputies shall be appointed by said assessor and said salaries shall be paid by said county at the same time and in the same manner and out of the same funds as the salary of the assessor is paid *provided, also*, that in counties of this class there shall be and is hereby allowed to the assessor the following field deputies Five for a period of four months each during each fiscal year, whose offices are hereby created and who shall be appointed by the assessor and be paid a salary of two hundred dollars per month each, two for a period of four months each during each fiscal year whose offices are hereby created and who shall be appointed by the assessor and be paid a salary of one hundred twenty-five dollars per month each said salaries to be paid by the county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the assessor is paid, *and provided, further*, that said assessor shall be allowed such additional clerks and assistants as he may require and whose compensation in the aggregate shall not exceed the sum of one thousand dollars in any one year. Claims for the services of such additional clerks and assistants to be allowed and paid as other claims against the county are paid, *and provided, further*, that the assessor shall be allowed his actual traveling expenses including the expense of operating and maintaining an automobile when engaged in attending to official business not exceeding the sum of two hundred dollars in any one year, claims for which expenses shall be allowed and paid, but if the county shall provide and maintain an automobile for the use of the assessor's office no transportation expenses shall be allowed the assessor or his deputies when traveling in the county. All commissions or fees heretofore or now allowed by law to the assessor, shall be paid by him into the county treasurer.

8 The district attorney three thousand dollars per annum, *provided*, that in counties of this class there shall be and is hereby allowed to the district attorney the following deputies and a stenographer, whose offices are hereby created and who shall be appointed by the district attorney and shall be paid salaries as follows One deputy at a salary of one hundred fifty dollars per month; one deputy at one hundred twenty-five dollars per month and one deputy at fifty dollars per month, and one stenographer at a salary of ninety dollars per month, said salaries to be paid by said county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the district attorney is paid.

9 The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law

11. The superintendent of schools, three thousand dollars per annum, and actual traveling expenses when visiting the schools of his or her county, *provided*, that in counties of this class there shall be and is hereby allowed to the superintendent of schools one deputy, who shall be appointed by the superintendent of schools and paid a salary of one hundred fifty dollars per month, said salary to be paid by said county in monthly installments and at the same time and in the same manner and out of the same funds as the salary of the superintendent of schools is paid.

12. The county surveyor, for all services required of him as county surveyor and also for all services which may be required of him as a road engineer, shall receive one thousand five hundred dollars per annum and necessary costs of transportation to and from, and necessary expenses in the field while engaged on public work, *provided* that in counties of this class there shall be and there is hereby allowed the county surveyor one deputy who shall be appointed by said county surveyor at a salary of one hundred fifty dollars per month, to be paid at the same time and in the same manner and out of the same funds as the salary of the county surveyor is paid, *provided, further*, that whenever said surveyor is directed by the assessor to plat, trace or otherwise prepare maps, plats or block books for the use of the county assessor he shall do so without charge or extra compensation therefor.

13 The justices of the peace shall receive the following monthly salaries, to be paid each month in the same manner and at the same time and out of the same funds as other county officers are paid, which shall be in full for all services rendered by them in civil and criminal cases In townships having a population of more than fifteen thousand, one hundred twenty dollars per month and said justice shall be furnished with an office and necessary supplies by the board of supervisors of said county in townships having a population of five thousand and not over fifteen thousand one hundred dollars per month, and said justice shall be furnished with an office and necessary supplies by the board of supervisors of said county; in townships having a population over four thousand and not over five thousand, sixty dollars per month; in townships having a population over three thousand and not over four thousand, fifty dollars a month, in townships under three thousand, twenty-five dollars per month. For the purposes of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D 1920

14 Constables shall receive the following monthly salaries to be paid each month and in the same manner and at the same time and out of the same funds as other county officers are paid which shall be in full for all services rendered by them in criminal cases In townships having a population of more than ten thousand ninety dollars per month, in townships having a population of five thousand and not over ten thousand, seventy-five dollars per month, in township having a population of

four thousand and not over five thousand fifty dollars per month; in townships having a population of three thousand and not over four thousand, forty dollars per month; in townships having a population of under three thousand, twenty-five dollars per month. In addition to the above compensation received in criminal cases, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases. Constables shall also be allowed all necessary expenses incurred in conveying prisoners. For the purposes of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1920.

15. Each supervisor for all services required of him as superivisor and ex officio road commissioner, one thousand five hundred dollars per annum and twenty cents per mile for traveling from his residence to the county seat to attend meetings of the board of supervisors. No other mileage or remuneration and no traveling expenses shall be allowed.

16. The county traffic officer, two thousand four hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officers four deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one hundred seventy dollars per month, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles; *provided, however*, that the county shall provide gasoline and oil for the purpose of propelling the same and shall pay all of the expenses of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the colon, insert the following:

"1. The county clerk, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum; one deputy to act as judgment clerk whose salary is hereby fixed at the sum of two thousand seven hundred dollars per annum; one deputy to act as assistant judgment clerk, whose salary is hereby fixed at the sum of two thousand two hundred and twenty dollars per annum; one deputy to act as assistant clerk of the board of supervisors, whose salary is hereby fixed at the sum of three thousand dollars per annum; one deputy to act as chief registration clerk whose salary is hereby fixed at the sum of two thousand two hundred and twenty dollars per annum; five deputies whose salaries are hereby fixed at the sum of two thousand two hundred and twenty dollars per annum each; nineteen deputies whose salaries are hereby fixed at the sum of two thousand dollars per annum each; one deputy whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum; one deputy whose salary is hereby fixed at the sum of one thousand six hundred and twenty dollars per annum. All the foregoing deputies herein provided for, shall be appointed by the county clerk of said county, and their salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk.

Such additional deputies are also allowed the said county clerk in each year in which a general election is to be held throughout the state, as he may appoint and whose compensation shall not exceed in the aggregate the sum of twelve thousand dollars; also such additional deputies in each year in which a presidential primary election is held as he may appoint and whose compensation shall not exceed in the aggregate the sum of one thousand five hundred dollars; also such additional deputies in the event of a special election being held within the county as he may appoint and whose compensation shall not exceed in the aggregate the sum of one thousand five hundred dollars; *provided, further*, that in each year in which a new and complete registration of voters is required by law, the county clerk in counties of this class may appoint for each voting precinct in the county, one additional

deputy who shall be a qualified elector of the precinct for which appointed and who shall be paid eight cents per name for each elector legally registered by him or her in the same manner as other county claims are paid

2. The sheriff, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff one under-sheriff, whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum; three deputies whose salaries are hereby fixed at the sum of two thousand four hundred dollars per annum each, one chief jailer whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum, two deputies who shall act as detectives whose salaries are hereby fixed at the sum of two thousand four hundred dollars per annum each, twenty deputies whose salaries are hereby fixed at the sum of two thousand dollars per annum each two engineers for the jail whose salaries are hereby fixed at the sum of two thousand two hundred eighty dollars per annum each, two deputies who shall act as process servers in addition to their other duties whose salaries are hereby fixed at the sum of two thousand one hundred dollars per annum each one matron for the jail whose salary is hereby fixed at the sum of one thousand five hundred dollars per annum; one assistant matron for a period of not to exceed two weeks in any one year and to serve only during the vacation of the matron, whose salary is hereby fixed at the sum of sixty-two and one-half dollars for such two weeks, *provided, further*, that all the foregoing deputies and assistants of such sheriff herein provided for shall be appointed by the sheriff and their salaries shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the sheriff, the sheriff shall also receive the amount of money necessarily expended by him in serving all process and notices and all expenses necessarily incurred by him in the pursuit of criminals and the same shall be a charge against the county and allowed as such by the board of supervisors and paid as other county charges are paid.

3. The recorder, five thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the recorder the following deputies and copyists who shall be appointed by the recorder of such county and who shall be paid salaries and compensations as follows one chief deputy whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum, thirteen deputies whose salaries are hereby fixed at the sum of two thousand dollars per annum each, two deputies whose salaries are hereby fixed at the sum of one thousand eight hundred dollars per annum each, *provided, further*, that the salaries of the deputies herein provided for shall be paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the recorder, *provided, further*, that in counties of this class, the recorder shall be entitled to the actual cost incurred by him for the recording of all papers, documents and records in his office not to exceed seven and three-fourths cents per folio for long hand recording and not to exceed six cents per folio for typewritten recording for each paper or document so recorded, *and provided, further*, that said recorder shall file monthly with the county auditor a sworn statement showing in detail the persons and the amounts paid to each for such recording

4. The auditor, five thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the auditor one chief deputy, whose salary is hereby fixed at the sum of three thousand dollars per annum one deputy to act as accountant whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum one deputy to act as redemption clerk whose salary is hereby fixed at the sum of two thousand one hundred dollars per annum one deputy to act as warrant clerk whose salary is hereby fixed at the sum of two thousand one hundred dollars per annum, three deputies whose salaries are hereby fixed at the sum of two thousand dollars per annum each, one deputy to act as stenographer whose salary is hereby fixed at the sum of one thousand six hundred and twenty dollars per annum and such additional assistants during the period in each year from July first to December thirty-first as the auditor may appoint and whose compensation shall not in the aggregate exceed the sum of two thousand dollars per annum *and provided further*, that the auditor shall file with the county clerk, a sworn statement showing in detail the amounts paid and the persons to whom such compensation is paid for such extra assistants as aforesaid, *provided, further* that the deputies and assistants herein provided shall be appointed by the auditor of said county and their salaries paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same fund as is the salary of the auditor.

5. The treasurer, five thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the treasurer, one chief deputy whose salary is hereby fixed at the sum of three thousand dollars per annum one deputy whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum one deputy whose salary is hereby fixed at the sum of two thousand one hundred dollars per annum one deputy whose salary is hereby fixed at the sum of two thousand dollars per annum all of which sums shall be paid by said county in equal monthly installments at the same time and in the same manner,

and out of the same fund as is the salary of the treasurer; *provided*, that all of said deputies herein provided for shall be appointed by the treasurer of said county; *and provided, further*, that all commissions and fees required or permitted by any law of this state or of the United States to be collected by the treasurer either as an officer or ex officio officer, his deputies or assistants, for the performance of any official duty, shall be collected for the benefit of the county and shall be paid into the salary fund of the county monthly.

6. The tax collector, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the tax collector, one chief deputy, whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum; one deputy who shall act as chief clerk whose salary is hereby fixed at the sum of two thousand seven hundred dollars per annum; one deputy who shall act as cashier whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; twelve deputies whose salaries are hereby fixed at the sum of two thousand dollars per annum each; *provided, further*, that there shall be and there hereby is allowed to the tax collector three extra deputies for a period not to exceed eight months in any one year at a salary of one hundred thirty-five dollars per month each; six extra deputies for a period not to exceed five months in any one year at a salary of one hundred and thirty-five dollars per month each; six extra deputies for a period not to exceed four months in any one year at a salary of one hundred and thirty-five dollars per month each; *provided, further*, that in counties of this class the tax collector shall appoint six persons to be known as indexers and whose duties it shall be under the supervision and direction of the tax collector to compile, make out and complete an index of the assessment-roll of the county, and of the sanitary assessment-rolls for each sanitary district in counties of this class yearly, as soon as the said rolls are completed by the assessor of the county, and each assessor of said sanitary districts and for each year thereafter. The said indexes to be a public record for use of the tax collector and the general public and to be kept in the office of the tax collector during the collection of taxes and to be turned over to the auditor at the same time as the assessment-rolls are turned over in the final settlement of the tax collector with the county auditor. Such indexers shall be paid a salary of one hundred thirty-five dollars per month each, payable at the same time and in the same manner as other county officers are paid, but such indexers shall not be employed to exceed four months in any one year; *provided, further*, that the chief deputy and all other deputies and assistants herein provided for shall be appointed by the tax collector of said county, and the salaries of said chief deputy and all other deputies and assistants herein provided for, shall be paid by said county at the same time and in the same manner and out of the same fund as the salary of the tax collector.

7. The license collector shall receive fifteen per cent of all licenses collected by him.

8. The assessor, seven thousand dollars per annum and necessary traveling expenses in the performance of the duties of his office; *provided*, that in counties of this class, there shall be and there is hereby allowed to the assessor, the following assistants and deputies who shall be appointed by the assessor and paid salaries as follows: one assistant assessor whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum; one chief deputy whose salary is hereby fixed at the sum of three thousand dollars per annum; two deputies whose salaries are hereby fixed at the sum of two thousand seven hundred dollars per annum each; two deputies whose salaries are hereby fixed at the sum of two thousand four hundred dollars per annum each; nine deputies whose salaries are hereby fixed at the sum of two thousand one hundred sixty dollars per annum each; fifteen deputies whose salaries are hereby fixed at the sum of two thousand dollars per annum each; two deputies for a period not to exceed six months in any one year whose salaries are hereby fixed at the rate of one hundred sixty-six and two-thirds dollars per month each; ten deputies for a period not to exceed five months in any one year whose salaries are fixed at the sum of one hundred thirty-five dollars per month each; and such additional deputies as the assessor may appoint and whose compensation shall not in the aggregate exceed the sum of four thousand dollars per annum; *provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amount paid and the persons to whom such compensation is paid for such extra assistants as aforesaid; *provided, further*, that the number of deputies, not to exceed four, which are assigned by the assessor to do field work outside of incorporated cities or towns within counties of this class shall be allowed their actual and necessary traveling expenses while engaged in assessing personal property in the said unincorporated territory.

The salaries herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor; *provided, however*, that should the assessor be directed by any law or by any order of the board of supervisors or by any municipality within the counties of the third class to prepare maps, plats or block-books for the use of the county or assessment-rolls for the use of any municipality, then said assessor shall make said maps, plats or block-books or assessment-rolls for the use of any municipality but shall only receive the actual cost by him incurred in making or pre-

paring said maps, plats, block-books or assessment-rolls, *and provided, further*, that he shall file with the county auditor a sworn statement showing the persons to whom and the amounts paid to each for such maps, plats, block-books or assessment-rolls, and shall account forthwith and pay to the county any difference between such costs and the amount allowed him for such work; *and provided, further*, that the salaries herein named shall be in full compensation for all services of every kind and description rendered by the assessor, his deputies or assistants, and it is *further provided*, that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section one thousand nine hundred one of the Political Code.

9. The district attorney six thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the district attorney the following assistants, deputies and employees who shall be appointed by the district attorney and who shall be paid salaries as follows two assistant district attorneys whose salaries are hereby fixed at the sum of three thousand six hundred dollars per annum each, one chief deputy district attorney whose salary is hereby fixed at the sum of three thousand three hundred dollars per annum, one deputy whose salary is hereby fixed at the sum of three thousand three hundred dollars per annum, two deputies whose salaries are hereby fixed at the sum of three thousand dollars per annum each, two deputies whose salaries are hereby fixed at the sum of two thousand seven hundred dollars per annum each two deputies whose salaries are hereby fixed at the sum of two thousand four hundred dollars per annum each; one deputy to act as bond and warrant clerk in addition to his other duties whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum, two deputies whose salaries are hereby fixed at the sum of two thousand four hundred dollars per annum each whose duty it shall be in addition to performing services as deputies district attorney to attend the sessions of the police courts in cities of the second class and conduct on behalf of the people all prosecutions for public offenses of which said police court shall have jurisdiction, one clerk whose salary is hereby fixed at the sum of two thousand dollars per annum; one clerk and private exchange operator at a salary of nine hundred sixty dollars per annum, one stenographer whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum; two stenographers whose salaries are hereby fixed at the sum of one thousand six hundred and twenty dollars per annum each one detective who shall assist the district attorney in the detection of crime and prosecution of criminal cases whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum *and provided, further*, that nothing herein contained shall be construed as preventing the board of supervisors of counties of this class from employing special counsel in civil cases when the judgment of said board determines the interests of said counties to require it

The salaries of said assistant district attorneys, deputies, and all other persons in this subdivision provided for, shall be payable by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid

10. The coroner, four thousand dollars per annum, and his necessary traveling expenses as follows, ten cents per mile for distance actually traveled outside the cities of Oakland, Berkeley, Alameda, Piedmont, Emeryville and San Leandro; said traveling expenses not to exceed twenty dollars in any one calendar month; *provided, further*, that in counties of this class, there shall be and there hereby is allowed to the coroner, one autopsy physician and surgeon, whose salary is hereby fixed at the sum of two thousand one hundred dollars per annum, who shall perform all autopsies and inspections in all cases required by the coroner except that where the distance from the county seat exceeds twenty miles the coroner may subpoena a physician or surgeon to perform such autopsy or inspect the body, one deputy, whose salary is hereby fixed at the sum of two thousand dollars per annum, and one stenographer whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum and who shall be paid in addition thereto, for transcribing all the testimony and proceedings taken by him at any inquest, the sum of ten cents per one hundred words for one copy and five cents per one hundred words for two copies made at one time and in every case where the death of any person shall have been caused by the criminal act of another such stenographer shall make a copy of the transcript of the testimony and proceedings taken at said inquest for the use of the district attorney of said county in all inquests so reported the fees for transcribing as provided herein shall be paid out of the county treasury upon the order of the coroner

When such testimony is taken down by such stenographer as herein set forth his transcription thereof duly certified to by him shall constitute the deposition of the witnesses testifying at such inquest so reported by such stenographer The autopsy physician and surgeon, deputy and stenographer herein provided for shall be appointed by the coroner and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the coroner is paid.

11. The public administrator, such fees as are now or may hereafter be allowed by law.

12. The superintendent of schools five thousand dollars per annum, *provided*, that during the term of office of the present incumbent the salary of the superintendent of schools shall be four thousand dollars per annum *provided* that in counties of this class there shall be and there hereby is allowed to the superintendent of schools one assistant superintendent of schools whose salary is hereby fixed at the sum of three thousand dollars per annum one chief deputy whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum one deputy whose salary is hereby fixed at the sum of two thousand one hundred dollars per annum; one deputy whose salary is hereby fixed at the sum of two thousand dollars per annum, said assistants and deputies shall all be appointed by the said superintendent of schools of said county and their salaries shall be paid in equal monthly installments out of the same fund and in the same manner as the salary of the superintendent of schools is paid In counties of this class the superintendent of schools shall receive his actual and necessary traveling expenses for visiting and examining schools and school properties of the county and in performance of such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools

13. The surveyor, five thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the surveyor one chief deputy whose salary is hereby fixed at the sum of three thousand six hundred dollars per annum one stenographer whose salary is hereby fixed at the sum of one thousand six hundred and twenty dollars per annum The salary of such surveyor shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid All work which the surveyor is directed or charged to perform by law, or by order of the board of supervisors of such county, shall be performed by the surveyor at actual cost *provided however*, that on all such work other than block-book work hereinafter provided for, transit men and office men when actually engaged on such county work shall receive a per diem of not to exceed ten dollars and chainmen when actually engaged in such county work shall receive a per diem of not to exceed six dollars *and provided further* that for the making, platting, tracing or otherwise preparing maps, plats or block-books for the use of the county or any municipality within such county there shall be and there hereby is allowed to the surveyor the following draughtsmen who shall be paid salaries as follows two draughtsmen whose salaries are hereby fixed at the sum of two thousand four hundred dollars per annum each; two assistant draughtsmen whose salaries are hereby fixed at the sum of two thousand dollars per annum each *and provided, further*, that the surveyor shall be allowed all necessary expenses for work performed for the county by virtue of his office and all necessary expenses and transportation for work performed in the field. The said surveyor shall render to the auditor of said county a monthly sworn statement showing therein the kind and nature of work performed the dates, amounts paid to assistants and paid for expenses. The salary herein fixed for said surveyor shall be in lieu of all other fees, commissions or compensations of whatever kind or nature for services performed by said surveyor for said county The deputy and all persons herein provided for shall be appointed by the surveyor and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as are the salaries of county officers of counties of this class

14 Justices of the peace shall each receive the following monthly salaries: to be paid each month in the manner and out of the same fund as county officers are paid which salaries shall be in full for all services rendered by such justices of the peace in townships having a population of more than one hundred thousand, four thousand dollars per annum in townships having a population of seventy-five thousand and less than one hundred thousand, three thousand six hundred dollars per annum in townships having a population of twenty thousand and less than seventy-five thousand, two thousand four hundred dollars per annum, in townships having a population of less than twenty thousand, one thousand six hundred twenty dollars per annum *and provided further*, that each justice of the peace must keep a book, open for the inspection of the public during office hours, in which must be entered at once and in detail the amount of all fees and fines collected by him as such justice of the peace and on the first Monday of each and every month he must pay such fees and fines so collected into the county treasury or city treasury as provided by law *and provided, further* that the board of supervisors of counties of the third class shall furnish each justice of the peace with a suitable office in which to hold court and shall also furnish the necessary furniture books, blanks and supplies for said court *and provided further*, that in townships having a population of more than one hundred thousand there shall be one justice's clerk, and one deputy justice's clerk who shall be appointed by the justice of the peace of said township or justices if more than one and who shall perform such duties as are required of them by law of the justice or justices of said township The salary of said clerk is hereby fixed at the sum of two thousand two hundred and twenty dollars per annum and that of the deputy clerk at one thousand eight hundred dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justice of the peace is

paid, *and provided, further*, that in townships having a population of more than seventy-five thousand and less than one hundred thousand there shall be one justice's clerk, who shall be appointed by the justice of the peace of said township, or justices, if more than one, and who shall perform such duties as are required of him by law or the justice or justices of said township. The salary of said clerk is hereby fixed at the sum of two thousand dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justice of the peace is paid. For the purpose of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year anno Domini 1920.

Any increase in the salary of any justice of the peace as herein provided shall not become effective during the term of office of any present incumbent.

15. Constables shall receive the following monthly salaries to be paid each month in the same manner and out of the same fund as other county officers are paid which shall be in full for all services rendered by them in criminal cases. In townships having a population of more than one hundred thousand, one hundred sixty-six and two-thirds dollars, in townships having a population of seventy-five thousand and less than one hundred thousand, one hundred fifty dollars, in townships having a population of twenty thousand and less than seventy-five thousand, one hundred twenty-five dollars, in townships having a population of less than twenty thousand, one hundred thirty-five dollars. In addition to the compensation received in criminal cases each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases, *provided*, that in counties of this class constables shall be, and they are hereby allowed such expenses as are actually and necessarily incurred by them in conveying prisoners to and from the county jail, such expenses to be itemized and presented as a claim against the county and to be audited and allowed by the board of supervisors and paid out of the county treasury in the same manner as are other claims. For the purpose of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year Anno Domini 1920; *provided, further*, that in townships having a population of more than one hundred thousand, the board of supervisors of counties of the third class shall furnish each constable with a suitable office and supplies for said office.

Any increase in the salary of any constable as herein provided shall not become effective during the term of office of any present incumbent.

16. Each supervisor three thousand dollars per annum, *provided*, that in counties of this class supervisors charged as road commissioners with the inspection of five hundred or more miles of roads within their respective districts, shall be and they are hereby allowed their actual traveling expenses not to exceed the sum of seventy-five dollars in any one calendar month, *and provided, further*, that, in counties of this class supervisors charged as road commissioners with the inspection of two hundred fifty and not exceeding five hundred miles of roads within their respective districts shall be, and they are hereby allowed their actual traveling expenses not to exceed fifty dollars in any one calendar month; *and provided, further*, that in lieu of the above-mentioned amounts for traveling expenses, said supervisors charged as road commissioners may be furnished with automobiles by counties of the third class, *provided, further*, that nothing herein contained shall be construed to prevent the use of county automobiles while engaged in the performance of their official duties, by supervisors of counties of this class not so charged as road commissioners. During the term of office of any present incumbent elected prior to the year 1922 the salary of such incumbent shall be two thousand seven hundred dollars per annum, with the traveling expenses now provided by law.

17. The county librarian three thousand dollars per annum, payable at the same time and in the same manner and out of the same fund as the salaries of other county officers; *provided*, that the board of supervisors may appoint all necessary employees for the county library as provided by law. The county librarian shall also be allowed actual and necessary traveling expenses.

18. The sealer of weights and measures three thousand dollars per annum and deputy sealers of weights and measures the sum of two thousand dollars per annum each payable at the same time and in the same manner and out of the same fund as the salaries of other county officers, said deputies to be appointed as provided by law.

SEC. 2. This act shall take effect ninety days after the final adjournment of the present session of the legislature."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill after the period add the following: "Section four thousand two hundred sixty-two of the Political Code is hereby amended to read as follows:

4262. In counties of the thirty-third class the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, fees and expenses, to wit:

1. The county clerk, three thousand five hundred dollars per annum and such fees as are now or may be hereafter allowed by law; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk, one clerk, which office is hereby created, at a salary of one hundred dollars per month and who shall be appointed by the county clerk. The salary of said clerk herein provided for shall be paid by said county in monthly installments at the same time, and in the same manner and out of the same fund as the salary of the county clerk is paid.

2. The sheriff, six thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the sheriff, one clerk, which office is hereby created, at a salary of one hundred dollars per month and who shall be appointed by the sheriff. The salary of said clerk to be paid in the same manner and at the same time as the salaries of other county officers are paid.

3. The recorder, three thousand five hundred dollars per annum.

4. The auditor, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the auditor one clerk, which office is hereby created, at a salary of one hundred dollars per month, and who shall be appointed by the auditor. The salary of said clerk herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, one clerk, which office is hereby created, at a salary of seventy-five dollars per month and who shall be appointed by the treasurer. The salary of said clerk to be paid in the same manner and at the same time as the salaries of other county officers are paid.

6. The tax collector, two thousand dollars per annum; *provided*, he shall have power to appoint one deputy at a salary of seventy-five dollars per month, payable at the same time and in the same manner as that of other county officers; *and provided, further*, that in counties of this class all the fees and commissions of every name and nature received by the tax collector shall be paid into the county treasury.

7. The assessor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the assessor one clerk, which office is hereby created, at a salary of one hundred dollars per month and who shall be appointed by the assessor. The salary of said clerk herein provided for shall be paid by said county in monthly installments at the same time, and in the same manner, and out of the same fund as the salary of the assessor is paid. The assessor may also appoint five field clerks, which offices of field clerk are hereby created, to serve not exceeding sixty days in any one year, and said field clerks shall receive as compensation for all services performed as such, the sum of five dollars per day for each day actually and necessarily employed as such, to be paid out of the county treasury in the same manner, at the same time and out of the same fund as the salaries of the county officers are paid; *provided*, that each field deputy, when so employed, shall file with the auditor a statement verified by the oath of such field deputy and approved by the assessor, showing the number of days actually and necessarily employed in the duties of such employment during the period covered by said statement, before any warrant for the payment of such compensation shall be drawn by the auditor. All commissions, fees or compensation for the collection of taxes on personal property, for services in making out the roll of persons subject to military duty, and all other fees and commissions shall be collected by the assessor and by him paid into the county treasury and no part shall be retained by him as part of his compensation.

8. The district attorney, two thousand four hundred dollars per annum, and he is hereby allowed in addition thereto one clerk to be appointed by him, who shall receive nine hundred dollars per annum, said salary to be paid in the same manner,

at the same time, and out of the same fund as the salaries of other county officers are paid.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The superintendent of schools, two thousand one hundred dollars per annum and actual traveling expenses when visiting schools of his county, and such per diem as he may be now or hereafter allowed by law for his services on the board of education; *provided*, that in counties of this class there is allowed to the superintendent of schools one clerk, which office of clerk is hereby created, at a salary of seventy-five dollars per month, and who shall be appointed by the superintendent of schools. The salary of said clerk is to be paid at the same time, in the same manner, and out of the same fund as the salaries of the other county officers are paid.

12. The county surveyor, two thousand seven hundred fifty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the surveyor one deputy, who shall be appointed by the surveyor of said county, and shall be paid a salary of one thousand five hundred dollars per annum; the salary of such surveyor shall be paid by such county in equal monthly installments at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid. The county surveyor shall make all maps, plats and block books required by the county assessor; he shall do all work for the county in which the county employs a surveyor or civil engineer; he shall have general advisory supervision over all road and bridge work for the county and shall file annually with the board of supervisors a statement, which shall be published as a part of the proceedings of said board, showing the cost of all new road and bridge construction in the county, also the cost per mile of maintaining the different roads of the county for the preceding fiscal year; *and provided, further*, that when in the judgment of the board of supervisors of the county it is necessary to employ additional assistants for the performance of any of said work, the board of supervisors shall allow the necessary actual expense thereof; *and provided, further*, that said county surveyor shall be allowed all necessary transportation and expenses incurred by himself or deputies for work performed in the field; the salary of the deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as other county officers are paid. The salary herein fixed for said surveyor shall be in lieu of all fees, commissions or compensation of whatsoever kind or nature for services performed by said surveyor for said county. All acts or parts of acts relative to such fees, commissions or compensation for work performed for counties of this class by such county surveyor are hereby repealed.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month as salaries of other county officers are paid, which shall be in full for all services rendered in both civil and criminal cases: in townships where the population is three thousand five hundred, or more, seventy-five dollars per month, and said justice of the peace shall be furnished with offices and necessary supplies by the board of supervisors of said county; in townships where the population is two thousand five hundred, or more, and less than three thousand five hundred, fifty dollars per month; in townships where the population is one thousand five hundred, or more, and less than two thousand five hundred, thirty-five dollars per month; in townships where the population is one thousand, or more, and less than one thousand five hundred, twenty-five dollars per month; in townships where the population is less than one thousand, fifteen dollars per month; *provided*, that all fees and fines chargeable and collectible by justices of the peace in civil and criminal cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury; *provided, further*, that for the purpose of this subdivision, the population of the several townships shall be ascertained by the board of supervisors, by multiplying the number of registered voters at the last general election of each township by three.

14. Constables, in townships having a population of two thousand, or more, shall receive a monthly salary of fifty dollars per month; in townships having a population of one thousand or less than two thousand, shall receive a salary of forty dollars per month and in townships having a population of less than one thousand shall receive a salary of twenty dollars per month. Constables shall also receive actual traveling expenses in transporting prisoners to the county jail. The salaries of township officers, herein provided for, shall be paid monthly, in the same manner as the salaries of the county officers are paid, and shall be in full compensation for all services rendered by them in criminal cases.

15. The meetings of the board of supervisors shall be monthly and shall be held on the first Monday of each and every month. Each member of the board of supervisors is to receive a salary of one thousand two hundred dollars per annum and mileage at the rate of twenty cents per mile from his home to and from county seat.

16. The county traffic officer, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Such deputy shall be appointed by said county traffic officer and shall receive a salary of two thousand four hundred dollars per annum, which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the county traffic officer is paid. Such traffic officer and his said deputy shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputy whenever said office or county traffic officer is created by law.

17. Grand jurors and trial jurors in the superior court shall receive from each day's attendance per day the sum of three dollars. In justices' courts in civil and criminal cases, the jurors sworn to try the case shall receive for each day's attendance per day the sum of two dollars. All jurors shall receive for each mile actually and necessarily traveled from his residence to the place of service the sum of fifteen cents per mile; *provided*, that in justice courts mileage shall be allowed only to those sworn to try the case.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments, and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, after line 10, insert the following:

"18. The county traffic officer, eighteen hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer two deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one thousand five hundred dollars per annum which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid. The county shall provide motorcycles or other vehicles for said traffic officer and his deputies, and gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of the said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

ASSEMBLYMAN CARTER IN THE CHAIR.

At ten o'clock and two minutes a.m. Hon. Henry E. Carter, member from the seventy-first district, was called to the chair.

Assembly Bill No. 365—An act amending the Political Code by amending sections 4041, 4041*a*, 4041*b*, 4041*c*, 4041*d*, 4041*e* and 4041*f*, and by adding new sections numbered 4041*g* to 4041*z*, inclusive, all relating to the powers and duties of the board of supervisors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title strike out the word "amending" and insert in lieu thereof the word "repealing".

AMENDMENT NUMBER TWO

In line 2 of the title strike out the words "four thousand forty-one *a*".

AMENDMENT NUMBER THREE.

In line 6 of the title, strike out the letter "*a*".

AMENDMENT NUMBER FOUR

On page 1, strike out all of lines 1 to 6, inclusive, of the printed bill and insert in lieu thereof the following

"SECTION 1. Sections four thousand forty-one, four thousand forty-one *b*, four thousand forty-one *c*, four thousand forty-one *d*, four thousand forty-one *e*, and four thousand forty-one *f* of the Political Code are hereby repealed

SEC. 2. A new section is hereby added to the Political Code to be numbered four thousand forty-one to read as follows:

4041. The boards of supervisors in their respective counties shall have power:

To supervise the official conduct of all county officers, and officers of all districts and other subdivisions of the county and particularly those charged with the assessing, collecting, safekeeping, management, or disbursement of the public revenues; to see that they faithfully perform their duties, direct prosecutions for delinquencies, and, when necessary require them to renew their official bond, make reports and present their books and accounts for inspection.

To divide the counties into townships, election, school, road, supervisor, sanitary, and other districts required by law, change the same, and create others, as convenience requires.

To establish, abolish, and change election precincts, and to appoint inspectors, clerks and judges of election, canvass all election returns, declare the result and order the county clerk to issue certificates thereof, *provided*, that no election precinct shall be established or abolished, or the boundaries of any election precinct changed within fifty days prior to any election.

To sell at public auction, at the courthouse door or at such other place within the county as the board may, by four-fifths vote, order, after five days' notice, given either by publication in a newspaper published in the county or by posting in three public places in the county, and convey to the highest bidder for cash any property belonging to the county not required for public use, paying the proceeds into the county treasury for the use of the county, *provided*, if in the unanimous judgment of the board, the property does not exceed in value the sum of seventy-five dollars, or if it be the product of the county farm, the same may be sold at private sale without advertising, by any member of the board empowered for that purpose by a majority vote of the board, such sale to be reported to and confirmed by such board of supervisors

To examine and audit, at least every twelve months the accounts of all officers having the care, management, collection or disbursement of moneys belonging to the county or moneys received or disbursed by them under authority of law.

To examine, settle, and allow all accounts legally chargeable against the county, except salaries of officers, and such demands as are authorized by law to be allowed by some other person or tribunal, and order warrants to be drawn on the county treasurer therefor

To provide for such assistance to the various county officers of the several counties as public convenience may require, and may provide for their salaries and the payment thereof

SEC. 3. A new section is hereby added to the Political Code to be numbered four thousand forty-one *a*, to read as follows

4041*a*. The board of supervisors shall have power to acquire and take by purchase, condemnation or otherwise land for the uses and purposes of public roads, highways, boulevards, turnpikes and other public ways, and to lay out, maintain, control, construct, repair, and manage public roads, boulevards, highways, turnpikes and other public ways, and to incur a bonded indebtedness for any such purposes: *provided*, that no such indebtedness shall be incurred for any of such purposes until after the question of the issue of bonds therefor shall have been submitted to the qualified electors of the county, at a special election called for that purpose, and two-thirds of the electors of the county voting at such election shall have voted in favor of issuing such bonds said election to be called and held and said bonds, if authorized, to be issued, sold and made payable in the manner and form prescribed by section four thousand eighty-eight of this code Said board shall also have power to make and enforce rules and regulations for the protection,

management, control and use of such public boulevards, roads, highways, turnpikes and other public ways. Such boards shall also have power to expend from the general fund of the county such moneys as may be necessary to pay the whole or any part of the cost of the improvement of that portion of any street, highway, lane, alley, court, or other public place within any incorporated city or county, upon which abuts any real property of the county used for public purposes, not exceeding the amount, however, which but for such public ownership and use, would be properly chargeable to and assessed against such real property under the provisions of the law governing such work or improvement, *provided*, no liability shall be created against the county in connection with any such work or improvement unless, prior to the commencement thereof, or to the letting of any contract therefor, the board shall, by resolution, determine and declare the amount to be so expended and direct that such sum be set apart and reserved out of any moneys in the general fund available for such purpose, to be used exclusively for paying the cost of such work or improvement.

To construct, operate, manage or maintain summer bridges or ferries under such rules and regulations and at such times and places as they may deem necessary, such bridges or ferries to be paid for out of the county general fund.

To lay out, maintain, control, construct, repair and manage public ferries, wharves, chutes and other shipping facilities and bridges within the county, unless otherwise provided by law, and to grant franchises and licenses to collect tolls thereon.

To purchase, receive by donation, lease or otherwise acquire water rights or real or personal property necessary for the use of the county, for a courthouse, jail, hospital, historical museum, art gallery, art institute, stadium and almshouse, and an exposition building or buildings, public pleasure ground, public parks, and other public purposes, and also property upon which to sink wells to obtain water for sprinkling roads and other county purposes, including land for gravel pits and rights of way of not less than twenty feet in width for egress and ingress thereto, and to improve, preserve, take care of, manage and control the same, *provided*, that no purchase of real property shall be made unless a notice of the intention of the board of supervisors to make such purchase, describing the property to be purchased, the price to be paid therefor, from whom it is proposed to be purchased, and fixing the time when the board will meet to consummate such purchase, has been published for at least three weeks in some newspaper of general circulation published in the county, or if none be published in the county, then that has been posted at least three weeks prior to the time when the board meets to consummate such purchase, in at least three public places in each supervisorial district, *provided* that in case the board of supervisors shall find and determine that the best interests of the county require that such property be acquired by condemnation, then such board need not publish such notice of intention but shall direct the district attorney of the county to institute suit to condemn said property for such county or public purposes.

SEC. 4. A new section is hereby added to the Political Code to be numbered four thousand forty-one *b*, to read as follows:

4041*b*. The board of supervisors shall have power to construct or lease, build or rebuild, furnish or refurnish or repair hospitals and almshouses, courthouse, jail, historical museum, county free library building, branch library building, art gallery, and such other public buildings as may be necessary to carry out the work of the county government, and to provide all necessary officers, employees, attendants, and supplies for the proper maintenance of the same, *provided* that a suitable graduate or graduates in medicine shall be appointed to attend to the indigent sick or dependent poor, or to the patients in such hospitals and almshouses, *provided, further*, that the board shall not let the care, maintenance or attendance of such indigent sick or dependent poor by contract to any person. Whenever the cost of construction of any bridge, wharf, chute, or other shipping facilities, or of any hospital, almshouse, courthouse, jail, historical museum, county free library building, branch library building, art gallery, or other public buildings, or the cost of any repairs thereto, or furnishing thereof shall exceed the sum of one thousand five hundred dollars, such work shall be done by contract, and any contract therefor shall be void unless the same shall be let as hereinafter provided. The board of supervisors shall adopt plans and specifications, strain-sheets and working details therefor, and must advertise for bids for the performance of said work in a newspaper of general circulation published in the county for at least twenty days. In case there is no newspaper published in said county, then such notice shall be given by posting in three public places for at least twenty days. All bidders shall be afforded opportunity to examine such plans and specifications, strain-sheets and working details, and such board shall award the contract to the lowest responsible bidder, and the person, firm or corporation to whom the contract shall be awarded must perform the work in accordance with the said plans and specifications, strain-sheets and working details, unless the same be modified by a unanimous vote of the members of the board of supervisors, and in every such case if the cost of the work be reduced by reason of the modification, compensation must be made to the county therefor, and the person, firm or corporation, to whom the contract shall be awarded must execute a bond to be approved by the said board for the faithful performance of such contract, *provided*, that for the construction of any bridge, wharf, chute, or other shipping facilities, or any repairs thereto if the board of supervisors shall be advised by the county surveyor that the work can be done for a sum less than the lowest responsible bid, it shall then be

their privilege to reject all bids and to order the work done or structure built by day's work, under the supervision and direction of the said surveyor; *provided*, that the road commissioners or road overseers in their respective districts shall employ all labor required and direct the conduct of work of any kind upon any and all public roads; *provided, further*, that in case of great emergency, caused by flood, fire, earthquake, or act of God, by the unanimous consent of the whole board, they may proceed at once to replace or repair any and all bridges and structures without adopting the plans and specifications, strain-sheets, or working details, or giving notice for bids to let contract, the work to be done by day labor under the direction of the board or by contract, or by a combination of the two if wholly or in part by contract, the contractor to be paid the actual cost of material and labor expended by him in doing the work plus fifteen per cent to cover all profit, supervision, use of machinery, and tools, and other expenses *provided*, that no more than the lowest current market prices shall be paid for material.

To provide a farm in connection with the county hospital or almshouse and make regulations for working the same

SEC 5 A new section is hereby added to the Political Code to be numbered four thousand forty-one *c*, to read as follows

4041*c* The board of supervisors shall have power

To purchase, acquire, construct equip and maintain all necessary tanks, reservoirs, pumps, apparatus, motor vehicles and other machinery necessary or proper to facilitate the performance of the work in the county

SEC 6. A new section is hereby added to the Political Code to be numbered four thousand forty-one *d* to read as follows

4041*d*. The board of supervisors shall have power:

To levy taxes upon the taxable property of their respective counties for all county purposes, and also upon the taxable property of any district, for the construction and repair of roads and highways and other district purposes, *provided*, that no tax shall be levied upon any district until the proposition to levy the same has been submitted to the qualified electors of such district and received a majority of all the legal votes cast upon such proposition

To levy a special tax not to exceed two cents on the one hundred dollars of the assessed valuation of all property within the county to be used for advertising, exploiting and making known the resources of the county for the purpose of inducing immigration to, and increasing the trade and commerce of, said county, or for the purpose of exhibiting or advertising the agricultural mineral, or other resources of the county, *and provided, however*, that if said rate of two cents will not raise five thousand dollars in any one year the boards of supervisors may appropriate from the general fund of the county an amount sufficient to make up the deficiency existing between the amount raised as the result of the two cent levy and five thousand dollars, *and provided further*, that such tax shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used for collecting, preparing and maintaining an exhibition in any domestic or foreign exposition, *and provided, further*, that nothing herein contained shall prevent any county from creating a bonded indebtedness under the provisions of section four thousand eighty-eight of the Political Code of California for the purpose of obtaining funds with which to build, construct or furnish an exposition building or buildings for exhibiting and advertising its resources

To levy a special tax not to exceed five cents on the one hundred dollars of the assessed valuation of all property within the county, to be used for the erection of public comfort stations

SEC 7. A new section is hereby added to the Political Code to be numbered four thousand forty-one *e*, to read as follows

4041*e* The board of supervisors shall have power

To levy a special road fund tax, not to exceed two (2) mills on the one dollar of assessed valuation, on all the property in such counties outside of any incorporated city or town Such tax shall be in addition to all taxes otherwise provided for and the fund so created shall be expended for the construction and maintenance of the main public roads or county highways in the several road districts, in proportion to the amount collected from such districts, *provided*, that in addition to the tax mentioned in this subdivision the board of supervisors shall have the power and it shall be their duty upon the petition of a majority of the property owners of any road district, to levy a special road fund tax not to exceed two mills on the one dollar of assessed valuation on all the property in such road district to be expended in the maintenance of the public roads of such district. To levy a special sanitary tax, not to exceed one-half (½) mill on the one dollar of assessed valuation, on all property in such counties outside of any incorporated city or town. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be used to prevent the introduction of dangerous infectious or communicable diseases and to eradicate them if introduced and for the purpose of general sanitation

To levy a special tax which shall produce not to exceed two thousand five hundred dollars to be used for the purpose of compiling a war history of the county.

SEC 8 A new section is hereby added to the Political Code to be numbered four thousand forty-one *f*, to read as follows

4041*f*. The board of supervisors shall have power to maintain, regulate and govern public pounds, fix the limits within which animals shall not run at large, and appoint poundkeepers, who shall be paid out of the fines imposed and collected from the owners of impounded animals, and from no other source.

To provide for the destruction of gophers, squirrels, other wild animals, noxious weeds, and insects injurious to fruit or fruit trees, or vines, or vegetable or plant life.

To provide for the control and eradication of any infectious, contagious or communicable disease of live stock or the carrier of the cause of such disease to live stock and to provide for the payment of not more than three-fourths of the actual value of any live stock destroyed in such control and eradication work.

To provide for the prevention of injuries to sheep by dogs, and to tax dogs and direct the application of the tax.

SEC. 9. A new section is hereby added to the Political Code to be numbered four thousand forty-one *g*, to read as follows:

4041*g*. The board of supervisors shall have power to direct and control the prosecution and defense of all suits to which the county is a party and by a two-thirds vote of all the members, may employ counsel to assist the district attorney in conducting the same.

To insure the county buildings and other property in the name and for the benefit of the county.

SEC. 10. A new section is hereby added to the Political Code to be numbered four thousand forty-one *h*, to read as follows:

4041*h*. The board of supervisors shall have power to establish a salary fund, and such other county funds as they may deem necessary for the proper transaction of the business of the county and to transfer moneys from one fund to another, as the public interest may require.

To appropriate and expend money from the general fund of the county for the construction of works, improvements, levees or check-dams to prevent the overflow and flooding of streams and rivers in the county and to construct such works, improvements, levees or check-dams outside the county for said purposes upon streams or rivers which flow in or through more than one county.

SEC. 11. A new section is hereby added to the Political Code to be numbered four thousand forty-one *i*, to read as follows:

4041*i*. The board of supervisors shall have power to fill, by appointment, all vacancies that may occur in any office filled by appointment of the board of supervisors and elective county or township officers, except in those of judge of the superior court and supervisor, the appointee to hold office for the unexpired term, or until the next general election.

To employ the copyists necessary to reproduce any of the county records and indices thereto that may have been lost or destroyed by conflagration, public calamity or otherwise, or that may be in danger of destruction by age, obliteration or constant use in any of the county offices.

SEC. 12. A new section is hereby added to the Political Code to be numbered four thousand forty-one *j*, to read as follows:

4041*j*. The board of supervisors shall have power to employ a purchasing agent, whose duty it shall be to purchase for the county and the officers thereof all stationery, clothing, bedding, groceries, provisions, drugs, medicines, and all other supplies to purchase machinery, implements, material and all other personal property, material, or supplies, the same to be purchased only upon a proper requisition therefor; also employ for said purchasing agent such assistants as may be necessary for him to properly fulfill his duty, *provided*, that the purchasing agent may engage independent contractors to perform sundry services for the county with or without furnishing material where the aggregate cost does not exceed fifty dollars, such services to be ordered upon proper requisition as herein provided.

Whenever a board of supervisors shall employ a purchasing agent as herein provided for it shall not be necessary for them to advertise for bids for furnishing county supplies as provided in section four thousand forty-eight of the Political Code, with the exception of advertising.

SEC. 13. A new section is hereby added to the Political Code to be numbered four thousand forty-one *k*, to read as follows:

4041*k*. The board of supervisors shall have the power to make and enforce such rules and regulations for the government of their body, the preservation of order and the transaction of business, as may be necessary and the supervisors may attend annual state meetings of the state supervisors association and shall be allowed their actual expenses, in going to, attendance upon and returning from any such state association meetings and their actual and necessary traveling expenses when traveling outside their counties on official business.

To adopt a seal for the board, a description and impression of which must be filed in the office of the county clerk and of the secretary of state.

SEC. 14. A new section is hereby added to the Political Code to be numbered four thousand forty-one *l*, to read as follows:

4041*l*. The board of supervisors shall have the power to license, in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise, all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions, and all shows, exhibitions, and lawful games carried on therein, to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise: *provided*, that every soldier, sailor or marine of the United States who has received an honorable discharge or a release from active duty under honorable conditions from such service and who is unable to obtain a livelihood by manual labor, shall have the right to hawk, peddle and vend any goods, wares or merchandise, except spiritous, malt, vinous or other intoxicating liquor, without payment of any license, tax or fee whatsoever, whether municipal, county or state, and the board of supervisors or legislative body shall issue to such soldier, sailor or marine without cost, a license therefor, *provided, however*, no license can be collected, or any penalty for the non-payment thereof enforced against any commercial traveler whose business is limited to the goods, wares and merchandise sold or dealt in in this state at wholesale.

To provide for the working of prisoners confined in the county jail, under judgment of conviction of misdemeanors, under the direction of some responsible person, to be appointed by the sheriff whose compensation shall not exceed one hundred twenty-five dollars per month, upon the public grounds, roads, streets, alleys, highways, or public buildings, or in such other places as may be deemed advisable, for the benefit of the county.

SEC. 15. A new section is hereby added to the Political Code to be numbered four thousand forty-one *n*, to read as follows

4041*m*. The board of supervisors shall have the power to provide for the care and maintenance of the indigent sick or dependent poor of the county, and for such purposes to levy the necessary property or poll taxes, or both.

To provide for the burying of the indigent dead.

SEC. 16. A new section is hereby added to the Political Code to be numbered four thousand forty-one *n*, to read as follows

4041*n*. The board of supervisors shall have the power to make and enforce, within the limits of their county, all such local police, sanitary and other regulations as are not in conflict with general laws.

To adopt such rules and regulations, within their respective counties, with regard to keeping and storing of every description of gunpowder, hercules powder, giant powder or other explosives or combustible material, as the safety and protection of the lives and property of individuals may require

SEC. 17. A new section is hereby added to the Political Code to be numbered four thousand forty-one *o*, to read as follows

4041*o*. The board of supervisors shall have the power to enforce, by ordinance, within the limits of their counties all such regulations concerning the size of wagons and vehicles of all kinds to be used on the roads or highways, and the width of tires on the same, as are not in conflict with general laws.

To grant licenses and franchises for the construction, keeping and taking tolls on roads, bridges, ferries, wharves, chutes, booms and piers, and to grant franchises along and over the public roads and highways for all lawful purposes, upon such terms and conditions and restrictions as in their judgment may be necessary and proper, and in such manner as to prevent the least possible obstruction and inconvenience to the traveling public.

SEC 18. A new section is hereby added to the Political Code to be numbered four thousand forty-one *p*, to read as follows

4041*p*. The board of supervisors shall have the power to grant, on such terms, conditions and restrictions as in their judement may be necessary and proper, licenses and franchises for taking tolls on public roads or highways, whenever in their judgment the expense necessary to operate or maintain such public roads or highways as free public highways is too great to justify the county in so operating or maintaining them. It shall always be a condition attached to the granting of such licenses and franchises, that such roads or highways shall be kept in reasonable repair by the person or persons to whom such licenses or franchises may be granted; *provided*, that the provisions of any general law applicable to the granting of franchises by municipal corporations and counties throughout the state shall be complied with in the granting of any franchises by the board of supervisors

To enact ordinances and regulations for the construction, alteration, repair and control of all public roads and highways in the county, unless otherwise provided by law.

SEC. 19 A new section is hereby added to the Political Code to be numbered four thousand forty-one *q*, to read as follows

4041*q*. The board of supervisors shall have the power to encourage, under such regulations as they may adopt, the planting and preservation of shade and ornamental trees on the public roads or highways, and on and about the public grounds and buildings of the county, and pay to persons planting and cultivating the same, for every living tree thus planted, at the age of four years, a sum not exceeding one dollar

To plant and ornamental trees on the public roads and highways, and on or about the public grounds and buildings of the county and providing for the care of the

same. The cost of the planting and caring for such trees to be paid for out of the county general fund.

SEC. 20. A new section is hereby added to the Political Code to be numbered four thousand forty-one *r*, to read as follows:

4041*r*. The board of supervisors shall have the power to assume and discharge such municipal functions of the cities and towns within the county as may be authorized by any county charter framed under the provisions of section seven and one-half of article eleven of the constitution of the State of California.

SEC. 21. A new section is hereby added to the Political Code to be numbered four thousand forty-one *s*, to read as follows:

4041*s*. The board of supervisors shall have the power to provide by ordinance for the organization and government of districts, to protect and preserve the banks of rivers and streams and lands lying contiguous thereto from injury by overflow or the washing thereof, and to provide for the improvement of said rivers and streams, and prevent the obstruction thereof and to provide for the assessment, levy and collecting within such districts of a tax therefor. To appropriate a sum not exceeding two cents per one hundred dollars of the assessed valuation of their county in any one year, in addition to any sum which may be chargeable to the county for the repayment of money expended by the state for protection against fire in such county, for the purpose of protecting forest, brush and grass lands therein, against fire or other injury, and of aiding the state and federal authorities in forestry work.

To provide for the sale, at not less than cost, of copies of such maps as may be prepared by the surveyor or engineer for the use of the assessor under the provisions of section four thousand two hundred eighteen of the Political Code of California, as may be deemed desirable by the board of supervisors.

SEC. 22. A new section is hereby added to the Political Code to be numbered four thousand forty-one *t*, to read as follows:

4041*t*. The board of supervisors shall have the power to place in the custody and control of the county historical society or the trustees or other directors thereof, any records, landmarks or other property, real or personal of the county having only historical value. Such trustee and directors shall at all times be appointed by such historical society with the consent and approval of the board of supervisors and shall receive no compensation from such county and such board of supervisors may prescribe whatever suitable or reasonable conditions that they see fit as a condition to the delivering of such property.

SEC. 23. A new section is hereby added to the Political Code to be numbered four thousand forty-one *u*, to read as follows:

4041*u*. The board of supervisors shall have the power to whenever, in the judgment of the board of supervisors of any county, it is deemed to be for the best interests of the county, on account of changes in land values, that there be appointed an advisory board to cooperate with the county assessor in making the annual appraisement of real property therein for taxation purposes, the board of supervisors, by a four-fifths vote, may appoint such advisory board, which shall consist of three members. Before any person thus appointed shall enter upon the duties of his office, he shall take the oath of office and shall execute such bond as the supervisors may prescribe. The members of the advisory board shall be allowed their necessary expenses and each member shall receive a compensation of not to exceed ten dollars per day while actually engaged in the duties of his office. Competent persons may be employed to compile records necessary for determining the true value of land. All claims for compensation and expenses hereunder shall be paid out of the general fund of the county after approval by the board of supervisors.

SEC. 24. A new section is hereby added to the Political Code to be numbered four thousand forty-one *v*, to read as follows:

4041*v*. County Employees. Whenever in the judgment of the board of supervisors of any county it is necessary for the expeditious transaction of the business of any county office, the board by unanimous vote may provide for and allow additional assistance to any county officer. In any such case the board of supervisors shall fix the amount of compensation of such additional employees and shall limit in advance the period of time for which assistance is allowed. The powers granted to the supervisors under the provisions hereof shall not be so exercised as to result in increasing the compensation of any county officer after his election or during his term of office.

SEC. 25. A new section is hereby added to the Political Code to be numbered four thousand forty-one *w*, to read as follows:

4041*w*. Acquisition and Operation of Work for Furnishing of Materials and Supplies Used by Counties, Cities and Districts. Counties, cities and irrigation districts may jointly or severally purchase, lease, or otherwise acquire, or operate, manage and control rock quarries, rock plants, sand pits, cement plants, and other works or projects for the extraction, manufacture, or preparation of rock, sand, cement and other materials used by them in performing county, city, or district functions.

SEC. 26. A new section is hereby added to the Political Code to be numbered four thousand forty-one *x*, to read as follows:

4041*x*. Homes and Meeting Places for Veterans and Associations of Veterans to be Provided. Any county may provide and maintain (1) a home or homes for veteran soldiers, sailors and marines who have served the United States honorably in any of its wars, (2) buildings, memorial halls or meeting places for the use of patriotic, fraternal and benevolent associations of such persons. For these purposes the board of supervisors of any county shall have jurisdiction and power.

(*a*) To purchase, receive by donation, take by condemnation, lease or otherwise acquire, real or personal property necessary for such building or buildings and to improve, preserve, take care of, manage and control the same.

(*b*) To purchase, construct or lease, build or rebuild, furnish or refurnish, or repair any and all such buildings and to provide all necessary custodians, employees, attendants and supplies for the proper maintenance of the same.

(*c*) To levy in any year a special tax not to exceed three mills on the one dollar of assessed valuation on all the taxable property in the county, such tax to be in addition to all other taxes provided for and the fund so created to be expended for the purposes hereof.

(*d*) To establish a fund or funds for the purposes hereof, and to transfer from the general fund to such fund or funds, from time to time, such moneys as the board may deem necessary.

(*e*) To incur, in the manner provided by law, a bonded indebtedness on behalf of the county for any of the purposes hereof.

SEC. 27. A new section is hereby added to the Political Code to be numbered four thousand forty-one *y*, to read as follows:

4041*y*. Any county may provide and maintain (1) suitable areas of land to serve as landing places, for the sole and exclusive use of craft employed in the navigation of the air, (2) necessary buildings in connection with such areas to be used as hangars and sheds for the protection of air craft.

For this purpose the board of supervisors of any county shall have jurisdiction and power:

(*a*) To purchase, receive by donation, take by condemnation, to lease and otherwise acquire, real or personal property necessary for such areas or buildings and to improve, take care of, manage and control the same.

(*b*) To levy in any year a special tax not to exceed three mills on the one dollar of assessed valuation on all the taxable property in the county, such tax to be in addition to all other taxes provided for and the fund so created to be expended for the purposes hereof.

(*c*) To establish a fund or funds for the purposes hereof, and to transfer from the general fund to such fund or funds, from time to time, such moneys as the board may deem necessary.

(*d*) To incur, in the manner provided by law, a bonded indebtedness on behalf of the county for any of the purposes hereof.

SEC. 28. A new section is hereby added to the Political Code to be numbered four thousand forty-one *z*, to read as follows:

4041*z*. The board of supervisors shall have power to do and to perform all other acts and things required by law not in this title enumerated, or which may be necessary to the full discharge of the duties of the legislative authority of the county government."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to public officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1163—An act to amend section 12, chapter LXXI, page 80, Statutes of 1915, relating to the duties and powers of the State Board of Embalmers so as to include therein the power to maintain a standard of proficiency in the practice of embalming, and the power to employ lecturers and demonstrators, and to require an educational standard before becoming eligible to take the examination.

MOTION TO AMEND

During the second reading of the bill the following amendments were offered by Mr. Lyman:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 7, both inclusive, of the title of the printed bill, and in lieu thereof insert the following

"An act to amend section twelve of an act entitled "An act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 and 2 and in lieu thereof insert the following

"SECTION 1. Section one of an act entitled "An act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended" is hereby amended to read as follows."

AMENDMENT NUMBER THREE

On page 1 of the printed bill, line 3, preceding the word "The" insert the following

"Section 12."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1324—An act to amend section 1926 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure

and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the nineteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 15 and insert in lieu thereof the following "fifty dollars per month. Said probation officer shall be ex officio the county school attendance officer".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 956—An act requiring that railway trains upon which toilets are maintained shall be equipped with septic containers or other devices in connection with said toilets; and prescribing penalties for violations thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the figure "1" following the word "section" insert the following "All railroad cars or coaches in which passengers are carried shall be equipped with toilets to which are attached adequate sewage containers, the outlet of which shall be at least ten feet from the steps of the coach or car, the purpose of this act being, so that the toilets may be used when the cars or coaches are standing still at the station or while the train is in motion through the city limits of any city or town, or while passing through any watershed in the state."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 6, add the following

"1. The county clerk, two thousand seven hundred fifty dollars per annum, and shall be allowed in addition the sum of six hundred dollars a year for every year that an election is held throughout the State of California; he shall be allowed in addition the sum of ten cents per name for each voter registered in the county which shall be in full for all service required in registering voters and making up the great register and performing all other acts incident to or pertaining to elections; *provided, further*, that in counties of this class there shall be and there is hereby allowed to the county clerk, two deputies and one copyist, who shall be

appointed by the county clerk, and who shall be paid the following compensation, one at one thousand eight hundred dollars per annum one at one thousand two hundred dollars per annum, and one at nine hundred dollars per annum. All deputies and copyists shall be paid in the same manner and out of the same funds as the salary of the county clerk is paid

2 Sheriff three thousand dollars per annum, *provided*, that there shall be and there is hereby allowed to said sheriff an under sheriff who shall receive a salary of one thousand eight hundred dollars per annum, and one deputy sheriff, who shall act as night jailer, at a salary of one thousand five hundred dollars per annum, and two deputy sheriffs who shall receive salaries of one hundred eighty dollars each per annum, the said under sheriff and the said deputies to be appointed by the sheriff and the salaries of whom shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid, *and provided, further*, that in addition thereto, the sheriff shall receive and retain for his own use and benefit all of the fees, per diem, mileage and expenses which are now or which may hereafter be allowed by law; and the fees and commissions for the service of all papers whatsoever issued by any court in the state outside of the county in and for which the sheriff is elected

3. The recorder, two thousand four hundred dollars per annum, *provided, however*, that in counties of this class the recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents in his office not exceeding seven cents per folio for each paper or document so recorded shall be entitled to the actual cost incurred by him monthly *provided, further*, that the said recorder shall file with the county auditor, a verified statement showing in detail the persons and the amounts paid to each for such recording

4 The auditor, two thousand seven hundred fifty dollars per annum; *provided*, in counties of this class the auditor shall be allowed seven hundred eighty dollars per annum for extra help to carry out the duties of the office

5 In counties of this class the treasurer shall be tax collector and he shall receive a salary of three thousand dollars per annum. He shall be allowed one deputy at a salary of one thousand five hundred dollars per annum, one deputy at a salary of nine hundred dollars and such extra help as may be necessary, not to exceed three hundred dollars in one calendar year

6. The assessor, three thousand dollars per annum, *provided*, that in counties of this class the assessor shall be allowed one office deputy at a salary of one thousand two hundred dollars per annum, one draftsman at a salary of one thousand eight hundred dollars per annum said deputy and said draftsman shall be appointed by said assessor and said salaries shall be paid by said county at the same time and in the same manner and out of the same funds as the salary of the assessor is paid, *and provided, further*, that said assessor shall be allowed such field deputies, assistants, clerks and copyists as he may require and whose compensation in the aggregate shall not exceed the sum of five thousand dollars in any one year Said field deputies, assistants, clerks and copyists shall be appointed by the said assessor and their salaries shall be paid by said county, in monthly installments, at the same time and in the same manner and out of the same funds as the assessor is paid, upon the assessor duly certifying to the county auditor, the names of the position filled and the amount due to each. It is hereby found as a fact that the changes provided for in this section do not work an increase in compensation for the officer, and it is intended that the same shall apply immediately to the present incumbents

7 The district attorney, two thousand dollars per annum, *provided*, that in counties of this class there shall be and it is hereby allowed to the district attorney, one deputy, to be appointed by the district attorney and who shall be regularly admitted to practice before the courts of the State of California Said deputy shall receive a salary of six hundred dollars per annum, which salary shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid The district attorney shall be allowed in addition to the monthly salary herein allowed the sum of eighty-five dollars per month, which shall be in full for all office stenographic services required by said district attorney in criminal actions and in civil actions and other matters in which the county is interested.

8. The coroner, such fees as are now or may be hereafter allowed by law.

9 The public administrator such fees as are now or may be hereafter allowed by law

10 The superintendent of schools, two thousand one hundred dollars per annum, and actual traveling expenses when visiting the schools of his county *provided*, that in counties of this class there shall be and there is hereby allowed to the superintendent of schools, a deputy which office is hereby created, at a salary of one thousand two hundred dollars per annum, and who shall be appointed by the superintendent of schools. The salary of said deputy herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the superintendent of schools is paid.

11 The county surveyor shall receive two thousand four hundred dollars per annum.

12. Board of supervisors, each member of the board of supervisors one hundred twenty-five dollars per month and no mileage, which shall be in full for all services and expenses incurred within the county, *provided*, that whenever it shall be necessary for any member of the board of supervisors to leave the county in and for which he is elected for the purpose of performing any of his duties, that then and in that event, said supervisor shall be allowed his actual expenses.

The supervisors while acting as road commissioners shall give their personal attention to the repair, maintenance, construction and improvement of all roads under their supervision. The supervisors in addition to the meetings otherwise provided by law shall meet on the first Monday of each month and on the first Monday on or after the fifteenth day of each month for the purpose of allowing claims.

13. The county traffic officer, two thousand one hundred dollars per annum *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer two deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of two thousand one hundred dollars per annum which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same and shall pay all expense of the upkeep of the said machines. All the provisions of this paragraph shall apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law.

14. For the purpose of regulating the compensation of justices of the peace and constables, judicial townships in this class of counties are hereby classified according to their population as follows: Townships containing a population of ten thousand or more shall belong to and be known as townships of the first class, townships containing a population of less than ten thousand and more than six thousand shall belong to and be known as townships of the second class, townships containing a population of less than six thousand and more than four thousand shall belong to and be known as townships of the third class; townships containing a population of less than four thousand and more than two thousand shall belong to and be known as townships of the fourth class; townships containing a population of less than two thousand shall belong to and be known as townships of the fifth class, the population of the several judicial townships shall be determined for the purpose of this and the succeeding subdivisions by multiplying by three the total number of names registered as voters in such townships as shown by the complete index to great register as compiled and certified by the county clerk of said class of counties in October, A. D. 1912.

15. From and after January 4, 1915, justices of the peace of townships in said county shall receive the following salaries, which shall be paid monthly in the same manner as the salaries of the county officers are paid, out of the salary fund of the county, which shall be in full for all services rendered by them in criminal and civil cases, *provided, however*, that if two justices of the peace shall be elected and qualify in any one township, then the said justices shall each receive one-half of the salaries therein provided for, to wit: In townships of the first class, two hundred dollars per month, in townships of the second class, one hundred twenty-five dollars per month; in townships of the third class, fifty dollars per month; in townships of the fourth class, thirty-five dollars per month; in townships of the fifth class, twenty-five dollars per month. All fees fixed and provided by law and collected by any justice of the peace shall be paid into the county treasury at the end of each month. Justices of the peace in the first and second classes shall be allowed their actual office rent, not to exceed the sum of fifteen dollars each for any one month. Constables shall receive the following fees and salaries which shall be paid monthly and in the same manner as the salaries of the county officers are paid, out of the salary fund of the county, which shall be in full for all services of legal process by them in criminal actions, to wit: In townships of the first class, seventy-five dollars per month, in townships of the second class, seventy-five dollars per month, in townships of the third class, forty dollars per month; in townships of the fourth class, twenty-five dollars per month, in townships of the fifth class, fifteen dollars per month; *provided*, that in addition to the salaries herein allowed, each constable shall be paid out of the general fund of the county for traveling expenses incurred for the service of a warrant of arrest, or any other process, in a criminal case where said service is in fact made, his actual expenses each way, for each mile traveled outside of his county, both going to and returning from the place of arrest or other service of process, his actual expenses each way; for transporting prisoners to the county jail, a constable shall be allowed his actual expenses each way, which said actual expenses are hereby defined to be the actual cost of transportation of said constable or his prisoner or prisoners. In addition to the monthly salaries herein allowed, each constable may receive and retain for his own use, such fees as are now or may hereafter be allowed by law for services rendered by him in civil cases.

16. The official reporter of the superior court shall receive the fees allowed by law.

17. In fixing the compensation of the above named officers in the amounts hereinabove specified, it is hereby expressly provided that the salaries and fees above provided shall be in full compensation for all services of every kind and description rendered by the officers named herein, either as officers or ex officio officers, their deputies and assistants; and it is hereby further expressly provided, that all of the fees, commissions, per diem and expenses provided for in section four thousand two hundred ninety of the Political Code of the State of California, and all other moneys coming into the hands of the county and township officers, no matter from what source derived or received, shall belong to and be the property of the county, in counties of this class, and shall be paid into the county treasury by said officers at the same time and in the same manner that other moneys are required by law to be paid into the county treasury by him; *save and except however* that the provisions of this subdivision shall not apply to the offices of sheriff, recorder, treasurer, district attorney, county surveyor and superintendent of schools, and they are expressly exempted from the provisions of this subdivision; and as to said offices herein last named, to wit, sheriff, recorder, treasurer, district attorney and superintendent of schools, they shall receive the salaries, fees and commissions provided for by law, and as provided for in subdivisions two, three, five, seven and ten of this act.

18. All officers who are allowed extra compensation for carrying out the work of their offices shall certify to the auditor the names of the persons to whom the money is paid and the amount; but in no event shall any person be allowed a greater per diem than three dollars for office work; *provided, further*, that the auditor shall certify to the county clerk.

19. In counties of this class grand jurors, and trial jurors in the superior court, shall each receive for each day's attendance per day the sum of three dollars and for each mile actually and necessarily traveled from their residence to the county seat, in going only, the sum of fifteen cents per mile, such mileage to be allowed but once during each session such jurors are required to attend.

20. All persons holding any office or clerical employment under the county, whether elective or appointive, shall be required to engage in the actual work of the office or employment so held, to the extent that their services may be necessary for the full and complete discharge of the duties of said office or employment, and a failure to do so shall be ground for removal."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 581—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the Juvenile Court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints

Bill read second time, and ordered on file for third reading.

Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions

Bill read second time, and ordered on file for third reading.

Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops, to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping; to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act aprpoved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, strike out the word "docket" and insert in lieu thereof the following "book to be known as the register of proceedings of the juvenile court."

AMENDMENT NUMBER TWO.

On page 2, line 29, of the printed bill after the word "record" strike out the period, substitute a comma and add the following, "and no other record need be kept by said clerk except as may be ordered by said court."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

THE SPEAKER IN THE CHAIR.

At ten o'clock and fourteen minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 285—An act to amend section 988 of the Penal Code of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by

such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading

Senate Bill No 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the

determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds, to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof

Bill read second time, and ordered on file for third reading.

COMMUNICATION.

The following communication was received, read, and ordered printed in the Journal:

By Mr. Speaker

[TELEGRAM.]

LOS ANGELES, April 24, 1923.

State Assembly,
State Capitol, Sacramento, California

Corona Parlor Native Sons urges passage Woodbridge amendments Alien Land Law and all other legislation that will help preserve California for white race. Defeat of measure will give encouragement to Japs to further evade laws We ask your vote for California in this crisis

W. M KENNEDY, Secretary.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof the levees properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California the properties and functions of the Palo Verde Drainage District, and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation protection and reclamation systems through a single district organization providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes and providing for the payment, funding and refunding of all such indebtedness, providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby, providing also a means for dissolving said district—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909;

Also Assembly Bill No. 517—An act to add a new section to the Political Code, to be numbered 1616a, relating to the powers and duties of city boards of education,

Also Assembly Bill No 869—An act to amend section 5 of, and to add a new section to be numbered 7a, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the Reciprocal or Interinsurance Act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor, and fixing a license fee' approved December 24, 1911," approved defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee' approved December 24, 1911," approved May 26, 1917, as amended," approved June 3 1921",

Also Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission,

Also Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, to provide for certain exemptions, to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act, and to repeal all acts or parts of acts in conflict herewith;

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of habitual criminals and persons convicted of rape or carnal abuse of females under the age of ten years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

The above reported bill ordered on file for second reading.

MORRIS, Chairman

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923

MR SPEAKER Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 22—Relative to a tour of inspection of military establishments of the State of California, by the Secretary of War and members of the Committee on Military Affairs of the House of Representatives and of the United States Senate,

Also Assembly Joint Resolution No 26—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry:

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted

DAVIS, Chairman.

The above reported joint resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Noyes asked for and was granted unanimous consent to take up Assembly Bill No 490, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED NINETY.

Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Noyes moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, strike out the word "Two" and insert in lieu thereof the word "one".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "Collector," strike out the words "One thousand" and insert in lieu thereof the words "eight thousand."

AMENDMENT NUMBER THREE.

On page 2, line 40, of the printed bill, after the word "Thousand" strike out the word "Two" and insert in lieu thereof the word "one".

AMENDMENT NUMBER FOUR.

On page 3, line 15, of the printed bill, after the word "Officer" strike out "Six" and insert in lieu thereof the word "Eight."

AMENDMENT NUMBER FIVE.

On page 3, line 16, of the printed bill, strike out the word "Twenty".

AMENDMENT NUMBER SIX.

On page 3, of the printed bill, at the end of line 25, insert the words "Said tra the officer and his".

AMENDMENT NUMBER SEVEN.

On page 3, line 26, of the printed bill, strike out the word "Such."

AMENDMENT NUMBER EIGHT.

On page 4, line 34, of the printed bill, strike out the word "Effect" and insert in lieu thereof the word "Affect."

AMENDMENT NUMBER NINE.

On page 4, of the printed bill, at the end of line 34, strike out the words "Do not."

Motion carried.

The Speaker appointed Mr. Noyes as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 490, with instructions, reports that the instructions of the Assembly have been carried out.

NOYES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. Baker, C. C., moved that Assembly Bill No. 366 be withdrawn from the file, and ordered re-referred to Committee on Education.

Motion carried.

Assembly Bill No. 366 re-referred to Committee on Education.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Assembly Bill No. 879 the following Senators: Boggs, Dennett and Osborne, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the child labor law, and regulating the employment, hours, kinds and conditions of labor of children, providing for the administration and enforcement of the provisions of this act by the commissioner of the bureau of labor statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1090?

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the letter "b" and insert in lieu thereof the letter "c".

The roll was called and Senate amendment to Assembly Bill No. 1090 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Foster, Fox, Heisinger, Johnson, Johnston, Lyons, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Spalding, Stevenot, Stow, West, Williams, Woodbridge, Wright and Mr. Speaker—45.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1091—An act to amend section 3a and section 3c of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1091?

AMENDMENT NUMBER ONE.

On page 4, line 23, of the printed bill, strike out the period and insert in lieu thereof the following: "but the total amount of fees for any one production shall not exceed $5.00 per day."

The roll was called, and Senate amendment to Assembly Bill No. 1091 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Clarke, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, Miller, Mitchell, T. A., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Spalding,

Spence, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr Speaker—43.
NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fifth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 18—An act conveying certain lands situated in the city and county of San Francisco, to the said city and county of San Francisco, to be used as an aquatic park—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fifth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 19—Relative to the amendment of the joint rules—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fifth day of April, 1923, at nine o'clock and fifteen minutes a.m.

ROBERTS, Chairman.

MOTION TO RE-REFER.

Mr. Duval moved that Assembly Bill No. 738 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No 738 re-referred to Committee on Revenue and Taxation.

RESOLUTION.

The following resolution was offered:

By Mr. Cleveland:

Be it resolved, That any member may substitute a county government bill, which is on third reading file, for any other bill which is more advanced on the file and ready to be passed.

Resolution read, and ordered referred to Committee on Rules.

MOTION TO RE-REFER.

Mr. Stow moved that Assembly Bill No. 732 be withdrawn from the file, and ordered re-referred to Committee on Agriculture.

Motion carried.

Assembly Bill No 732 re-referred to Committee on Agriculture.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, April 16, 1923; Tuesday, April 17, 1923; Wednesday, April 18, 1923; Thursday, April 19, 1923, and Friday, April 20, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their respective names be stricken from the roll to date from and including the twenty-second day of April, 1923:

Ella M. Dobbins, Committee Clerk	$4 00
Agnes Howe, Committee Clerk	4 00
Mrs. M. C. Clark, Committee Clerk	4 00
Gertrude Magruder, Committee Clerk	4 00

The committee further reports that the following named persons be and they are *hereby appointed and employed for the position and at the per diem set opposite* their respective names. Said employment to date from and be effective as follows:

Effective April 22, 1923:

Ella M. Dobbins, Assistant Engrossing and Enrolling Clerk	$5 00
Agnes Howe, Assistant Engrossing and Enrolling Clerk	5 00
Mrs. M. A. Clark, Assistant Engrossing and Enrolling Clerk	5 00
Gertrude Magruder, Assistant Journal Clerk	5 00

Effective April 23, 1923:

Barney Ferguson, Assistant Sergeant-at-Arms	5 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named persons upon the appropriations for *the payment of officers and employees of the Assembly and the State Treasurer is* hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Spence, Steyenot, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION.

Mr. Kline moved that further consideration of Assembly Bill No. 999 be postponed until this evening.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Assembly Bill No. 790, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED NINETY.

Assembly Bill No. 790—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 790 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Burns, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Saylor, Smith, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mr. Eksward moved to amend the title as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following: "An act to amend section four thousand two hundred and fifty of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-first class."

Amendment adopted.

Bill ordered to reprint, and to Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Senate Bill No. 313, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED THIRTEEN.

Senate Bill No. 313—An act to reserve from sale certain State land adjoining "Reynolds ranch" in Sonoma County, and providing for the use thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 313 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1121 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Hawes,

Heisinger, Hornblower, Johnson, Johnston, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Weller, West, Williams, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1311 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Mathews, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wright asked for and was granted unanimous consent to take up Senate Bill No. 416, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED SIXTEEN.

Senate Bill No. 416—An act to amend section 366 of the Political Code, relating to the Department of Institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 416 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Broughton, Burns, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Emme, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1310 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleveland, Connolly, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell,

Miller, Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller asked for and was granted unanimous consent to take up Senate Bill No. 354, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FOUR.

Senate Bill No. 354—An act to add a new section to be numbered 15*a* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, relating to teachers employed at the southern branch of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 354 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Clarke, Cleary, Coombs, Dean, Donohue, Duval, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Ball asked for and was granted unanimous consent to take up Senate Bill No. 435, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED THIRTY-FIVE.

Senate Bill No. 435—An act to amend section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 435 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Spalding,

Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED)

Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 190 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Senate Bill No. 706, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED SIX.

Senate Bill No. 706—An act confirming, validating and declaring the organization and existence of school districts and high school districts of any kind or class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 706 finally passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p. m., the Assembly reconvened. Speaker Merriam in the chair

Assistant Clerk Waestman reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 325—An act to amend section 57a of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the powers of the Superintendent of Banks in respect to certain loans and investments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYONS, Chairman.

The above reported bill ordered on file for second reading.

ASSEMBLYMAN CHRISTIAN IN THE CHAIR.

At one o'clock and forty-seven minutes p.m. Honorable E. H. Christian, member from the thirty-fourth district was called to the chair.

THE SPEAKER IN THE CHAIR.

At one o'clock and fifty-three minutes p.m., Honorable Frank F. Merriam, Speaker of the Assembly, in the chair.

ASSISTANT CLERK POWERS READING.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149*e* and 4149*f*, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1314 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Crotei, Davis, Dean, Donohue, Dorris, Dozier, Duval, Fenne, Erb, Fellom, Foster, Heisinger, Hornbrower, Johnson, Johnston, Kline, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Remdollar, Roberts, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dozier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1314 was this day passed.

Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1309 passed by the following vote:

AYES—Anderson, Baker, Edwin: Ball, Bernard, Broughton, Carlson, Christian, Cleary, Croter, Davis, Dean, Dorris, Eksward, Emme, Erb, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Noyes, Prendergast, Reindollar, Roberts Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 817—An act to provide for the formation, management, maintenance and dissolution of county fire protection districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 817 passed by the following vote:

AYES—Anderson, Badham, Baker, C C., Baker, Edwin: Ball, Bernard, Broughton, Christian, Cleary, Connolly, Croter, Davis, Dean, Dorris, Eksward, Emme, Erb Fellom, Hornblower, Johnson, Johnston, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 52 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill. No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 881 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Dawson, Dean, Dorris, Dozier, Eksward, Erb, Fellom, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyons, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts Rock Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 354 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 7 and 13 thereof, relating to the organization of such districts, the powers of the board of directors and the issuance of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 575 passed by the following vote:

AYES—Andersen, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Croter, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Enume, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McPherson, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 615 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Broughton, Carlson, Christian, Clarke, Croter, Davis, Dean, Donohue, Dorris, Eksward, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured; providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1219 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Crittenden, Croter, Dawson, Dean, Dorris, Eksward, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Snyder, Spalding, Stevenot, West, Whitacre, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 142 passed by the following vote:

AYES—Ball, Bernard, Broughton, Burns, Carlson, Christian, Cleary, Croter, Davis, Dawson, Dean, Dorris, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Scott, Smith, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyons asked for and was granted unanimous consent to take up Senate Bill No. 306, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED SIX.

Senate Bill No. 306—An act to amend sections 60, 61, 62, 63, 66, 68, 70 and 72 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 306 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Burns, Carlson, Christian, Cleary, Connolly, Davis, Dawson, Dean, Dorris, Erb, Foster, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1316 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Broughton, Burns, Carlson, Christian, Cleary, Cleveland, Davis, Dawson, Dorris, Dozier, Ekswaid, Erb, Fellom, Hawes, Heisinger, Johnson, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1038 passed by the following vote:

AYES—Anderson, Badham, Ball, Broughton, Burns, Christian, Clarke, Cleary, Croter, Davis, Dawson, Dorris, Emme, Erb, Hawes, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Christian, Cleary, Cleveland, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1243 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Croter, Dawson, Donohue, Emme, Erb, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mueller asked for and was granted unanimous consent to take up Senate Bill No. 510, at this time, without reference to file

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TEN.

Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 510 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Burns, Cleveland, Connolly, Croter, Dawson, Dean, Duval, Emme, Erb, Foster, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Snyder, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mueller gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 510 was this day passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 407 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dean, Donohue, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Reindollar, Roberts, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 372 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Burns, Carlson, Christian, Clarke, Cleary, Croter, Davis, Dawson, Dean, Donohue, Erb, Fellom, Fox, Heisinger, Johnson, Lyman, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1000 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Eksward, Emme, Erb, Foster, Fox, Fulwider, Heisinger, Johnson, Jones, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—Lyman—1.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 1056—An act to amend section 303 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1056 passed by the following vote:

AYES—Baker, C. C. Ball, Clarke, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Snyder, Stevenot, West, Whitacre, Woodbridge, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and forty minutes p.m., the Speaker declared the Assembly at recess for the purpose of allowing former United States Senator Phelan to address the Assembly.

REASSEMBLED.

At three o'clock and forty-five minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 795 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore,

Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, West, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At three o'clock and fifty-seven minutes p.m., on motion of Mr. Eksward, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

REINDOLLAR, Chairman.
CROTER.
SAYLOR.
DAVIS.
DEAN.
MILLER.
JOHNSTON.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 705 read first time, and referred to Committee on Manufactures.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners;

Also Senate Bill No. 329—An act to add a new section to the Code of Civil Procedure to be designated section 260, relating to the court commissioner in counties of the first class;

Also Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911,

Also Senate Bill No 722—An act to add two new sections to the Penal Code, to be numbered 54c, and 54d, relating to crimes against the elective franchise,

Also Senate Bill No 346—An act to add a new section to the Political Code to be numbered 1608e, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 688 read first time, and referred to Committee on Oil Industries.

Senate Bill No. 329 read first time, and referred to Committee on Judiciary.

Senate Bill No 628 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 722 read first time, and referred to Committee on Elections.

Senate Bill No. 346 read first time, and referred to Committee on Education.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows

By Mr Smith An act to amend section 1158 of the Civil Code, relating to recording

By Mr Connolly An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies,

By Mr. Schmidt An act to provide for the semi-monthly payment of the salaries of all civil service employees of the State of California

By Mr. Baker, C. C. An act to amend section 953 of the Code of Civil Procedure relating to undertakings

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Eksward moved a call of the House.

Motion carried.

Time, eight o'clock and nineteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker Edwin Ball, Bernard, Clarke, Connolly, Davis Dean, Dollis, Eksward, Fox, Heisinger, Hornblower Johnson, Johnston Lyman, McPherson Miller, Moore, Noyes, Pomeroy, Prendergast, Rendollar Roberts Saylor, Schmidt, Scott, Spalding, Stevenot, Whitacre, Williams Woodbridge, and Mr Speaker—33

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE by UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1293 passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Burns, Cleary, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyons, Mathews, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—Badham, Baker, Edwin; Christian, Duval, Foster, Fox, Mitchell, A. G., and Pomeroy—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Williams gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1293 was this day passed.

Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 921 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Crittenden, Davis, Dean, Donohue, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Badham asked for and was granted unanimous consent to take up Senate Bill No. 335, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED THIRTY-FIVE.

Senate Bill No. 335—An act to add a new section to the Civil Code, to be numbered 36*a*, relating to the disaffirmance of life insurance contracts by minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 finally passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Burns, Clarke, Cleveland, Connolly, Croter, Dozier, Duval, Eksward, Emine, Erb, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, West, Whitacre, Woodbridge, and Mr. Speaker—46.

NOES—Smith—1.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Stow moved that Senate Bill No. 35 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Senate Bill No. 35 re-referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1315 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Baker, Edwin, Burns, Christian, Cleveland, Connolly, Dozier, Duval, Hornblower, and Stow—9.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and twenty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—65.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Smith: Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording

Bill read first time, and referred to Committee on Judiciary.

By Mr. Schmidt: Assembly Bill No. 1349—An act to provide for the semi-monthly payment of all civil service employees of the State of California.

Bill read first time, and referred to the Committee on Governmental Efficiency and Economy.

By Mr. Baker, C. C.: Assembly Bill No. 1350—An act to amend section 953*b* of the Code of Civil Procedure, relating to undertakers.

Bill read first time, and referred to the Committee on Judiciary.

By Mr. Connolly: Assembly Bill No. 1351—An act requiring the Chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies

Bill read first time, and referred to the Committee on Labor and Capital.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XIII thereof, relating to taxpayers' statements of property

Assembly Constitutional Amendment No. 29 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 29 refused adoption by the following vote:

AYES—Badham, Baker, Edwin, Bromley, Carter, Eksward, Emme, Graves, Kline, Lyons, Mitchell, A. G., Pomeroy Roberts, and Mr Speaker—13

NOES—Anderson, Baker, C C, Ball, Bernard, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs Crittenden Croter, Davis, Dawson Dean, Donohue Dorris Dozier, Duval, Erb, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews McDowell, McPherson, Miller, Moore Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—56.

Assembly Joint Resolution No. 10—Relating to protection of forests from fire.

Assembly Joint Resolution No. 10 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote.

AYES—Anderson, Badaracco, Badham Baker, C C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower Johnson Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Moore Morrison, Mueller, Noyes, Pomeroy, Prendergast Reindollar, Roberts Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—62

NOES—None.

Title read and approved.

Assembly Joint Resolution No 10 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 10.

Relating to Protection of Forests From Fire.

WHEREAS, The government of the United States by legislative enactment has withdrawn from public entry and settlement 156,666,045 acres of land in the states of California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah and Nevada, for the purpose of creating national forests, and

WHEREAS, There is now standing on this land nearly 500,000,000,000 feet board measure of merchantable timber, and

WHEREAS, Nineteen million, one hundred seventy-two thousand, nine hundred eighty-two acres of our national forests are within the confines of the State of California, upon which acreage it is estimated by Honorable William B. Greely, United States forester, that there is now standing over 106,328,500,000 board feet of timber, and

WHEREAS, Over 5,000,000,000 board feet of merchantable timber within our national forests has been destroyed by forest fires during the past five years, and

WHEREAS, Over 18,000,000 acres of national forest lands were by forest fires burned over during the summers of 1918 and 1919, and

WHEREAS, In many instances these national forest fires have spread over large tracts of privately owned timber, destroying large tracts of virgin forests and thereby causing tremendous losses to the owners of the land, and

WHEREAS, The government of the United States has withdrawn this land from entry and pays no taxes on same, leaving the whole burden of taxation, including all pioneer work, upon the people of the several counties of this State, some of which counties are as high as eighty-four per cent national forest, and

WHEREAS, The timber in our national forests is worth at three dollars per thousand stumpage approximately $1,500,000,000 which pays no tax whatever, while many of our counties are bonded to the constitutional limit for highway purposes, much of the money having been used for the construction of highways adjacent to or through national forests; and

WHEREAS, There is no way known to man whereby these forests may be saved from destruction by fire except in the construction of permanent commercial highways through and adjacent to our national forests so that the ripe timber may be moved to market and so that fire fighters may be taken quickly to the blaze after it has been discovered, now therefore, be it

Resolved by the Assembly and Senate, jointly That the Congress of the United States be and the same is hereby memorialized, to provide by appropriation of funds from our Congress of the United States be and the same is hereby timber the necessary funds with which to construct a system of highways through and adjacent to our national forests commensurate with their need of protection against destruction by fire, and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to transmit a copy of this memorial to the President of the United States Senate, the Speaker of the House of Representatives of the United States of America, and to each United States Senator and Representative in Congress from California.

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633*e*, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1270 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Graves, Hawes, Hornblower, Johnston, Jones, Lyman, Mathews, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—Broughton, Connolly, Coombs, Donohue, Dorris, Fellom, Heisinger, and Johnson—8

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Graves moved that Assembly Concurrent Resolution No. 12 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Concurrent Resolution No. 12 re-referred to Committee on Ways and Means.

SPECIAL ORDER SET.

On motion of Mr. Kline, further consideration of Assembly Bill No 999 was made a special order for Thursday, April 26, 1923, at eleven o'clock a.m.

ADJOURNMENT.

At ten o'clock and sixteen minutes p.m., on motion of Mr. Badaracco the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m., Thursday, April 26, 1923.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 26, 1923.

At nine o'clock and thirty minutes a m., pursuant to adjournment, the Assembly was called to order.

Hon Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham Baker, C C., Baker, Edwin Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Noyes, Mr. McMillan was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr McPherson, Major Howard, Captain Herold, Captain Merriott, Lieutenant Bates, and Lieutenant Reynolds of Crissy Field, San Francisco, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal

Through the courtesy of Mrs. Woodbridge, Mr and Mrs. Louis Hertz of San Francisco, and Mr. P. B. Goss of Roseville were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Baker, Edwin, its further reading was dispensed with.

ASSISTANT CLERK WAFSTMAN READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923

MR. SPEAKER. Your Committee on Irrigation, to which was referred Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No 574—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 15 thereof, relating to the general powers of the board of directors of irrigation districts and providing for the creation of a revolving fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER Your Committee on Elections, to which was referred Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Elections, to which was referred Senate Bill No. 553—An act to amend section 1142*a* of the Political Code, relating to election laws;

Also: Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers;

Also: Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts;

Also: Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature, and providing penalties for the violation thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

POMEROY, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 34 of article IV thereof, relating to the State budget;

Also Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution of said State, relating to basis of taxation for State purposes,
And reports that the same have been correctly re-engrossed

ROBERTS, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California to amend section 16 of article IV of the constitution, relative to the veto—and reports that the same has been correctly engrossed

ROBERTS, Chairman

The above reported constitutional amendment ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Joint Resolution No. 22—Relative to a tour of inspection of military establishments of the State of California, by the Secretary of War and members of the Committee on Military Affairs of the House of Representatives and of the United States Senate;

Also Assembly Joint Resolution No. 26—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolutions ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases;

Also Assembly Bill No 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases

Also Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State

Also Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library

Also Assembly Bill No 1157—An act to amend section 4312 of the Political Code, relating to public officers

Also Assembly Bill No 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases—and reports that the same has been correctly engrossed.

ROBERTS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 67—An act to add a new section to the Penal Code to be numbered 1282 relating to fees for furnishing bail;

Also Assembly Bill No. 595—An act to amend sections 5 19, 22b, 26 and 57 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the

distribution of water for irrigation purposes," approved March 31, 1897, as amended; And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 306—An act to repeal chapter CCX, Statutes of 1893, chapter XCIX, Statutes of 1897, chapter CCCXXI, Statutes of 1909, chapter CDLXXVII, Statutes of 1921, and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a* 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1290—An act to provide for the appointment of a commission to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor;

Also Assembly Bill No 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

BAKER, C C, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Education to which was referred Senate Bill No 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers retirement salary fund, and also a public school teachers' permanent fund providing for the administration of such funds and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries

Also Senate Bill No 395—An act to amend section 1830 of the Political Code, relating to school district elections,

Also Senate Bill No 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C C, Chairman

The above reported bills ordered on file for second reading.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators—report that we have met a like Committee of the Senate consisting of Senators Hurley, Osborne, and Swing, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

BROMLEY,
DEAN,
MITCHELL, T. A.,
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE

The Speaker announced the appointment of Messrs Erb, Graves and Burns as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 250.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Dozier: Assembly Constitutional Amendment No. 58—Proposed amendment to article IV of the constitution, relative to the general expenses of the State government.

Introduced, and referred to Committee on Revenue and Taxation.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of habitual criminals and persons convicted of rape or carnal abuse of females under the age of ten years.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the words "or shall be adjudged to be a habitual criminal", and insert in lieu thereof the following, "by force and violence".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "Seventy-five" and insert in lieu thereof the word "Fifty-five".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 325—An act to amend section 57*a* of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the powers of the Superintendent of Banks in respect to certain loans and investments.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "fifty-seven *a*" and in lieu thereof insert the word "fifty-seven".

AMENDMENT NUMBER TWO.

Strike out all of line 3 of the title of the printed bill commencing with the word "relating" and all of lines 4 and 5, and in lieu thereof insert the following "as amended".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "fifty-seven *a*" and in lieu thereof insert the word "fifty-seven".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 5 to 22 both inclusive, and all of page 2 and in lieu thereof insert the following

"Sec 57 Whenever in this act it is required that loans or investments shall be secured by a first lien on real estate, the lien of any tax, assessment or bond levied or issued by this state or by any county, city and county, city, town, municipality, school district, reclamation district, irrigation district or any other political or governmental subdivision of this state (not including bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property) and the lien of any assessment levied to pay such bonds, and the lien created by any contract to secure the payment for water furnished thereunder for the irrigation of such real estate or any part thereof, shall not be deemed to be a prior encumbrance or lien on such real property unless an installment call or payment of or under such tax, assessment bond or contract shall be due and delinquent and any bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property and any lien given to secure the payment of assessments or subscriptions to meet the requirements of any law of the United States in respect to any irrigation project of the United States in this state which may be levied, made or received by any corporation or association formed to carry out the objects and requirements of any such law of the United States shall not be deemed to be a prior encumbrance or lien on such real property if the lien given to secure such assessments and subscriptions taken with the loan or investment so secured shall amount to not more than sixty per centum of the market value of the land securing the same."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

MOTION TO RECONSIDER

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Lyons moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 561 was refused passage be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr Dozier moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1314 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Mueller moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 510 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr Williams moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1293 was passed be continued until the next legislative day.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No 1176—An act to provide for the investigation by the State of California of the possibilities of the storage, control and diversion of water for public use and public protection in the State of California, and making an appropriation for said purpose—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

SPECIAL ORDER SET.

On motion of Mr. Carter the consideration of Senate Constitutional Amendment No. 18 was made a special order for Tuesday, May 1, 1923, at eleven o'clock a m.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 798 passed by the following vote:

AYES—Badham, Baker, C C., Baker, Edwin; Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Coombs, Davis, Dean, Dorris, Dozier, Duval, Eksward, Erb, Fulwider, Graves, Johnson, Johnston, Kline, Lyman Lyons, Mathews, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts,

Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—46.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 797 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Clarke, Cleary, Coombs, Dawson, Dean, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, Miller, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—43.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 800 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Clarke, Cleary, Cleveland, Coombs, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code, to be numbered 1617½, relating to the sale or lease of school property upon which no public school is being maintained.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 434 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Clarke, Cleary, Cleveland, Connolly, Coombs, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 618 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, Mitchell, A. G., Moore, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Spalding, Spence, Weller, West, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Graves, Heisinger, Johnson, Kline, Lyman, Lyons, Moore, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment; commitment, form of.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 630 passed by the following vote:

AYES—Anderson, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fulwider, Graves, Johnson, Jones, Kline, Lyman, Lyons, McDowell, Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Rosenshine asked for and was granted unanimous consent to take up Assembly Bill No. 166, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-SIX

Assembly Bill No. 166—An act to amend section 632 of the code of Civil Procedure relating to decision upon trial by court.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Rosenshine moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the words "*provided*, that in the event that either party shall within ten days after the court's order for judgment, file a written declaration of his intention to appeal on the judgment roll alone, the court must make a special decision."

Motion carried.

The Speaker appointed Mr. Rosenshine as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 166, with instructions, reports that the instructions of the Assembly have been carried out.

ROSENSHINE, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Kline moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, insert the words "of salary or of support" between the words "items" and "included."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the period at the end of line 8, add the following: "Appropriations for purposes not otherwise provided for herein which have been heretofore made by any provision of the constitution or of any existing statute shall not be affected by this act but shall continue to be governed by the constitutional or statutory provisions applicable thereto."

Motion carried.

The Speaker appointed Mr. Kline as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

KLINE, Select Committee.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 792—An act to amend section 626o of the Penal Code, relating to the shooting from moving boats,

Also: Assembly Bill No. 1227—An act to further divide the State into fish and game districts by establishing a district in the region of Richardson Bay, in Marin County, specially suited for the propagation of game birds and to provide for the management and protection thereof,

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 158—An act to amend section 1723 of the Code of Civil Procedure, relating to the establishment of the fact of death and its effect upon title to land in reference to life estates, homesteads, joint tenancies and community property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives,

Also: Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 215—An act to amend section 626f of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 361—An act to regulate the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game districts 19, 20*a* and 21, and providing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 288—An act to amend section 19*e* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 169—An act to repeal title I, and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as section 35*a*, 1097, 1098, 1099, 1100, and 1624*a*, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

Also: Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code;

Also: Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees;

Also: Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Also: Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Also: Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

Also: Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

Also: Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays;

Also: Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property,

Also: Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail;

Also: Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248*a*, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973*a*, relating to agreements in writing;

Also: Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal;

Also: Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629*a*, relating to group insurance by life insurance companies and valuation of group insurance policies;

Also: Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies;

Also: Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1086—An act to amend section 1 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1086?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "section one" and in lieu thereof insert the following: "sections one and four"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 13, add the following

"SEC. 2. Section four of said act approved March 15, 1907, as amended, is hereby amended to read as follows

SEC. 4. The map or plat so made, indorsed and acknowledged shall be submitted to the governing body of the city, city and county, or county having control of public

highways in the territory shown on such map or plat, for the approval of such governing body before such map or plat is filed for record in the recorder's office: *provided*, that said map or plat shall not be accepted or approved by such governing body unless the same is accompanied by a certificate of the county surveyor and county assessor, if such tract or subdivision of land lies in unincorporated territory, or city engineer, if such there be and the city assessor of any incorporated city or town, in which the whole or any part of such tract or subdivision of land is situated, showing that each and every lot and block therein has been carefully examined as to its value for residence or commercial uses with their suggestions and recommendations to such governing body, *and provided, further*, that whenever such tract or subdivision of land lies within an incorporated city or town, the map or plat *thereof shall first be submitted by the governing body thereof to the city planning* commission, if such there be, of such city or town, or, if there be no city planning commission, to the city engineer, if such there be. Said city planning commission, or city engineer, shall report thereon to the governing body within ten days after receipt of said map or plat If such tract or subdivision of land is in unincorporated territory but within three miles from the exterior boundaries of any city, or town, within the same county, the map or plat thereof shall first be submitted by the *county board of supervisors to the city planning commission, if such there be, or to* such city engineer as above provided of the city or town lying nearest to, and situated within the same county as such tract or subdivision of land whereupon such commission shall make an examination of such map or plat and submit a report thereon with its suggestions and recommendations to the governing body of the municipality Said governing body shall thereupon submit a report thereon with its suggestions and recommendations to the said county board of supervisors Such *governing body after considering the report of the city planning commission, or the* city engineer, as the case may be, and said county board of supervisors after considering the report of said governing body, shall approve or disapprove such map or plat within thirty days after the same is submitted to it as above provided In the event of the failure, refusal or neglect of said city planning commission or city engineer to so report within said ten days to the said governing body it shall then be the duty of said commission or city engineer to forthwith transmit said map *or plat to said governing body for its action thereon In the event of the failure*, refusal or neglect of said governing body to so report to said county board of supervisors within twenty days after said county board has so filed said map or plat with said city planning commission, or city engineer, it shall then be the duty of said governing body to forthwith transmit said map or plat to said county board of supervisors for its action thereon. If approved, the said governing body or board of supervisors shall indorse, or cause to be indorsed, on said map, or plat its *approval of the same Without such approval the said map or plat shall not be* filed for record or be recorded Such governing body may require the public highways, if any, offered for dedication by said map or plat and the parcel or parcels of land, if any, therein reserved or indicated for highway or right of way purposes, and not offered for dedication to public use, to be as wide as and to conform as near as practicable, to the adjoining, surrounding or neighboring streets or highways of said city, city and county, or county. If such map or plat offers for *dedication any highways said governing body or board of supervisors shall indorse* thereon which of the highways so offered for dedication are accepted on behalf of the public, and thereupon such highways which have been so accepted, and no others, shall be and become dedicated to the public use.

In the event that the tract of land shown upon the map or plat is traversed by any natural water course or channel, such governing body may require as a condition precedent to the approval of such map or plat, either the dedication to public use of *an easement or a conveyance to the political subdivision of a right of way for storm* drain purposes to conform substantially with the lines of such natural water course or channel"

The roll was called and Senate amendments to Assembly Bill No. 1086 were concurred in by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones Mathews, McDowell, Miller, Mitchell, A G., Mitchell, T. A., Mueller, Pedrotti Reindellar, Saylor, Schmidt, Smith Snyder Stevenot, West, Williams, Woodbridge Wright, and Mr Speaker—47.

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 40—An act to

amend sections 4236*a* 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p* inclusive of the Political Code, and to add a new section to said Code to be numbered 4236*q*, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—and respectfully requests your honorable body to concur in said amendment

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 40?

AMENDMENT NUMBER ONE.

On page 11, line 4, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 40 by the following vote:

AYES—Badham—1

NOES—Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

The question being on the adoption of the report of Mr. Kline as Select Committee of One and proposed amendments.

MOTION.

Mr. Fox moved that the communication from the Attorney General, relative to the proposed amendments by Mr. Kline as Select Committee of One be read, and printed in the Journal.

Motion carried.

COMMUNICATION FROM ATTORNEY GENERAL.

OFFICE OF ATTORNEY GENERAL,
SACRAMENTO, April 25, 1923.

Hon. Friend Wm. Richardson,
Governor of California,
Sacramento, California.

DEAR SIR: I transmit to you herewith the text of two proposed amendments to Assembly Bill No. 999 which have been prepared for the purpose of incorporating into the budget bill, by reference, the fixed charges arising under various provisions of the constitution and the continuing appropriations provided for by statutes enacted at previous sessions of the Legislature, by the terms of which appropriations therein made become available in annual installments until the full amount thereof has been paid.

The first amendment is suggested for the purpose of making certain the limitation of items of appropriations for salaries or support conform definitely to the sums allowed by the budget bill notwithstanding the fact that these sums may differ from the amounts allowed for these purposes by the provisions of existing statutes applicable to the State agency for which the budget appropriations are made.

The second amendment is designed to take care of the fixed constitutional charges and continuing appropriations not included in the budget bill as submitted. The suggested amendment, in the form submitted herewith, has received the personal approval of the Attorney General.

Respectfully submitted.

U. S. WEBB, Attorney General.
By R. T. McKISICK, Deputy

MOTION.

Mr. Kline moved that the State Controller be requested to submit to the Assembly his opinion as to what effect the proposed amendments of the Attorney General will have on recurring appropriations.

MOTION TO AMEND.

Mr Morris offered the following substitute motion as an amendment to Mr. Kline's motion:

That the Speaker appoint a Select Committee of Three to wait upon the Controller and the Attorney General to obtain written statements interpreting the attitude of their respective offices relative to Assembly Bill No. 999 and proposed amendments.

Motion carried

The question being on the motion by Mr Kline, as amended.

Motion carried.

APPOINTMENT OF SELECT COMMITTEE.

In compliance with the above motion, the Speaker announced the appointment of Messrs Kline, Rosenshine and Fox as such Select Committee.

RECESS.

At three o'clock and fifty-seven minutes p.m, on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED

At eight o'clock p.m, the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received. read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Members of the Assembly of the State of California.

GENTLEMEN: Senate Bill No 695, making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years, is, in my opinion, an urgency measure and this bill is an emergency bill, and I therefore recommend its passage.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 23—Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 23 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents;

Also: Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors;

Also: Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public;

Also: Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4;

Also: Senate Bill No. 195—An act to repeal sections 367c, 367d, 499b and 499c of the Penal Code relating to the use and unlawful taking of vehicles, and the duty of drivers of vehicles and to the driving of vehicles by drivers while they are intoxicated.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 353 read first time, and referred to Committee on Education.

Senate Bill No. 97 read first time, and referred to Committee on Judiciary.

Senate Bill No. 727 read first time, and referred to Committee on Judiciary.

Senate Bill No. 429 read first time, and referred to Committee on Judiciary.

Senate Bill No. 195 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Assembly Bill No. 250 the following Senators: Breed, Hart, and Murphy, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read.

MAJORITY REPORT OF COMMITTEE ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Motor Vehicles.

COOMBS, Chairman.

MINORITY REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER: The undersigned, comprising a minority of the Committee on Revenue and Taxation, make the following report upon the action of the majority in

causing Senate Bill No. 191 to be re-referred to the Committee on Motor Vehicles without opportunity for this committee to give any consideration to the same

This bill is purely a revenue and taxation bill, designed to raise State revenues by taxation If the Committee on Revenue and Taxation has any function at all, it consists in the consideration of this bill.

The minority can only protest against the action of the majority, which it now does, and asks that such a protest be entered in the Journal of the Assembly.

We recommend that the bill be re-referred to the Committee on Revenue and Taxation.

COOMBS, Chairman.
WRIGHT.
BROUGHTON.
FELLOM.
BERNARD.
BADARACCO.

MOTION.

Mr Bromley moved the adoption of the majority report of the Committee on Revenue and Taxation.

Motion carried

Senate Bill No. 191 re-referred to Committee on Motor Vehicles

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON BUILDING AND LOAN ASSOCIATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER Your Committee on Building and Loan Associations, to which was referred Senate Bill No 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SPALDING, Chairman.
ROSENSHINE.
ROCK.
ANDERSON.
BROUGHTON.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1923

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended

GRAVES, Chairman

The above reported bill ordered on file for second reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Assembly Bill No. 764, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED SIXTY-FOUR

Assembly Bill No. 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "dogs" insert the following ", except when kept on leash"

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 764, with instructions, reports that the instructions of the Assembly have been carried out.

DONOHUE, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McPherson asked for and was granted unanimous consent to take up Senate Bill No. 689, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED EIGHTY-NINE.

Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McPherson moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 5, line 5, of the printed bill, after the word "section", strike out the word "eighteen", and insert in lieu thereof the word "twenty".

Motion carried.

The Speaker appointed Mr. McPherson as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 689, with instructions, reports that the instructions of the Assembly have been carried out.

McPHERSON, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

MOTION TO RE-REFER.

Mr. Badham moved that Assembly Bill No. 110 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

Motion carried.

Assembly Bill No. 110 re-referred to Committee on Insurance.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

The question being on the adoption of the report of Mr. Kline as Select Committee of One and proposed amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER: Your Select Committee appointed to wait upon Controller R L. Riley and Deputy Attorney General McKisick in the Attorney General's office to ascertain their interpretations of the questions presented by the budget, report that we called at the Controller's office and Mr Riley not being present we submitted four questions to which he replied in a signed letter which we submit in conjunction with this report

We next called at the Attorney General's office and consulted with Mr McKisick who informed us that he remained steadfast in the decision rendered by him yesterday relative to the amendments to Assembly Bill No. 999, and that he had been in seclusion during the afternoon giving deep thought to the problem and consulting authorities, including the Wright interpretation by the courts discussed on the floor of the Assembly this afternoon

KLINE, Chairman.
ROSENSHINE.

COMMUNICATION FROM STATE CONTROLLER.

OFFICE OF CONTROLLER,
SACRAMENTO, April 25, 1923.

Assemblyman Kline,
Chairman of the Assembly Committee of Three,
Assembly Chamber.

In response to

Question No 1—What would be the attitude of the Controller on constitutional grants and continuing statutory appropriations not specifically mentioned in the blanket amendment?

Answer If the budget bill is adopted with the so-called blanket amendment, I shall submit the bill to the bonding company which has supplied my bond for their opinion, and act in accordance therewith

Question No 2—What would be the attitude of the Controller as to paying amounts included in the budget and not included in the budget bill?

Answer The same answer as to question No 1.

Question No 3—What would be the attitude of the Controller with reference to the payment on constitutional grants not in the budget bill?

Answer If the constitutional grants were recognized in the budget bill by reference to specific sections, I would pay claims upon same without question.

Question No. 4—What would be the attitude of the Controller if all constitutional provisions covering payment of funds and all statutory provisions covering continuing appropriations are in the budget bill?

Answer In the event the legislative proceedings are regular so as to constitute a valid appropriation they would be paid without question.

RAY L. RILEY.

SPECIAL ORDER SET.

On motion of Mr. Carter further consideration of Assembly Bill No. 999 was made a special order for Friday, April 27, 1923, at one o'clock and thirty minutes p.m.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 26, 1923.

To the Members of the Assembly of the State of California.

I am returning herewith Assembly Bill No. 715 without my approval.

I am heartily in accord with the policy and purpose of this bill but the proponents of the bill say a mistake has been made and the word "or" used instead of the word "and" before the words "at the time construction" in the third line from the last, and that will nullify one of the chief provisions of the bill. It has been asked that the bill be returned so that a correct measure can be prepared and adopted.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Badaracco, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Emme, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Prendergast, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p*, inclusive, of the Political Code, and to add a new section to said code to be numbered 4236*q*, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—and appointed Senators Murphy, Ingram and Sharkey, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Johnston, Stow and Pedrotti as a Committee on Conference to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 40.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1299 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder,

Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 368 passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Kline, Lyons, McDowell, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Stevenot, West, Whitacre, Woodbridge, and Wright—42.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Dawson, Dozier, Duval, Eksward, Graves, Johnson, Jones, Lyman, Mathews, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Snyder, Spalding, Spence, Stow, Weller, Williams, and Mr. Speaker—33.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Smith gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 368 was this day passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 23—Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

(Signed out)

DONOHUE, Chairman.
BADHAM.
LYONS.
JONES
ANDERSON.
EMME
POMEROY.
PEDROTTI.

The above reported concurrent resolution ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No 12—Relative to adjournment sine die—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

KLINE, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 12. at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWELVE.

Assembly Concurrent Resolution No. 12—Relative to adjournment sine die.

Assembly concurrent resolution read.

COMMITTEE AMENDMENT.

During reading of the concurrent resolution, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill following the word "noon" strike out "Thursday, May 11," and insert in lieu thereof "Monday, May 14."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kline asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, without reference to printer or file, and that same be considered re-engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWELVE.

Assembly Concurrent Resolution No. 12—Relative to adjournment sine die.

Assembly Concurrent Resolution No. 12 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 12 ordered to reprint, and re-engrossement.

MOTION TO ADJOURN.

At ten o'clock and ten minutes p.m., Mr. Baker, C. C., moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m., Friday, April 27, 1923.

Motion lost.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event

of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 84 passed by the following vote:

AYES—Badaracco, Baker, C. C., Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, McDowell, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Baker, Edwin; Bromley, Carter, Dawson, Dozier, Graves, Lyman, Mitchell, A. G., Pomeroy, and Weller—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 471 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stow, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 472—An act to amend section 1588 of the Political Code relating to the appointment and election of union and joint union elementary school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 472 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bromley, Broughton, Burns, Carlson, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 473—An act to amend sections 1589, 1589*a*, 1590, 1591, 1591*a* of the Political Code, and to repeal section 1589*b* of the Political Code, relating to union elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 473 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Carlson, Christian, Clarke, Cleary, Cleveland, Crittenden, Croter, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 796 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Broughton, Burns, Carlson, Clarke, Cleveland, Coombs, Croter, Davis, Dawson, Dorris, Duval, Eksward, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to include reference to industrial institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 815 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ADJOURNMENT

At ten o'clock and forty-four minutes p. m., on motion of Mr. Reindollar, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a. m., Friday, April 27, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 27, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Ekswaid, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Morrison, Messrs. Hornblower, Schmidt and Mitchell, T. A., were granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Scott, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. West:

SACRAMENTO, April 26, 1923.

Honorable Percy G. West,
Assemblyman, Sacramento, California

DEAR SIR: Below please find a copy of a resolution unanimously adopted at the meeting of the Sacramento Section, American Society of Civil Engineers, held on April 24, 1923, regarding reinstatement of the item of ten thousand dollars for use of the Division of Water Rights for continuing stream flow measurements in the State for the next two years in cooperation with the Federal Government.

If agreeable to you, I would respectfully urge you to present this to the Assembly from the floor.

Very truly yours,

ALBERT GIVAN,
President Sacramento Section, American Society of Civil Engineers.

WHEREAS, The available water supply of the State of California is a measure and a limit of the development of the State, by reason of its importance for domestic use, irrigation and power supply, and

WHEREAS, The limit of these resources can be determined only by careful continuous measurements of the flow of streams, and

WHEREAS, Breaks in the continuity of the stream flow records largely vitiate their value and without such continuous stream flow records the engineer and the investor must of necessity be handicapped, and, in a measure, gamble on results, and in order to overcome the necessity of taking such vital chances in the State's development, it is, therefore,

Resolved, By the Sacramento Section, American Society of Civil Engineers that, viewing this matter in its broadest aspects, an important part of the future development of California depends upon the continuous records of the flow of the streams

and their development for irrigation, domestic and industrial purposes and we therefore petition the Governor, the State Senate and the State Assembly to reinstate the item of ten thousand dollars necessary for continuing this very important work, and it is further

Resolved That a copy of this resolution be sent to the Governor members of the State Senate and Assembly, with the request that they use their best efforts to the continuance of the recording of the stream flow of the State.

By Mr. Kline:

SAN JOSE, April 10, 1923.

Hon C. M. Kline,
Chairman, Ways and Means Committee,
Sacramento, California

DEAR SIR We, legal voters of Santa Clara County, believing the welfare of the American child should be safeguarded, request you to vote for, and to do all in your power to aid in the passage of Assembly Bill No. 161.

ELLA T. PANCAKE,
And 23 others.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No 248—An act to amend sections 7 and 8*a* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof" approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5*a*—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BALL, Chairman

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923

MR SPEAKER Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No 2063, and also all the acts and proceedings of said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

NOYES, Chairman

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in acordance with their respective interests,' approved March 6, 1868";

Also, Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes

Also Senate Bill No 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquistion or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

(Signed out)

DONOHUE, Chairman.
BADHAM.
LYONS.
JONES.
ANDERSON.
EMME.
POMEROY
PEDROTTI.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations to which was referred Assembly Bill No. 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, as amended, all relating to the levy and collection of taxes by and for the use of municipal corporations and to the consolidation of certain municipal offices, and to add a new section, to be numbered 8b, thereto, defining the term "municipal corporations" for the purposes of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

(Signed out)

DONOHUE, Chairman.
BADHAM.
LYONS.
JONES.
ANDERSON.
EMME.
POMEROY.
PEDROTTI

The above reported bill ordered on file for second reading.

ON OIL INDUSTRIES

ASSEMBLY CHAMBER SACRAMENTO, April 26, 1923.

MR. SPEAKER Your Committee on Oil Industries, to which was referred Assembly Bill No 1274—An act to regulate, restrict and prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries, declaring such wells to be public nuisances and providing for the abatement of the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FOSTER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No 188—An act to authorize the leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases, creating a commission to carry out the provisions of this act and making an appropriation for the purposes hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FOSTER, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923

MR SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 1332—An act appropriating money to pay the claim of Park Union Banking Corporation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Miss Broughton:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Referred to Committee on Introduction of Bills.

By Mr. Clarke:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 574—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 15 thereof, relating to the general powers of the board of directors of irrigation districts and providing for the creation of a revolving fund.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title of the printed bill, strike out the words "section fifteen" and in lieu thereof insert the words "sections fifteen and fifteen *c*".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 19, insert the following

"SEC 2. Section fifteen *c* of said act, approved March 31, 1897, as amended, is hereby amended to read as follows.

Sec. 15*c* It shall be the duty of the board of directors of any irrigation district to establish equitable by-laws, rules and regulations for the distribution and use of water among the owners of said lands, which must be printed in convenient form for distribution in the district, and in those districts where rates of toll and charges for irrigation and other public uses declared by this act are levied and collected as provided by section fifty-five of this act, the board of directors may by uniform and equitable rules provide for declaring unpaid tolls and charges delinquent and for the discontinuance of water deliveries to any land or any assessment payer so long as any toll or charge on said land or against said assessment payer shall remain delinquent and unpaid. The board of directors may also in addition to the rules hereinabove provided provide uniform and reasonable penalties to be assessed for tampering with delivery gates or checks or violating any other of the rules provided for by this section and in addition to the manner provided by law may prescribe reasonable methods for enforcing said penalties. Said board shall have power generally to perform all such acts as shall be necessary to fully carry out the purposes of this act"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 366—An act to repeal chapter CCX, Statutes of 1893, chapter XCIX, Statutes of 1897, chapter CCCXXI, Statutes of 1909, chapter CDLXXVII, Statutes of 1921, and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886,

1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1290—An act to provide for the appointment of a commission to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the word "commission" and in lieu thereof insert the word "committee".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out the period in line 16, all of lines 17 to 25, and all of page 2, and insert in lieu thereof the following ", the governor is hereby authorized and empowered to appoint a committee of seven persons familiar with the results of education, said committee to be composed of one person representing the professional men and women of the state, one person representing the financial and commercial interests of the state, one person representing the wage earners of the state, one person representing the agricultural interests of the state, one person representing the mothers of the state, one person representing the University of California, and one person representing the Leland Stanford Junior University, which committee is hereby charged with the investigation of the entire subject of free education, including the plan of operation and organization of the public school system of the State of California, and the common and high schools of the state, the legislature deeming these to be the great formative agencies of education for the vast majority of the people of the State of California. The governor is further empowered to fill all vacancies occurring in the committee

SEC. 2. The said committee shall also investigate the kind and scope of instruction, the results obtained therefrom, the method of teaching and the text books used in such public schools, and shall report to the governor before the convening of the forty-sixth session of the legislature their recommendations for a complete and comprehensive plan of educational instruction in the public schools of the State of California.

SEC. 3. The legislative counsel shall be ex officio secretary of said committee, and the committee shall have the power to employ such assistants as may be necessary in the furtherance of carrying out the purposes of this act. The sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the purpose of carrying out the work of said committee, as provided in this act Said money shall be expended and used for the purpose of paying the necessary expenses of the members of said committee while engaged in the performance of their duties and for all necessary clerical and other expenses connected with the work of carrying out the provisions of this act. The claims for such expenditures shall be audited and approved by the state board of control in the manner provided by law, and when so approved the state controller is authorized to draw his warrant therefor and the treasurer is directed to pay the same."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the words "superintendent of public instruction" and in lieu thereof insert the words "board of education".

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the word "superintendent" and in lieu thereof insert the words "board of education".

AMENDMENT NUMBER THREE

On page 1, lines 27 and 28, of the printed bill, strike out the word "superintendent" and in lieu thereof insert the words "board of education".

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, strike out the word "he" and in lieu thereof insert the words "the state superintendent of public instruction".

AMENDMENT NUMBER FIVE.

On page 2, line 13, of the printed bill, strike out the word "superintendent" and in lieu thereof insert the words "board of education".

AMENDMENT NUMBER SIX

On page 2, line 22, of the printed bill, strike out the word "superintendent" and in lieu thereof insert the words "board of education".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1176—An act to provide for the investigation by the State of California of the possibilities of the storage, control and diversion of water for public use and public protection in the State of California, and making an appropriation for said purpose

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the period following the figure "one" add the following "It is hereby declared that the people of the State of California have a paramount interest in the use of all waters of the state and that the State of California shall determine what waters of the state, surface and underground can be converted to public use, or controlled for public protection.

2. The state engineering department is hereby authorized and instructed to make the investigation in this act provided for and for the purposes herein specified.

3. It shall be the duty of the state engineering department to determine the maximum amount of water which can be delivered to the maximum area of land, the maximum control of flood waters, the maximum storage of waters, the effects of deforestation and all possible and practicable uses for such waters in the State of California.

4. It shall be the duty of the state engineering department to determine a comprehensive plan for the accomplishment of the maximum conservation, control, storage, distribution and application of all the waters of all the state, and to estimate the cost of constructing dams, canals, reservoirs or other works necessary in carrying out this plan, and to report the result of such investigations with recommendations not later than the legislative session of 1925.

5. In carrying out the provisions of this act the state engineering department is hereby authorized to examine any and all data, estimates and proposals in furtherance of the above purpose, according to its judgment of their engineering worth, and to cooperate with any department, bureau, office service, or division of the United States, or of the state or counties, or with any municipality, irrigation, reclamation, conservation, drainage, flood control, levee or other district agency for irrigation, reclamation, drainage, or flood control purposes or for the development of hydroelectric power or with any interested association, company or individual, *provided, further*, that the engineering department is hereby expressly authorized to accept, receive and use any funds or moneys contributed to it by any person, irrigation district, reclamation district, water and conservation district or any political subdivision of the State of California for the purpose of cooperating in the work aforesaid and carrying out the purposes of this act.

6. With the approval of the governor, the state engineering department is hereby authorized to employ such assistance as in its judgment it may require and to incur such expense as may be necessary to carry out the purposes of this act.

The governor is further authorized to appoint a consulting board, composed of seven citizens of special and technical qualifications, to serve without pay, in an advisory capacity in making the above investigation and said engineering department

and consulting board shall recommend to the legislature of 1925, within ten days after convening of the legislature, a coordinated method of financing, construction, operation, land settlement and control for carrying out the purposes of this act by the state or by the state and its political subdivisions.

7. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of two hundred fifty thousand dollars and made immediately available for any of the purposes of this act.

8. This act shall not in any way be construed so as to deprive persons, corporations, or districts of vested rights.

9. Any section or portion of a section of any act, statute or law of the State of California in conflict with the provisions of this act is hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 792—An act to amend section 626*o* of the Penal Code, relating to the shooting from moving boats.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 3 to 15, inclusive, and insert in lieu thereof the following:

"626*o* Section 1. Every person, who, in the State of California, shoots at any kind of game bird or mammal, except whales, from a power boat, sail boat, automobile or airplane, is guilty of a misdemeanor.

Sec. 2. Every person who in fish and game districts seven "A," eight and nine shoots at any kind of water fowl from a skull boat on any day of the week other than Wednesday or Sunday, is guilty of a misdemeanor.

Sec. 3. Every person who shall use a shotgun of larger gauge than that commonly known and designated as a number ten gauge or who shall use or have in possession any shotgun capable of carrying more than six shotgun shells is guilty of a misdemeanor.

Sec. 4. Every person who shall use or have in his possession any firearm commonly known as a "cane gun" or gun of similar character or any bird net, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1227—An act to further divide the State into fish and game districts by establishing a district in the region of Richardson Bay, in Marin County, specially suited for the propagation of game birds and to provide for the management and protection thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, both inclusive of the title of the printed bill and in lieu thereof insert the following:

"An act to amend section one of an act entitled "An act to further divide the state into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period insert the following: "Section one of an act entitled "An act to further divide the state into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended, is hereby amended to read as follows:

Sec. 1. For the protection, conservation and propagation of game animals, except fish, there is hereby set apart and established a district to be known as "Mount Tamalpais game refuge," the boundaries of which are hereby determined to be as follows, to wit: All that certain territory within the county of Marin, bounded and described as follows, to wit:

Beginning at the intersection of the easterly shore of inner Bolinas bay with the northwesterly boundary line, extended, of the Stinson ranch conveyed to A. H. Stinson, et al. by decree of distribution dated the twenty-eighth day of July, 1911, and recorded in the office of the county recorder of Marin county in book one hundred thirty-seven of deeds at page one hundred two, thence northeasterly along the said northwesterly boundary line to the southwesterly boundary line of the lands of the Marin municipal water district on the top of Bolinas ridge, thence along the exterior boundary of the lands of said district in such a way as to include the same, to a point in the abandoned portion of the Fairfax and Bolinas county road, thence northerly along the said road and along the Fairfax and Bolinas county road, to a point in the southwesterly line of the right of way of the Northwestern Pacific Railroad Company near Fairfax station, thence along the said last mentioned line in a southerly direction past the railroad stations at San Anselmo, Kentfield and Corte Madera, to its intersection with the southerly line of the state highway between Alto and Belvedere; thence following the southerly line of said highway to its intersection with the northwesterly line of the town of Belvedere; thence following the northwesterly line of the town of Belvedere, to its extreme westerly point, thence in a direct line from this point to the extreme northeasterly point of the town of Sausalito, thence southwesterly along the said northwesterly line of the town of Sausalito, to its intersection with the Northwestern Pacific Railway, thence following the right of way of the Northwestern Pacific Railway, to its intersection with Humboldt street, extended on the westerly boundary of the lands of the Sausalito Land and Ferry Company, as said street is laid down and delineated on the official map of said lands filed in the office of the county recorder of Marin county in rack number one, pull number nine, thence southerly along the westerly line of said Humboldt street and the westerly line of Tennessee avenue of the same tract, to the corner common to ranches E, F, and A, as said ranches are delineated on the Tamalpais Land and Water Company's map number three, filed in said recorder's office in map book number one, page one hundred four; thence southwesterly along the southeasterly boundary lines of ranches E, L, and K, as shown on said last mentioned map, to the shore of the Pacific ocean, thence northwesterly along the shore of the Pacific ocean and across the easterly end of the Bolinas sandspit, and along the easterly shore of inner Bolinas bay, to the point of beginning, excepting from the area of said Mount Tamalpais game refuge all lands lying within the exterior boundaries of any incorporated town."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the period add the following: "Every person who, between November first and April thirtieth, of the following year, both dates inclusive, takes, catches, kills or has in his possession any variety of trout is guilty of a misdemeanor, except as hereinafter provided: Every person who, in fish and game district two and one-half between the fifteenth day of February and the thirtieth day of June of the same year, both dates inclusive, takes, catches, kills or has in his possession any variety of trout is guilty of a misdemeanor.

Every person who, in fish and game district two, two "A", three, three "A", three "B", three "C", three "D", three "E", three "F", three "G", three "H", ten, eleven, twelve, thirteen, fifteen, sixteen, seventeen and eighteen, between the sixteenth day of September and and the thirty-first day of March, of the following year, both dates inclusive, takes, catches, kills or has in his possession any variety of trout is guilty of a misdemeanor.

Every person who, in fish and game districts twenty-three, twenty-four and twenty-five between the first day of November and the twenty-ninth day of May of the following year, both dates inclusive, takes, catches, kills or has in his possession any variety of trout or white fish is guilty of a misdemeanor; *provided*, that nothing in this section shall prohibit the taking of trout between May first and October thirty-first of the same year, both dates inclusive, in any lake exceeding

twenty-five square miles in area within the boundaries of fish and game district twenty-five, or shall prohibit the possession within the boundaries of fish and game district twenty-five of such trout so taken;

Every person who, in fish and game districts twenty-three and twenty-four between the first day of November and the thirty-first day of July of the year following, both dates inclusive, takes, catches or kills any trout or white fish in any stream flowing into any lake within two miles, extending from its mouth towards its source, or has in his possession any trout or white fish taken from such streams is guilty of a misdemeanor;

Every person who, between the first day of November and the thirty-first day of July of the year following, both dates inclusive, takes, catches or kills any trout in any lake within three hundred feet of the mouth of any stream flowing into any lake or within three hundred feet of the outlet of any lake, or who has in his possession any trout so taken, is guilty of a misdemeanor.

Every person who, at any time, takes catches or kills any trout except with hook and line, said hook and line to be used in the manner commonly known as angling, is guilty of a misdemeanor, *provided* that in fish and game districts two, two and one-half, two "A" and ten not more than one trout may be taken, caught or killed by spear during any one calendar day during the entire year, except during the months of February and March.

Every person who, in any fish and game district, takes, catches, kills or has in his possession during one calendar day more than thirty-five trout or more than ten pounds of trout and one trout, is guilty of a misdemeanor, *provided*, that it shall be lawful to take, catch, kill or have in possession in fish and game districts one and one-half, one "A", five, six, seven "A", eight and nine, not more than five trout regardless of weight during any one calendar day between November first and December thirty-first of the same year, both dates inclusive; *provided, further*, that in tidewater in fish and game districts two, three and ten, five trout per day, regardless of weight, can be taken and possessed between December fifteenth and the last day of February, of the year following, both dates inclusive *provided, further*, that it shall be lawful to take catch, kill or have in possession any number of Dolly Varden trout (Salvelinus malma or Salvelinus parkei) when such trout are taken in the open season for other trout in the same district *provided, further*, that any person lawfully catching and killing trout in an open district may ship or transport the same into a closed district provided an affidavit is made before a justice of the peace or notary public in the county in which the trout are caught, and in which is set forth the date and place of catching such trout the name and address of the consignee and consignor, and the number of the angling license of the consignee. The original of this affidavit must be attached to the shipment and a copy left on file with the justice of the peace or notary public before whom the affidavit is made; *provided, further*, that it shall be unlawful at any time to offer for shipment, ship or receive for shipment or transport from the State of California, any trout caught or taken in the waters of the states.

Nothing in this section shall prohibit the possession and sale of steelhead and Dolly Varden trout from without the state when the same shall be inspected and tagged according to regulations to be prescribed by the fish and game commission The cost of such inspection and tagging must be paid by the person or persons submitting such steelhead trout or Dolly Varden trout for such inspection and tagging

Nothing in this section shall apply to trout raised under the provisions of the act authorizing and regulating the raising and selling of domesticated trout.

Nothing in this section shall prohibit the fish and game commission of this state, or persons authorized by them, from taking at all times such trout as they deem necessary for the purposes of propagation, or for scientific purposes

Every person found guilty of a violation of any of the provisions of this section shall be punishable by a fine of not less than twenty-five dollars or more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had not less than ten or more than one hundred fifty days, or by both such fine and imprisonment All fines and forfeitures imposed and collected for any violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund

All acts or parts of acts inconsistent herewith are hereby repealed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 158—An act to amend section 1723 of the Code of Civil Procedure, relating to the establishment of the fact of death and its effect upon title to land in reference to life estates, homesteads, joint tenancies and community property.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "land" and substitute in lieu thereof the word "property".

AMENDMENT NUMBER TWO

On page 1, line 8, of the printed bill, strike out the word "may" and substitute in lieu thereof the word "must".

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, strike out the word "land" and substitute therefor the word "property".

AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed bill, strike out comma after the word "therein" and add the following "and giving the approximate value thereof,".

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill strike out period after word "petitioner" and substitute therefor a comma, and after said comma add the following: "and giving the relationship of said persons to the decedent"

AMENDMENT NUMBER SIX.

On page 1, line 23, of the printed bill, after the word "person", insert the following ", including the state controller,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, omit the period at the end of the line and insert in lieu thereof a semicolon and the following "*and provided, further*, that in any precinct in which a voting machine is used the board shall consist of one inspector, one judge, and one clerk"

AMENDMENT NUMBER TWO

On page 1, line 26, of the printed bill, following the word "order" insert the following "designating the polling places and".

AMENDMENT NUMBER THREE.

On page 3, line 32 of the printed bill, preceding the word "county" insert the following "state,".

AMENDMENT NUMBER FOUR

On page 3, line 34, of the printed bill, strike out the period, insert in lieu thereof a comma and add the following "or who is a candidate for office."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Senate Bill No. 553—An act to amend section 1142*a* of the Political Code, relating to election laws.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

Bill read second time, and ordered on file for third reading.

ASSEMBLYMAN SPALDING IN THE CHAIR.

At nine o'clock and fifty-eight minutes a.m., Hon. C. C. Spalding, member from the forty-fifth district, was called to the chair.

Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds

Bill read second time, and ordered on file for third reading.

Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 361—An act to regulate the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game districts 19, 20A and 21, and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 288—An act to amend section 19*c* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing pro-

bation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 160—An act to repeal title I, and title II of part IV of division III of the Civil Code, to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of section 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35*a*, 1097, 1098, 1099, 1100, and 1624*a*, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees.

Bill read second time, and ordered on file for third reading

Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Bill read second time, and ordered on file for third reading

Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 283—An act to amend section 789 of the Civil Code, relating to termination of estates.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248*a*, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973*a*, relating to agreements in writing.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, as amended March 29, 1923, strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 22, of the printed bill, after the word "who" insert the following "in good faith".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 32, 33 and 34, and insert in lieu thereof the following: "and game districts one and one-half, five, five "A", six, seven, eight, and nine to any place outside of said fish and game districts, or who holds any crabs in live cars within said fish and game districts, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

THE SPEAKER IN THE CHAIR.

At ten o'clock and five minutes a.m., Hon Frank F. Merriam, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1295 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Dean, Donohue, Dorris, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1297—An act to create a water district known as the Mono-Inyo Water District, prescribing its boundaries and providing for the government and control thereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1297 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Dean, Donohue, Dorris, Duval, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN FELLOM IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Hon. Roy Fellom, member from the twenty-sixth district, was called to the chair.

Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Johnson, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mitchell, A. G., asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 23, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-THREE.

Senate Concurrent Resolution No. 23—Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923.

Senate Concurrent Resolution No. 23 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 23 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Clarke, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Duval, Erb, Fellom, Foster, Fulwider, Heisinger, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 23 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 23.

Approving fourteen amendments to the charter of the city of Long Beach, in the county of Los Angeles, State of California, ratified by the qualified electors of said city of Long Beach at a special municipal election held thereon on the nineteenth day of April, 1923.

THE SPEAKER IN THE CHAIR.

At ten o'clock and twenty-nine minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 775—An act to amend section 1664, relating to procedure in probate matters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 775 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dean, Dorris, Erb, Foster, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Moore, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 890 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard; Broughton, Burns, Carter, Cleveland, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Erb, Fellom, Graves, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, Miller, Moore, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 392 passed by the following vote.

AYES—Badham, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Cleveland, Coombs, Emme, Erb, Fellom, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 174 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Donohue, Duval, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell,

McPherson, Mitchell, A. G., Moore, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmited to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Coombs asked for and was granted unanimous consent to take up Senate Bill No. 709, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED NINE.

Senate Bill No. 709—An act providing for the sale of certain sovereign lands of the State of California lying within the meander lines of Clear Lake.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 709 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Christian, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Lyons moved that the vote whereby Assembly Bill No. 561 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Baker, C. C., Ball, Burns, Carlson, Christian, Cleary, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Roberts, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Cleveland, and Connolly—2.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED SIXTY-ONE.

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mrs. Saylor moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 48, of the printed bill as amended, strike out the period after the word "education" and insert in lieu thereof the following: ", *provided* that no child shall be excluded from classes except upon advice of the city superintendent of schools in districts governed by boards of education or by the county superintendent of schools in districts governed by boards of school trustees and after examination by a committee of one or more persons appointed by the juvenile court or by the juvenile department of the superior court in counties where there is no juvenile court."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill as amended strike out all of lines 1 to 52, inclusive, and on page 4 of the printed bill as amended strike out all of lines 1 to 11 inclusive.

Motion carried.

The Speaker appointed Mrs. Saylor as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 561, with instructions, reports that the instructions of the Assembly have been carried out.

SAYLOR, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

RECONSIDERATION WAIVED.

Mr. Coombs waived his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 31 was adopted.

Assembly Constitutional Amendment No. 31 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23*a* of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its regular session commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 23*a* of article XII of the constitution of this State be amended to read as follows:

Sec. 23*a*. The Railroad Commission shall have and exercise such power and jurisdiction as shall be conferred upon it by the Legislature to fix the just compensation to be paid for the taking of any property of a public utility in eminent domain proceedings by the state or any county, city and county, incorporated city or town, municipal water district, irrigation district or other public corporation or district, and the right of the Legislature to confer such powers upon the Railroad Commission is hereby declared to be plenary and to be unlimited by any provision of this constitution. All acts of the Legislature heretofore adopted which are in accordance herewith are hereby confirmed and declared valid.

RECONSIDERATION WAIVED.

Mr. Williams waived his motion to reconsider the vote whereby Assembly Bill No. 1293 was passed.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Dozier moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1314 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Mueller moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 510 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Smith moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 368 was passed, be continued until the next legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dozier, Duval, Erb, Foster, Fulwider, Heisinger, Johnson Jones, Kline, McDowell, McPherson, Mitchell, A. G., Moore, Noyes, Prendergast, Reindollar, Roberts, Rock, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—Carter, Dean, Emme, Morrison, Mueller, Scott, and Whitacre—7.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 13—An act to amend sections 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 13 passed by the following vote.

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Broughton, Carlson, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Ekswaid, Foster, Fulwider, Graves, Heisinger,

Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, and Wright—49.

NOES—Ball, Bernard, Burns, Emme, Erb, Jones, Moore, Prendergast, Rock, West, and Mr. Speaker—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1249—An act to amend sections 851, 852, 857*a* and 858 of the Code of Civil Procedure, and to add two new sections to said code, to be numbered 860*a* and 860*b*, relating to justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1249 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Coombs, Crittenden, Davis, Dawson, Dean, Dozier, Emme, Erb, Fellom, Foster, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Moore, Morris, Morrison, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Baker, Edwin, asked for and was granted unanimous consent to take up Assembly Bill No. 739, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED THIRTY-NINE.

Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Baker, Edwin, moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 15, line 47, of the printed bill, after the word "Santa Cruz" strike out the words "and San Benito".

AMENDMENT NUMBER TWO.

On page 16, line 23, of the printed bill, strike out the words "San Luis Obispo" and insert in lieu thereof the words "San Benito".

AMENDMENT NUMBER THREE.

On page 17, line 11, of the printed bill, strike out the words "county of Kings", and insert in lieu thereof the words "counties of San Luis Obispo and Kings".

AMENDMENT NUMBER FOUR.

On page 16, line 19, of the printed bill, after the word "Tuolumne" strike out the word "Mariposa" and insert on line 21, after the word "Madera", "Mariposa."

Motion carried.

The Speaker appointed Mr. Baker, Edwin, as such Select Committee.

ASSISTANT CLERK POWERS READING.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 739, with instructions, reports that the instructions of the Assembly have been carried out.

BAKER, EDWIN, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Rock, Fellom, Morrison and Reindollar, the Speaker ordered a roll call taken on the report of Select Committee of One and amendments.

The question being on the report of Select Committee of One and amendments.

The roll was called, and the report of Select Committee of One and amendments lost by the following vote:

AYES—Badham, Baker, C. C., Ball, Bromley, Carter, Cleveland, Dawson, Emme, Graves, Jones, Miller, Mitchell, A. G. Moore, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Williams, and Mr. Speaker—20.

NOES—Bernard, Broughton, Burns, Clarke, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnson, Mathews, McDowell, McPherson, Morris, Morrison, Mueller, Noyes, Reindollar, Rock, Rosenshine, Scott, Snyder, Spalding, Spence, West, Whitacre, Woodbridge, and Wright—36.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 296—An act to amend sections 1327, 1328 and 1333 of the Code of Civil Procedure, relating to will contests.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 296 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Graves, Hawes, Heisinger, Johnson, Lyman, Mathews, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, West, Whitacre, Williams, Woodbridge, and Wright—48.

NOES—Mr. Speaker—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1100—An act providing for the insertion of uniform provisions in all contracts for public work and prescribing forms therefor including the arbitration of disputes between the contracting parties, the definition of lowest responsible bidder, penalties and forfeitures for noncompletion of work within period fixed by contract, and manner of payments; and repealing all acts and parts of acts inconsistent therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1100 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Mathews, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—51.

NOES—None.

AMENDMENT TO TITLE.

During reading of the title, Mr. McPherson moved to amend the title as follows:

AMENDMENT NUMBER ONE.

After the words "An act" in the first line of the title of the printed bill strike out the remainder of the title and insert in lieu thereof the following: "permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties."

Amendment adopted.

Bill ordered to reprint, and to Senate.

Assembly Bill No. 963—An act to amend sections 851 and 854 and to repeal section 858 of the Code of Civil Procedure, relating to pleadings in justices' courts.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the word "section" and in lieu thereof insert the word "sections".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after the word "fifty-one" insert the words "and eight hundred fifty-four".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out line 14 and in lieu thereof insert the following:

"SEC. 2. Section eight hundred fifty-four of the Code of Civil Procedure is hereby amended to read as follows

854. The defendant may, at any time before answering demur in writing to the complaint."

Motion carried.

The Speaker appointed Mr. Lyman as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 963, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

CALIFORNIA HIGHWAY COMMISSION,
SACRAMENTO, April 26, 1923.

Mr. Arthur A. Ohnimus,
Chief Clerk of the Assembly,
Sacramento, California.

DEAR SIR In compliance with the request expressed in the resolution of the Assembly transmitted in your letter of January 16, the State Highway Commission has prepared a list showing the uncompleted portion of the highway system of the State, including mileage, etc., with estimate of probable cost of completion.

The State highway system now consists of about 6400 miles of roads, of which only about 4000 miles have been constructed or have been taken over by the State

for maintenance purposes. This leaves a balance of approximately 2400 miles of highways upon which no expenditures of any kind have yet been made.

The State highway mileage is classified as follows:

First bond issue (1909)	3,082.3 miles
Second bond issue (1915)	679.7 miles
Third bond issue (1919)	1,798.0 miles
Special appropriation or special act roads	816.0 miles
Total	6,376.0 miles

The highways in the first bond issue included main north and south trunk lines with certain county seat laterals. The roads of the second bond issue included several lateral highways connecting the two main trunk lines, also an extension to the Arizona line from San Bernardino. The highways of the third bond issue included 28 additional specified routes.

The special act roads included several highways originally constructed by the State Department of Engineering prior to the organization of the California Highway Commission and also a number of isolated roads which have been added to the State system by action of Legislature at various sessions during the past ten years.

The financing of the construction of the system of State highways has been provided for by general bond issues, the aggregate amount of which is $73,000,000. In addition, the State Highway Commission has since 1914 been granted the use for maintenance purposes of one-half the revenue derived from motor vehicle license fees. In 1922 the State's portion of this fund amounted to about $3,700,000.

The funds at the disposal of the State have been generously augmented by the various counties which have, sometimes at great expense, provided rights of way and assumed the cost of construction of the larger bridges. The total expenditure on the State highway system, including amounts provided by the counties, is upwards of $100,000,000.

The estimated cost for completion is as follows:

New grading, 1960.12 miles	$48,920,700 00
Widening roadbed on highways already graded, 1762.07 miles	25,972,300 00
Graveled surface required on many mountain roads and graveled foundation required under practically all paving included in the estimate, 3786.17 miles	33,635,750 00
Paving, 1066.50 miles	33,357,110 00
Structures required (including replacement of antiquated structures)	6,469,900 00
Railroad grade crossing elimination	13,992,500 00
Contingencies 15 per cent and administration 10 per cent	40,587,066 00
Total	$202,935,326 00

To meet this estimated cost, according to the recent report of the Board of Control, there remains less than $6,000,000 in bond funds to the credit of the State Highway Commission. In addition, federal aid will be available to an amount of about $7,000,000, including appropriations for 1925.

This estimate at best expresses only the ideas of the new Highway Commission as to types of improvement, width of grading, types, width and thickness of surfacing, etc. If the present State highway system could be completed immediately, the amount of our estimate would probably be sufficient. However, during the time which would be consumed in planning and making such a large expenditure, we predict that our present traffic conditions will so change that even larger sums will ultimately be required. Our brief study of the State highway system as it now exists shows that every tendency of construction and every requirement of the traveling public tends to make a higher type of improvement and increases the cost. The attached map shows the existing State highway system.

We trust that this information will meet your requirements. The details which support our estimate are available at any time.

Yours very truly,

CALIFORNIA HIGHWAY COMMISSION.
By W. F. MIXON, Secretary.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor,

Also Assembly Bill No 653—An act to add a new section to be numbered section 15b to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers,

Also Assembly Bill No. 790—An act to amend section 4250 of the Political Code relating to salaries, fees and expenses of officers in counties of the twenty-first class,

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1324—An act to amend section 1926 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909 as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the nineteenth class

Also Assembly Bill No 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians,

Also Assembly Bill No 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class

Also Assembly Bill No 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class

Also Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class;

Also Assembly Bill No 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof,

Also Assembly Bill No 956—An act requiring that railway trains upon which toilets are maintained shall be equipped with septic containers or other devices in connection with said toilets and prescribing penalties for violations thereof;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class.

Also: Assembly Bill No. 211—An act to amend sections 363, 363*a*, 363*e* and 363*h* of the Political Code, relating to the Department of Public Works.

Also: Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class.

Also: Assembly Bill No. 1337—An act to amend section 4278 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.

Also: Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds to create a fund for such repair, maintenance and improvement, or construction of any part thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 419—An act to amend section 3897 of the Political Code, relating to the sale of property for delinquent taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COOMBS, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out.)

SMITH, Chairman.
NOYES.
CROTER.
LYMAN.
CLEARY.
JOHNSON.
McDOWELL.
HEISINGER.
DOZIER.
STEVENOT.
WHITACRE.
DAVIS.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property;

Also Assembly Bill No 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

STEVENOT, Vice Chairman

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1282—An act to provide for the construction of a dam across Carquinez straits between the confluence of the Sacramento and San Joaquin rivers and the bay of San Francisco, authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the costs thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, to levy such assessments upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McPHERSON, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Senate Bill No 174—An act declaring and establishing a State Highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon State line;

Also Senate Bill No 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

STEVENOT, Vice Chairman

The above reported bills ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Donohue:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to repeal an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission, providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts and parts of acts inconsistent with the provisions of this act,' approved May 10, 1917, and all acts amendatory thereof.

Referred to Committee on Introduction of Bills

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 26, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county.

Also, Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43;

Also: Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended

Also: Assembly Bill No. 281—An act to amend section 6 of the "Workmen's Compensation, Insurance and Safety Act of 1917" approved May 23, 1917, as amended, relating to the wilful misconduct of the employer

Also: Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds

Also: Assembly Bill No. 1294—An act to amend section 1474 of the Code of Civil Procedure, relating to obtaining money and other personal property by heirs

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 27, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

Also: Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by adding a new section to be known as section 26*a* relative to the qualification of directors, and by repealing section 32½ of said act;

Also, Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission, fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the

nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the state and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights specifying certain duties of the claimants, possessors or users of water or water rights, declaring water rights forfeited under certain conditions; regulating the appropriation of water, excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act, defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act, declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 515 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 39 read first time, and referred to Committee on Irrigation.

Senate Bill No. 478 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster, describing his duties; providing for rules and regulations governing the performance of his duties, prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 891?

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "master" insert the following: ", and shall file a bond with the state superintendent of weights and measures (department of agriculture) in the sum of one thousand dollars for the faithful performance of his duties,".

The roll was called, and Senate amendment to Assembly Bill No. 891 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Prendergast, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on Conference concerning Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p* inclusive of the Political Code,

and to add a new section to said code to be numbered 4236q, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—and respectfully requests your honorable body to concur in said amendment—reports that we have met a like committee of the Senate, consisting of Senators Murphy, Ingram, and Sharkey, and we report that the conference committee is unable to agree, and recommend that a Committee on Free Conference be appointed

JOHNSTON,
PEDROTTI,
STOW,
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Morris, McDowell and Stevenot as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 40.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 307 entitled "An act to make instruction in the constitution of the United States and of the State of California compulsory in public and private schools within the State of California," report that we have met a like committee of the Senate, consisting of Senators Jones, Inman and Harris, and we report that the Committee on Free Conference have agreed to recommend that the aforesaid bill be amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, strike out the words "and of the State of California".

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, strike out the following: "and of the State of California."

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the words "and of the State of California".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, strike out the words "and of this state".

AMENDMENT NUMBER FIVE.

On page 1, line 25, of the printed bill, strike out the word "on" and insert in lieu thereof the word "or".

CLEVELAND,
DOZIER,
CHRISTIAN,
Assembly Committee on Free Conference.

INMAN,
JONES,
HARRIS,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 427 passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—72.

NOES—Christian, Fox, and Scott—3

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257*a*, relating to the prohibiting of publication of indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1014 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Williams, Woodbridge, and Mr. Speaker—54

NOES—Burns, Croter, Fox, Graves, Lyman, Mitchell, A. G., Smith, Weller, and Wright—9

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN KLINE IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon. Chester M. Kline, member from the seventy-seventh district, was called to the chair.

Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dean, Dorris, Duval, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Smith, Spalding, Spence, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 499 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Burns, Christian, Clarke, Cleveland, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Fulwider, Hawes, Johnson, Jones, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Smith, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At two o'clock and forty-one minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Pomeroy moved a call of the House.

Motion carried.

Time, three o'clock and six minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Pomeroy.

The roll of absentees was called, and Assembly Bill No. 1269 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Broughton, Carlson, Carter, Christian, Cleary, Coombs, Croter, Davis, Dawson, Emme, Foster, Fox, Graves, Johnson, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Scott, Smith, Snyder, Stevenot, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—42.

NOES—Baker, C. C., Bromley, Burns, Clarke, Cleveland, Connolly, Crittenden, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnston, McDowell, Moore, Morrison, Rock, Rosenshine, Saylor, Spalding, Spence, Stow, West, and Wright—29.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Graves gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1269 was this day passed.

SPECIAL ORDER.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED)

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

The question being on the adoption of the report of Mr. Kline as Select Committee of One and proposed amendments.

ANNOUNCEMENT.

Mr. Kline announced that he had received a further communication from the Governor relative to Assembly Bill No. 999 and asked that it be read and printed in the Journal.

COMMUNICATION FROM THE GOVERNOR.

OFFICE OF ATTORNEY GENERAL,
SACRAMENTO, April 27, 1923.

Hon. Friend W. Richardson,
Governor of California,
Sacramento, California.

DEAR SIR: You have propounded to me for answer certain interrogatories as follows:

1. Will proposed amendment No. 2, if adopted, read into Assembly Bill No. 999, by reference, the constitutional and statutory provisions whereby there are made appropriations for purposes not otherwise provided for in Assembly Bill No. 999, with sufficient certainty to comply with the requirement that the appropriation bill accompanying the budget shall "cover" the proposed expenditures enumerated in the budget itself?

To the foregoing interrogatory I answer yes.

2. Can all constitutional fixed charges and continuing statutory appropriations be covered within the meaning of Constitutional Amendment No. 12, by specific reference in the budget bill to such constitutional fixed charges and continuing statutory appropriations by their constitutional article and section numbers and the chapter numbers of such statutes, followed by a blanket amendment to cover all such existing constitutional and statutory appropriations not so included in the budget bill?

To the foregoing interrogatory I answer yes.

3. If, as in the case of the University of California, there are included in the budget bill certain items of nonrecurrent appropriations, a portion of which may be used for support or for the payment of salaries, will such circumstance affect the application of proposed amendments numbers one and two to such institution, or any other department of the state similarly treated in the budget bill, in so far as the constitutional fixed charges and statutory recurrent appropriations are concerned?

To the foregoing interrogatory I answer yes. I am of opinion that the inclusion within the budget bill of items of appropriation, such as the two items for the University of California, portions of which, at least, may be used for support or for the payment of salaries, gives rise to a conflict between the provisions of the bill as it will read if amendment No. 1 be adopted and the provisions of certain antecedent statutes carrying continuing appropriations, portions of which are also applicable for support or for the payment of salaries. The restrictions embodied in the second sentence of section 1 of Assembly Bill No. 999 causes a doubt to arise as to whether the items so included in the budget bill are exclusive in their operation and have the effect of removing such recurrent appropriations from the class of "appropriations for purposes not otherwise provided for herein" as the words quoted are used in the second of the suggested amendments.

4. If the preceding question be answered in the affirmative, what, if any, procedure do you recommend for the purpose of overcoming the conflict presented thereby?

Two methods of removing all questions of doubt arising from the conditions set forth in interrogatory No. 3 present themselves. First, the recurrent appropriations which might otherwise be placed in a questionable status may be incorporated in Assembly Bill No. 999 by appropriate specific reference to the particular statutes whereby such recurrent appropriations are made. Second, the conflict may be removed by eliminating from Assembly Bill No. 999 the two items which now appear therein, followed by the introduction and passage of bills making special appropriations of the same amounts for the same purposes.

A brief memorandum of the legal principles involved and of the authorities sustaining the foregoing conclusions herein announced is separately submitted herewith.

Respectfully submitted.

U. S. WEBB, Attorney General.
By R. T. McKISICK, Deputy.

The question being on the adoption of the report of Mr. Kline as Select Committee of One and proposed amendments.

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Johnson, West, Carter and Kline, the Speaker ordered a roll call taken on the report of Select Committee of One and amendments.

The question being on the report of Select Committee of One and amendments.

The roll was called, and the report of Select Committee of One and amendments adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

NOES—Heisinger—1.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Kline moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 11 of the printed bill, as amended in the Assembly, April 17, after the word "dollars," in line 40 add the following: "The provisions for the University of California are in addition to the provisions made by chapters numbered four hundred twenty-six, four hundred twenty-seven, four hundred twenty-eight, and four hundred twenty-nine of the Statutes of 1919, and chapters numbered seven hundred thirty-seven and seven hundred forty-one of the Statutes of 1921."

Motion carried.

The Speaker appointed Mr. Kline as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

KLINE, Select Committee.

MOTION.

Mr. Spence moved that further consideration of the report of Mr. Kline as Select Committee of One be postponed until 8 o'clock p.m., of this day.

REQUEST FOR ROLL CALL.

On request of Messrs. Smith, Spence, Christian, and Cleary and Mrs. Saylor, the Speaker ordered a roll call taken on the motion to postpone further consideration of the report of Select Committee of One.

The question being on the motion to postpone further consideration of the report of Select Committee of One.

WITHDRAWAL OF MOTION.

Mr. Spence, with consent of his second, withdrew his motion to postpone further consideration of the report of Mr. Kline as Select Committee of One.

MOTION TO RECESS.

Mr. Spence moved that the Assembly do now recess until the hour of eight o'clock p.m., of this day.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, McPherson, Pedrotti, Lyons and Christian, the Speaker ordered a roll call taken on the motion to recess.

The question being on the motion to recess.

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

AYES—Badaracco, Ball, Bernard, Broughton, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—35.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Stow, Weller, and Williams—38.

The question being on the adoption of the report of Mr. Kline as Select Committee of One and proposed amendment.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Carter, Christian, Pedrotti and Bromley, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom,

Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

NOES—None.

SPECIAL ORDER SET.

On motion of Mr. Kline, further consideration of Assembly Bill No. 999 was made a special order for Friday, April 27, 1923, at eight o'clock p.m.

RECESS.

At five o'clock and eleven minutes p.m., on motion of Mr. Rosenshine, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LIBRARIES.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on Libraries, to which was referred Assembly Bill No. 1159—An act to amend section 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

WHITACRE, Chairman.
SPALDING.
CRITTENDEN.
MILLER.
SAYLOR.
SPENCE.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Libraries, to which was referred Assembly Bill No. 996—An act to make an appropriation to erect a building on a lot of land in the city and county of San Francisco as a branch of the State Library to be known as the Sutro Library—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to Committee on Ways and Means.

(Signed out)

WHITACRE, Chairman.
SPALDING.
CRITTENDEN.
MILLER.
SAYLOR.
SPENCE.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 547—An act to amend section 19a32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof providing for the establishment of detention homes for such persons fixing the method of procedure and treatment or commitment where crimes have been committed by such persons providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5 1911 and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915 as amended, approved June 2, 1921, as amended, relating to juvenile courts;

Also Assembly Bill No 509—An act to amend section 4307 of the Political Code, relating to county charges.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

SMITH, Chairman

The above reported bills ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1095—An act to amend section 5 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BALL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Senate Bill No 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BALL, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DONOHUE, Chairman.
BADHAM.
PEDROTTI.
POMEROY.
EMME.
LYONS.
JONES.
ANDERSON.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 176——An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class

Also: Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class

Also: Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances;

Also Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries;

Also Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SMITH, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices—has had the same under consideration, and respecttully reports the same back, and recommends that it do pass.

(Signed out)

SMITH, Chairman.
CHRISTIAN.
BAKER, C. C.
HEISINGER
CLEARY.
DAVIS
STEVENOT
PRENDERGAST.
CROTER.

The above reported bill ordered on file for second reading.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

MUELLER, Chairman.
MITCHELL, A. G.
WILLIAMS.
EMME.
CHRISTIAN.
DAWSON.
CLEVELAND.
DORRIS.
McDOWELL.
BURNS.
FOX.
SPENCE.

The above reported concurrent resolution ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 23—Relative to the destruction of perishable products, and live stock—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1033—An act to amend section 19x42 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers;

Also: Assembly Bill No. 87—An act to legalize and declare valid all proceedings in Klamath-Shasta Valley Irrigation District;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1264—An act to declare valid the formation, organization and existence of Stinson Irrigation District, and to ratify and confirm all proceedings on organization thereof;

Also: Assembly Bill No. 1016—An act to amend the title and an act entitled "An act declaring and establishing a State highway from the town of Truckee running in a northeasterly direction along the present traveled road to the Nevada state line near Verdi," approved April 15, 1919.

Also: Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

Also: Assembly Bill No. 291—An act to add a new section to the Code of Civil Procedure to be numbered 1810d, relating to estates of minors;

Also: Assembly Bill No. 941—An act to amend section 460, relating to the degrees of burglary.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a. m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 728—An act to amend section 2466 of the Civil Code, relating to the use of fictitious names—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a. m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 100—An act to amend section 1810c of the Code of Civil Procedure, relating to the compromise of claims of minors;

Also: Assembly Bill No. 945—An act to amend section 213 of the Penal Code, relating to the punishment of robbery;

Also: Assembly Bill No. 480—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipal improvement districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such districts voting upon the question of incurring such indebtedness;

Also: Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 946—An act act to amend section 487 of the Penal Code, relating to grand larceny,

Also Assembly Bill No. 476—An act to amend section 7 of an act entitled, "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds, approved April 27, 1911,

Also Assembly Bill No. 865—An act to amend section 542 of the Code of Civil Procedure, relating to attachments,

Also Assembly Bill No. 123—An act to repeal section 1835 of the Code of Civil Procedure, relating to satisfactory evidence,

Also Assembly Bill No. 256—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a m

ROBERTS, Chairman.

Also.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 101—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees in actions where a minor is plaintiff

Also: Assembly Bill No 143—An act to add a new section to the Political Code, to be numbered 4326 relating to peace officers:

Also Assembly Bill No. 1036—An act to amend section 232 of the Code of Civil Procedure, relating to the officer's return on summoning of jurors for justices' or police courts:

Also Assembly Bill No. 884—An act to amend section 1470 of the Penal Code, relating to proceedings if appeal is dismissed or judgment affirmed:

Also Assembly Bill No. 429—An act to amend section 646 of the Civil Code, relative to building and loan associations;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a m.

ROBERTS, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 288—An act to amend section 3265 of the Civil Code, relating to negotiable instruments;

Also: Assembly Bill No. 1276—An act to add a new section to the Political Code, to be numbered 2192a, relating to commitment of imbeciles,

Also Assembly Bill No. 1075—An act to amend section 1304 of the Code of Civil Procedure relating to notice of time appointed for probate of will to be sent to heirs devisees legatees and named executors,

Also Assembly Bill No. 939—An act to amend section 107 of the Penal Code, relating to escapes and attempts to escape from county jails, city jails and county hospitals, and from the custody of the sheriff,

Also Assembly Bill No. 1037—An act to amend section 231 of the Code of Civil Procedure, relating to the summoning of jurors for justices' or police courts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 294—An act to amend section 660 of the Code of Civil Procedure, relating to time of hearing and granting motion for new trial;

Also: Assembly Bill No. 944—An act to add a new section to the Penal Code to be numbered 211a, regarding the definition of robbery and the degrees thereof,

Also Assembly Bill No 328—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy to be a State highway

Also Assembly Bill No 942 —An act to add a new section to the Penal Code to be numbered 460a and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code

Also Assembly Bill No 947—An act to amend section 264 of the Penal Code, relating to the punishment of the crime of rape

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a.m.

ROBERTS, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 160—An act to add a new section to the Penal Code to be numbered 146a relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes;

Also Assembly Bill No 308—An act to provide for the appointment of a commission to consist of the Attorney General and State Engineer to confer with a commission of the state of Arizona in respect to the location and re-location of the common boundary of said states, and to report concerning the same and concerning an agreement between said states as to measures for the straightening, controlling and improvement of the channel of the Colorado River, and to provide for the expenses of said commission

Also Assembly Bill No 943—An act to amend section 461 of the Penal Code, relating to the penalty for burglary.

Also Assembly Bill No. 218—An act to add a new section to the Penal Code, to be numbered 644, relating to habitual criminals,

Also Assembly Bill No. 292—An act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of April, 1923, at eleven o'clock and fifty-five minutes a.m

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 166—An act to amend section 632 of the Code of Civil Procedure, relating to decision upon trial by court;

Also Assembly Bill No 764—An act to amend section 626j of the Penal Code, relating to the running of deer by dogs,

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.

Also Assembly Bill No 1163—An act to amend section 12 of an act entitled "An act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays;

Also: Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives.

Also: Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act.

Also: Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of habitual criminals and persons convicted of rape or carnal abuse of females under the age of ten years.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204c, 210, 219 and 246 of the Code of Civil Procedure, relating to jurors.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 198 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923;

Also: Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California.

WHEREAS, The county of Los Angeles, State of California, has, at all times herein mentioned, been and now is a body politic and corporate, and is now and has been, since the second day of June, 1913, organized and acting under and by virtue of a charter, adopted under and by virtue of section 7½ of article XI of the constitution of the State of California, which charter was duly ratified by the qualified electors of said county at an election held for that purpose on the fifth day of October, 1912, and approved by the Legislature of the State of California on the twenty-ninth day of January, 1913; and,

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of an amendment to said charter set out in the certificate of the chairman of the board of supervisors and the county and ex officio clerk of the board of supervisors of the county of Los Angeles, to wit:

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 21 read, and referred to committee on Municipal Corporations.

Senate Concurrent Resolution No. 22 read, and referred to committee on County Government.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1330—An act providing for the collection of money advanced in

payment of taxes on real property by co-owners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Judiciary.

COOMBS, Chairman.

The above reported bill ordered re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT.

Mr Morris asked for and was granted unanimous consent to take up Assembly Bill No. 263, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-THREE

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Morris moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4, line 36, of the printed bill, strike out the words "a judge of the superior court.

AMENDMENT NUMBER TWO

On page 5, line 3, of the printed bill, strike out the words "superior judge or by a"

Motion carried.

The Speaker appointed Mr. Morris as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 263, with instructions, reports that the instructions of the Assembly have been carried out.

MORRIS, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Miss Broughton asked for and was granted unanimous consent to take up Senate Bill No. 481, at this time, without reference to file, for the purpose of amending

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-ONE.

Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Miss Broughton moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 7 of the printed bill, as amended in the Senate, strike out all of lines 25 and 26, and insert the following:

"18. There is hereby created for counties of this class a traffic officer, who shall receive a salary of two hundred dollars per month, said officer to provide and maintain his equipment and all costs of operating thereof.

The traffic officer shall be allowed not to exceed four deputies. Each of such deputies shall receive a salary of one hundred seventy-five dollars a month and shall provide and maintain his equipment and all costs of operating the same.

Such traffic officer and his deputies shall be appointed by the board of supervisors, and shall hold office for the period provided by law, *provided, however*, that the board of supervisors shall have authority at any time to remove such officer, or any of said deputies.

This act shall go into effect immediately, and apply to all present incumbents, except as herein expressly provided and excepted."

Motion carried.

The Speaker appointed Miss Broughton as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 481, with instructions, reports that the instructions of the Assembly have been carried out.

BROUGHTON, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 86?

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, strike out the period at the end of the line and insert in lieu thereof a comma and the following words: "nor to bona fide schools, having been established for at least three years, securing employment for its own pupils without compensation."

The roll was called and Senate amendment to Assembly Bill No 86 was concurred in by the following vote:

AYES—Baker, C C., Baker, Edwin, Ball, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr Speaker—51

NOES—Graves—1.

The above reported bill ordered to enrollment.

SPECIAL ORDER.

The hour of eight o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922

Bill read third time.

MOTION TO SET SPECIAL ORDER

Mr. Fellom moved that further consideration of Assembly Bill No. 999 be made a special order for Monday, April 30, 1923, at eleven o'clock a m.

MOTION TO AMEND.

Mr. West offered the following amendment to Mr. Fellom's motion to set special order:

That the bill be made a special order for ten o'clock and thirty minutes a.m.

The question being on the motion to amend by Mr. West

REQUEST FOR ROLL CALL.

On request of Messrs. Cleveland, Christian, Pedrotti, Dawson and Dozier, the Speaker ordered a roll call taken on the motion to amend.

The question being on the motion to amend

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

AYES—Badham, Baker, C. C Baker, Edwin, Ball Bromley, Broughton, Carter, Cleveland, Coombs, Dawson, Donohue, Dorris, Dozier, Duval Graves, Johnson, Johnston, Jones, Lyons, Mathews, McPherson Miller Mitchell, A G Pedrotti, Pomeroy, Roberts, Saylor, Stevenot, Stow, Weller, West, Woodbridge, and Mr Speaker—33.

NOES—Christian, Clarke, Connolly, Crittenden, Davis Dean Eksward Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger Kane McDowell, McMillan, Moore, Morrison, Mueller Noyes Prendergast, Reindollar, Rosenshine, Scott, Spalding, Whitacre, and Williams—28.

The question being on the motion to set special order by Mr Fellom, as amended.

Motion carried.

SPECIAL ORDER SET

In compliance with the above motion, further consideration of Assembly Bill No 999 was made a special order for Monday, April 30, 1923, at ten o'clock and thirty minutes a.m

MOTION TO RESCIND ACTION AND EXPUNGE RECORD.

Mr. Eksward moved that the action of the Assembly adopting Assembly Concurrent Resolution No. 12 on Thursday, April 26, 1923, be rescinded, and the record expunged.

The question being on the motion to rescind action and expunge record.

The roll was called and the motion to rescind action and expunge record lost by the following vote:

AYES—Baker, Edwin, Broughton, Carter, Coombs, Crittenden, Dean, Donohue, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Johnston, Mathews, McDowell, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Saylor, Scott, Spence, Stow, Weller, West, Williams, and Woodbridge—32.

NOES—Badham, Baker, C. C., Ball, Bromley, Christian, Clarke, Cleveland, Connolly, Davis, Dawson, Dorris, Dozier, Duval, Fellom, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mitchell, A. G., Moore, Pedrotti, Prendergast, Spalding, Stevenot, Whitacre, and Mr. Speaker—29.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 12—Relative to adjournment sine die—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

Assembly Concurrent Resolution No. 12 ordered transmitted to the Senate

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received, read, and ordered printed in the Journal:

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA,
SACRAMENTO, April 27, 1923.

To the Members of the Assembly of the State of California

I am returning herewith Assembly Bill No 352 without my approval.

This bill amends section No. 1607 of the Penal Code by adding the words "or when the condition of any prisoner or prisoners committed thereto, or confined therein, becomes such, through accident or sickness that in the opinion of the physician, thereof, such prisoner or prisoners shall be removed therefrom."

This would apparently give the sheriff or jailer the power to remove prisoners to what he thinks is a safe and convenient place without going to the court for an order While on its face this is apparently a humane measure it might in fact be used for exactly the opposite purpose One of the opponents to the bill calls my attention to the fact that a prisoner sent to jail for an offense might be temporarily sent to a State hospital on the ground that he was mentally sick as a result of prison confinement and was in danger of becoming insane He says, "Such a law might be easily used to screen an improper attack on the sanity of a citizen."

The law at present affords ample protection to prisoners who become sick, and as the code now stands it gives the sheriff or jailer the right to temporarily remove prisoners from the county jail where a burning building is so closely situated as to cause apprehension of danger to a prisoner.

If a sick prisoner is to be taken from a jail to a hospital where there are so many more chances of escape, this should be done only under order of the court The proposed change in the law might permit a bank robber or murderer confined in the county jail to search around until he found a physician who thought he was ill, and thereupon he could be dismissed from his confinement and given every opportunity to escape from some private hospital.

Several district attorneys have called my attention to this bill and pronounced it vicious and dangerous.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote

AYES—None

NOES—Badham, Baker, C. C., Baker, Edwin; Bromley, Christian, Clarke, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, and Mr. Speaker—50.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 27, 1923.

To the Members of the Assembly of the State of California.

Assembly Bill No. 330 is herewith returned without my approval

This bill amends section 1557 of the Penal Code in regard to the accounts for returning fugitives upon extradition by adding the words "shall include such sum or sums necessarily expended to obtain custody of such fugitive from any foreign government or any state of the United States".

The Board of Control advises me that this is a dangerous bill and might saddle on the State large and unnecessary expenditure of money as the bill provides that the accounts "must" be audited by the Board of Control. This change in language would require the state to make extraordinary payments in certain cases, of which the following examples can be cited

When George D. Collins was a fugitive in British Columbia on a charge of perjury on which he was afterwards returned and convicted in California, there was a fee amounting to $12,000 paid to an attorney in Victoria for legal services rendered the State

Under the code section as it was then construed that large claim was deemed a proper charge A more limited construction of the authority for expenditure stated in the former section was thereafter put in application and legal fees to outside attorneys have not been allowed The only allowance has been actual traveling expenses, and hotel and incidental expenses of caring for and returning the prisoner

Hutchins, a bunco operator of nation wide fame, was returned from New York to California, convicted, and extraordinary expenses of attorneys, and other expenses at New York and Albany during the contest for his return, were in the neighborhood of $27,000. Under this bill this great expense would have been saddled upon the State.

The language of the new law is very broad and would appear to operate to take away from the Board of Control the power to audit these claims and to protect the treasury against such claims as above noted

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None

NOES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Christian, Clarke, Cleveland, Connolly, Davis, Dawson, Dean, Dorris, Dozier, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Saylor, Scott, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—52.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 91 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Bromley, Broughton, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Scott, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason; providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 198 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bromley, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dozier, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1319 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Carter, Christian, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 364 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Saylor, Scott, Stevenot, Stow, Weller, West, Whitacre, Williams, and Woodbridge—50.

NOES—Graves, Spalding, and Mr. Speaker—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1116—An act to amend section 633*b*, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1116 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Noyes, Pedrotti, Pomeroy, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1052 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Bromley, Broughton, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—45.

NOES—Ball—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1051 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, Stow, West, Whitacre, Williams, and Mr. Speaker—49.

NOES—Ball—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Broughton, Carter, Christian, Clarke, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones,

Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—45.

NOES—Cleveland, Dean, Duval, and Stow—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 806 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Broughton, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Mathews, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO ADJOURN

Mr. Dozier moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m., Saturday, April 28, 1923.

Motion lost.

Assembly Bill No. 595—An act to amend sections 5, 19, 22*b*, 26 and 57 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 595 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO ADJOURN

Mr. Fellom moved that the Assembly do now adjourn until the hour of nine o'clock and thirty minutes a.m., Saturday, April 28, 1923.

Motion lost.

Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259*a*, relating to the fees and mileage of jurors in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1261 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Broughton, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts, the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads; defining the term county toll road; providing for the establishment of grades and routes of such toll roads; for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 685 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Broughton, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, Weller, Whitacre, Williams, and Woodbridge—47.

NOES—Carter, and Mr. Speaker—2

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 438 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellan, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McPherson, Miller, Moore, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Stevenot, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ADJOURNMENT.

At ten o'clock and thirty-seven minutes p.m., on motion of Mr. Crittenden, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Saturday, April 28, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 28, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Badaracco, Bidlam, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—62.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Johnson, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Kline:

HIAWATHA TRIBE, No. 106, IMPROVED ORDER OF RED MEN,
RIVERSIDE, April 26, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities; be it therefore

Resolved, That this tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and

petition our Great White Fathers to consider the humble appeal of Hiawatha Tribe, No 106, of Riverside, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this great republic, owe so much and have provided so little.

GEORGE SEIM, Sachem.
M. O. PANN, Chief of Records.

Also:

NARRAGANSETT TRIBE No. 169, IMPROVED ORDER OF RED MEN,
CORONA, April, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities; be it therefore

Resolved, That this tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and petition our Great White Fathers to consider the humble appeal of Narragansett Tribe, No. 169, of Corona, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this great republic owe so much and have provided so little.

W. R. ROBERDS, Sachem
H. K. STAHL, Chief of Records.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 385—An act to prohibit contracts and agreements for the sale and future delivery of stock, bonds and other securities upon margin, commonly known as dealing in futures; to declare such transactions unlawful, and to constitute a felony on the part of any person, association of persons or corporation participating therein, whether directly or indirectly, to prohibit the establishment, maintenance, or operation of any office or other place where such contracts are made or offered; to define what shall constitute prima facie evidence of guilt; to compel all persons participating in such transactions to testify concerning their connections therewith; to provide that no discovery made by any witness which would tend to subject him to conviction or punishment under this act shall be used against such witness in any penal or criminal proceedings, and that he shall be altogether pardoned therefor; to provide that regular commercial exchanges and other bona fide trade organizations may post quotations of market prices, and for other purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MORRIS, Chairman.
LYONS.
BAKER, C. C.
FULWIDER.
WEST.
BROMLEY.
MUELLER.
WHITACRE.
MITCHELL, A. G.
WELLER.
McDOWELL.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 21—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DONOHUE, Chairman.
BADHAM.
JONES.
PEDROTTI.
LYONS.
DOZIER.
POMEROY.
EMME.

The above reported concurrent resolution ordered on file for adoption.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158*a*, both relating to the recording of instruments by county recorders—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the district attorney—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

MORRIS, Chairman.
LYONS.
ROSENSHINE.
BAKER, C. C.
CRITTENDEN.
CARTER
WEST.
CHRISTIAN.
SPENCE.
FULWIDER.
WELLER
WHITACRE
MITCHELL, A. G.
MUELLER.
BROMLEY

The above reported bill ordered on file for second reading

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 841 was refused passage be continued until the next legislative day.

Motion carried

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Dozier moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1314 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Mueller moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 510 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Smith moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 368 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Graves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1269 was passed be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868 "

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, as amended, all relating to the levy and collection of taxes by and for the use of municipal corporations and to the consolidation of certain municipal offices, and to add a new section, to be numbered 8*b*, thereto, defining the term "municipal corporations" for the purposes of this act.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "seven" insert a comma

AMENDMENT NUMBER TWO

In line 2 of the title of the printed bill strike out the words "and eight" and in lieu thereof insert the following: "eight and eight *a*".

AMENDMENT NUMBER THREE

Lines 15 and 16 of title Strike out lines 13, 14, 15 and 16 of title and insert in lieu thereof the following "use of municipal corporations, public corporations and taxing districts and to the consolidation of certain municipal offices, and to add a new section to be numbered 8*b*, thereto, defining the term 'municipal corporation' for the purposes of this act".

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, strike out the words "A certified copy" and insert in lieu thereof the words "Certified copies"

AMENDMENT NUMBER FIVE.

On page 2, line 11, of the printed bill, after the word "auditor", insert the words "assessor and tax collector".

AMENDMENT NUMBER SIX

On page 2, lines 12 and 13, of the printed bill, strike out the words "Monday in the month", and insert in lieu thereof the word "day"

AMENDMENT NUMBER SEVEN

On page 2, line 47, of the printed bill, strike out the words "Monday of July", and insert in lieu thereof the words "day of February".

AMENDMENT NUMBER EIGHT.

On page 2, line 48, of the printed bill, after the word "auditor", insert the words "and assessor".

AMENDMENT NUMBER NINE.

On page 3, line 1, of the printed bill, insert a period in lieu of the comma after the word "city". Also strike out the word "and", and insert in lieu thereof the following "Whenever any such taxation district is created or the boundaries thereof enlarged, changed or modified subsequent to the first day of February in any year, such board of trustees, common council or other legislative or governing body or board of directors, shall on or before the 15th day of July of each year cause to be filed with the county auditor and county assessor of the county in which such municipal corporation or city is situated, a supplemental report containing a description of the exterior boundaries of each taxation district so created, enlarged, changed or modified, and".

AMENDMENT NUMBER TEN

On page 3, line 11, of the prined bill, after the word "act" insert the following. "approved March 27, 1895, as amended,'

AMENDMENT NUMBER ELEVEN.

On page 3, line 32, of the printed bill, after the word "act" insert the following: ", approved March 27, 1895, as amended,"

AMENDMENT NUMBER TWELVE.

On page 3, lines 34 and 35, of the printed bill, strike out the words "second Monday in", and insert in lieu thereof the words "15th day of".

AMENDMENT NUMBER THIRTEEN.

On page 3 line 44, of the printed bill, after the word "act" insert the following ", approved March 27, 1895, as amended,".

AMENDMENT NUMBER FOURTEEN.

On page 3 line 49, of the printed bill, strike out the words "last Tuesday in", and insert in lieu thereof the words "28th day of".

AMENDMENT NUMBER FIFTEEN.

On page 3, line 50, of the printed bill, after the word "fix", insert the words "and transmit to the county auditor."

AMENDMENT NUMBER SIXTEEN.

On page 4, lines 8, 9, 10, 11 and 12, of the printed bill, strike out that part of section 4 beginning with the word "such" on line 8, and ending with the word "*body*" *on line 12, page 4*

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 13, of the printed bill, after the word "act" insert the following ", approved March 27, 1895, as amended,"

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 37, of the printed bill, after the word "act" insert the following ", approved March 27, 1895, as amended,".

AMENDMENT NUMBER NINETEEN

On page 4, line 39, of the printed bill, after the word "the" insert the words "county assessor".

AMENDMENT NUMBER TWENTY.

On page 4, line 47, of the printed bill, insert after the word "fund" the following "to be appropriated by the board of supervisors to said officials or county departments to cover the expenses incurred in the discharge of such additional duties".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 51, of the printed bill, after the word "act" insert the following: ", approved March 27, 1895, as amended,".

AMENDMENT NUMBER TWENTY-TWO.

On page 5 of the printed bill, strike out all of lines 6, 7, 8, 9, 10 and 11, and insert in lieu thereof the following: "county treasurer of said county shall file with the board of supervisors an itemized verified statement, showing the additional expense to his office by reason of the imposing of these duties upon him, and upon the filing of such statement the board of supervisors of such county shall, by an order spread upon the minutes, deduct the sum of not more than one-quarter of one per cent of the taxes of such municipal corporation or city, collected by the county tax collector, and the money so deducted shall be transferred by the county treasurer into the county general fund to be appropriated by the board of supervisors to such official or county department to cover the expense incurred in the discharge of such additional duties."

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 12, of the printed bill after the word "act" insert the following: ", approved March 27, 1895, as amended,".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5 of the printed bill, after line 32, insert the following:

"SEC. 9. Section eight *a* of said act approved March 27, 1895, as amended, is hereby amended to read as follows:

Sec. 8*a*. Whenever any municipal corporation or city elects or has heretofore elected to avail itself of the provisions of this act relating to the assessing and collecting by the county of taxes for such municipal corporation, redemption of property which, after such election has been made, has been sold to such municipal corporation on account of non-payment of taxes shall be effected through the office of the county auditor."

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 33, of the printed bill, strike out the number "9" and in lieu thereof insert the number "10".

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 34, of the printed bill, after the word "act" insert the following: ", approved March 27, 1895, as amended,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1274—An act to regulate, restrict and prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries; declaring such wells to be public nuisances and providing for the abatement of the same.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all after section 1 and insert in lieu thereof the following: "It shall be unlawful, hereafter, to drill any well for the production of oil or any other hydrocarbon product, within any hospital grounds, or any site selected or agreed upon for hospital erection, nor within five hundred feet of the exterior boundary thereof, *located within the corporate limits of any city containing* over fifty thousand population without the approval of or permit from the supervisors of the county, and the city council of the city in which the hospital or hospital site is located."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing

and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction of any part thereof

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 7, of the title of the printed bill, after the word "to" insert the following: "governing bodies of".

AMENDMENT NUMBER TWO

In line 13, of the title of the printed bill, strike out the word "of" and insert in lieu thereof the word "or".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "county" strike out the period and in lieu thereof insert the following: ", *provided* that said city or city and county, shall exclude from the proposed district any territory over which the state, or any county, shall then have, or be exercising, control in harbor or port matters."

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, after the word "be" insert the following: "created and".

AMENDMENT NUMBER FIVE

On page 1, line 17, of the printed bill, after the word "one" insert the following: "Before said district shall be finally created the governing body must give notice of the exterior boundaries of the district to be benefited, and provide for the hearing of protests as provided in sections 2, 3 and 4, of chapter 697, Statutes 1909."

AMENDMENT NUMBER SIX.

On page 2, line 7, of the printed bill, after the word "purposes" insert the following: "and for the purpose of forming such harbor district.".

AMENDMENT NUMBER SEVEN.

On page 2, line 9, of the printed bill, strike out the word "district" and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER EIGHT.

On page 2, line 12, of the printed bill, strike out the word "therefore" and insert in lieu thereof the following: "in said district".

AMENDMENT NUMBER NINE.

On page 2, line 17, of the printed bill, strike out the word "a" and insert in lieu thereof the following: "the".

AMENDMENT NUMBER TEN.

On page 2, line 17, of the printed bill, strike out the words "or municipalities within such district" and insert in lieu thereof the following: "in which said governing body is located".

AMENDMENT NUMBER ELEVEN.

On page 2, line 23, of the printed bill, after the word "thereto" strike out the period and insert in lieu thereof the following: ", *provided* that only electors residing in said district shall be entitled to vote at any such election."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 419—An act to amend section 3897 of the Political Code, relating to the sale of property for delinquent taxes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1282—An act to provide for the construction of a dam across Carquinez strait, between the confluence of the Sacramento and San Joaquin rivers and the bay of San Francisco; authorizing the Reclamation Board of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the costs thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919; to levy such assessments upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out the words "reclamation board" and in lieu thereof insert the words "department of public works".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out the words "reclamation board" and in lieu thereof insert the words "department of public works".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, strike out the word "board" and in lieu thereof insert the word "department".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out line 19 and insert the following: "by the said department of public works, the said department".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out the period in line 25 and lines 26 to 34, both inclusive, and in lieu thereof insert the following: ", and said assessment shall be levied in accordance with the provisions of an act entitled "An act approving the report of the California debris commission transmitted to the speaker of the house of representatives by the secretary of war on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California debris commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers" approved December 24, 1911" and all acts amendatory and supplementary thereto, and all the provisions of said acts relating to the levy of such assessments, reapportionment

of assessments, payment of assessments and sale of land for delinquent assessments shall be made applicable to the work provided for in this act, and whenever reference is made in such acts to the reclamation board such reference shall for the purpose of carrying the provisions of this act into effect be construed to refer and relate to the department of public works".

AMENDMENT NUMBER SIX.

On page 2, line 36, of the printed bill, strike out the words "reclamation board" and in lieu thereof insert the words "department of public works".

AMENDMENT NUMBER SEVEN.

On page 2, line 43, of the printed bill, strike out the period and in lieu thereof insert the following ", and wherever reference is made therein to the reclamation board such reference whenever applicable, shall be construed to refer and relate to the department of public works".

AMENDMENT NUMBER EIGHT.

On page 2, line 44, of the printed bill, strike out the words "reclamation board" and in lieu thereof insert the words "department of public works".

AMENDMENT NUMBER NINE.

On page 3, line 1, of the printed bill, strike out the words "reclamation board" and in lieu thereof insert the words "department of public works".

AMENDMENT NUMBER TEN.

On page 3, line 8, of the printed bill, strike out the word "board" and insert in lieu thereof the word "department".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1159—An act to amend section 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, after the word "superintendents" insert a comma and the word "engineers," followed by a comma.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 10, of the printed bill, strike out the word "and" and add after the word "collectors," the words "county engineer or county surveyor, and coroner",.

AMENDMENT NUMBER TWO.

Strike out lines 25 and 26.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1005—An act to amend section 5 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title strike out the words "section five" and insert in lieu thereof the following "sections five and seven".

AMENDMENT NUMBER TWO

On page 1, line 8, of the printed bill, after the word "pharmacists" insert the following: ", registered as licentiates in pharmacy in the State of California and who shall at the time of their appointment be actively engaged in the practice of pharmacy in retail pharmacies.".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out the words "San Francisco" and insert in lieu thereof the word "Sacramento".

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, after the word "board", strike out the period and insert a comma and the following "as the board in its sound discretion may determine."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out all of line 19 following the word "bond", all of lines 20 and 21, and insert in lieu thereof the following "running to the board of pharmacy in a sum of not less than two thousand dollars, and such greater sum as the board may from time to time require for the faithful discharge of their respective duties."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, after line 21, insert the following:

"SEC. 2. Section seven of said act, approved March 20, 1905, as amended, is hereby amended to read as follows:

Sec. 7. Two members of the board shall constitute a quorum. They shall hold a meeting at least once in every four months.

POWERS AND DUTIES OF THE BOARD

Subdivision 1. The state board of pharmacy shall have power: (a) to make such by-laws and regulations, not inconsistent with the laws of this state, as may be necessary for the protection of the public, appertaining to the practice of pharmacy and the lawful performance of its duties. (b) To regulate the practice of pharmacy. (c) To regulate the sale of poisons. (d) To regulate the quality of all pharmaceutical preparations and medicines dispensed in this state, using the United States Pharmacopoeia or National Formulary, as the standard. (e) To investigate all complaints as to quality and strength of all pharmaceutical preparations and medicines, and to take such action as may be necessary to prevent the sale of such as do not conform with the standard and tests prescribed in the latest edition of the United States Pharmacopoeia or National Formulary. (f) To employ inspectors of pharmacy and to inspect during business hours all pharmacies, dispensaries, stores or places in which drugs, medicines and poisons are compounded, dispensed or retailed, and to cause the prosecution of all persons whenever there appears to the board to be reasonable ground for such action. (g) To examine and register as pharmacists and assistant pharmacists all applicants whom it shall be qualified to be such. All persons applying for registration under this act, shall pay the following fees therefor to the secretary of the board of pharmacy: Every applicant for registration for other than that of an apprentice, shall pay a fee of ten dollars on filing his or her application, which shall be compensation to the board of pharmacy for the investigation or examination of the applicant, and if the board finds that any applicant for registration on experience and credentials is entitled to be registered, then he or she shall pay an additional fee of fifteen dollars upon the issuance of a certificate of such registration; and any licentiate found by the board on examination to be entitled to a

certificate shall pay the additional sum of five dollars upon the issuance of the certificate; all applicants for examination as an assistant, if found satisfactory by the board, shall be entitled to their certificate without further fee, *and provided further*, that an applicant for registration on experience and credentials may at his or her option be examined as a licentiate in pharmacy without further fee for application. *(h)* In the event that any person having registered shall have lost his or her certificate, or the same has been destroyed, or if he or she desires the renewal of same, a new certificate may be issued by said board upon the applicant paying therefor the sum of three dollars, *provided further*, that where the original certificate is not lost or destroyed, and the certificate shall be surrendered before a renewal of the same shall be issued *and provided further*, that the board shall have the power to require satisfactory evidence from the applicant of the loss or destruction of the certificate; *and provided further*, that where the applicant is delinquent for the annual dues required by this act then he or she shall be required to pay said board sufficient fees to cover his delinquency in that behalf before he or she shall be entitled to a reissue of the certificate in this subdivision provided for (i) To provide by proper rules and regulations for the revocation by said board of licenses issued under the provisions of this act, whenever the holder of such license shall be guilty of habitual intemperance or addicted to the use of narcotic drugs, or shall have been convicted of a felony

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No 248—An act to amend sections 7 and 8*g* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5*a*.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of Reclamation District No. 2063, and also all the acts and proceedings of said district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 188—An act to authorize the leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases, creating a commission to carry out the provisions of this act and making an appropriation for the purposes hereof.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the words "attorney general" and insert in lieu thereof the words "state treasurer".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 174—An act declaring and establishing a State highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon state line.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 275—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

Bill read second time, and ordered on file for third reading.

Senate Bill No 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 30, after the word "given" insert "; *provided, however*, that veterans of the U. S. Army, U. S. Navy and U. S. Marine Corps, who possess an honorable discharge from such service, and who are of good moral character and who have been engaged for hire in mechanical dentistry, and who actually demonstrate by work done at an examination conducted by said board of dental examiners, their fitness and skill as dental technicians, shall, in the discretion of said board of dental examiners, be licensed to become such dental technicians without further test or examination."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, lines 21 and 22, of the printed bill, strike out the words "and only from the state optometry fund,".

AMENDMENT NUMBER TWO.

On page 5, line 49, of the printed bill, strike out the words "optometry fund" and insert the word "treasury" in lieu thereof.

AMENDMENT NUMBER THREE

On page 6, lines 15 and 16, of the printed bill, strike out the words "for the benefit of the state optometry fund,".

AMENDMENT NUMBER FOUR.

On page 8, line 17, of the printed bill, strike out the period therein and all of line 17 thereafter and all of lines 18 and 19 and the following words in line 20, "of the state board of optometry."

AMENDMENT NUMBER FIVE.

On page 6, line 31, of the printed bill, strike out the period and add the following: ", nor to the fitting by any one of presbyopic eyes of persons over forty years of age."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class

Bill read second time, and ordered on file for third reading.

Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices

Bill read second time, and ordered on file for third reading

INTRODUCTION AND REFERENCE BILL

The following bill was introduced, and referred as indicated:

By Mr. Noyes: Assembly Constitutional Amendment No. 59—Proposed amendment to article VI of the constitution, relative to the continuation of service of retired justices of the Supreme Court, justices of the district court of appeal and judges of the superior court of the State of California

Introduced, and referred to Committee on Constitutional Amendments

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Duval:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 670 of the Code of Civil Procedure, relating to judgment rolls.

Referred to Committee on Introduction of Bills.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody, and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, by adding a new section to be numbered 22a, relating to maintenance of public schools in detention homes—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2?

AMENDMENT NUMBER ONE

On page 2, line 15, of the printed bill, beginning with the word "The" strike out all of the matter on the remainder of the page and all of the matter contained on page 3 and insert in lieu thereof the following:

1. The board of supervisors shall have power to provide for the establishment and maintenance of an elementary public school in connection with the detention home of such county, for the education of such children as may be in said detention home. Said board by ordinance, shall provide for the establishment and maintenance of school facilities in such detention home, and the school maintained in such detention home shall be maintained by the governing board of the elementary school district in which the detention home is situated, and shall be conducted in the same manner and under the same conditions, as nearly as may be possible, as are other elementary schools of the school district, except that the schools shall not be closed on school days, to-wit: Monday, Tuesday, Wednesday, Thursday and Friday of each school week during the calendar year, except on school holidays and during the day or days in which the teachers' institute is in session, and the week in which Christmas Day occurs. The board is hereby authorized to close such school when it deems such closing necessary.

2. The board of supervisors shall provide suitable grounds, buildings, and furnishings for the school, and shall lease the same on or before July first at a nominal rental to the school district in which such detention home is situated and shall make an agreement with the board of school trustees or city board of education of the district in which the detention home is situated to transfer from the general fund of the county to the current expense fund of the district sixteen hundred dollars for each teacher employed in such detention home school for the first school year. The transfer of funds shall be made on or before the first Monday in January.

3. The board of trustees or city board of education in whose district the detention home is situated shall provide all necessary supplies. Said board shall employ at least one teacher for any number of pupils regularly enrolled in excess of five for the first year. Said teachers shall be under the jurisdiction of the regular school officials and shall make such reports as are required by law.

4. The average daily attendance shall be made up by dividing the total days' attendance by the total number of days the school in the detention home is maintained for the year. The superintendent of schools of the county in which the detention home is located shall allow one teacher for the first thirty-five pupils, or fraction not less than five, in average daily attendance in such school and one additional teacher for each additional unit of thirty-five pupils in average daily attendance or fraction thereof. The average daily attendance of said school shall be separately reported and allowed money on average daily attendance as is apportioned to other schools.

5. The board of supervisors of the county may make an agreement with the board of trustees or the city board of education of the district in which the detention home is located to transfer annually from the general fund of the county to the current expense fund of the district such sums in excess of the amount of money received from the state and county school funds as are necessary to maintain the school in the detention home."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Weller moved a call of the House.

Motion carried.

Time, ten o'clock and six minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carter, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Heisinger, Johnson, Jones, Kline, McMillan, Miller, Moore, Noyes, Pedrotti, Prendergast, Rosenshine, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—40.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1307 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Jones, Kline, Lyons, McMillan, Miller, Moore, Noyes, Pomeroy, Rock, Rosenshine, Saylor, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Ball asked for and was granted unanimous consent to take up Senate Bill No. 31, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THIRTY-ONE.

Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers

for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions, and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 31 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Jones, Lyons, McMillan, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—46

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1321 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyons, McMillan, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Miss Broughton asked for and was granted unanimous consent to take up Senate Bill No. 480, at this time, without reference to file

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY.

Senate Bill No 480—An act providing for official reporters in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 480 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyons, McMillan, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Rosenshine, Saylor, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—46.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1110 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, McDowell, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Rock, Rosenshine, Saylor, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 179 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Pedrotti, Prendergast, Rock, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At ten o'clock and forty-seven minutes a.m., Mr. Scott moved that further proceedings under the call of the House be dispensed with.

Motion lost.

Assembly Bill No. 979—An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 979 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 488—An act to amend section 19x12 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years: and in certain cases providing for their care, custody and maintenance: providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons: fixing the method of procedure and treatment or commitment where crimes have been committed by such persons: providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 488 passed by the following vote:

AYES—Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 823 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Connolly, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—48.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts: the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance

and repair of boulevards, within such districts, providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Badham, Baker (C. C.), Baker, Edwin; Ball, Bernard, Broughton, Burns, Christian, Clarke, Connolly, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Eksward asked for and was granted unanimous consent to take up Senate Bill No. 490, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED NINETY.

Senate Bill No. 490—An act to amend sections 2845 and 2847 of the Political Code of the State of California, relating to toll bridges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 490 finally passed by the following vote:

AYES—Badham, Baker, (C. C.), Ball, Bernard, Broughton, Burns, Christian, Clarke, Connolly, Crittenden, Davis, Dawson, Donohue, Dorris, Eksward, Erb, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 816 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 810 passed by the following vote:

AYES—Ball, Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, and Woodbridge—49.

NOES—Badham, Baker, Edwin; Cleveland, Dawson, Dozier, Graves, Prendergast, Weller, and Mr. Speaker—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 550 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and thirty-eight minutes a m., Mr. Bernard moved that further proceedings under the call of the House be dispensed with.
Motion lost.

Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1335 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fulwider, Graves, Hawes, Heisinger, Johnson Jones, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate:

Assembly Bill No 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 597 passed by the following vote:

AYES—Baker, Edwin; Ball, Broughton, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr Speaker—48.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

MOTION.

Mr. Spence moved that Mr. Eksward be excused for the remainder of the day.

Motion carried.

Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1331 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Christian, Clarke, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fulwider, Heisinger, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Prendergast, Saylor, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr Lyons asked for and was granted unanimous consent to take up Senate Bill No. 63, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-THREE.

Senate Bill No. 63—An act to add a new section to the Civil Code to be numbered 869*a*, regarding conveyances of real property, or any interest therein, made in trust, or to a grantee designated "trustee" or "as trustee," without naming or indicating any beneficiary and prescribing presumptions in reference thereto and limiting the time within which actions may be commenced by such undisclosed beneficiary or the original grantor or trustor against the grantee or grantees of the person so designated "trustee" or "as trustee."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 63 finally passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Carter, Clarke, Cleveland, Coombs, Crittenden, Davis, Donohue, Dorris, Dozier, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At twelve o'clock and fourteen minutes p.m., Mr. Weller moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Messrs. Weller, Dawson, Badham, Johnson and Davis, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under call of the House.

The question being on the motion to dispense with further proceedings under call of the House.

The roll was called and the motion to dispense with further proceedings under call of the House lost by the following vote:

AYES—Badham, Broughton, Davis, Dawson, Dean, Dozier, Johnson, Kline, Mathews, McPherson, Mitchell, A. G., Noyes, Saylor, Weller, and Williams—15.

NOES—Baker, C. C., Baker, Edwin; Ball, Carter, Christian, Cleveland, Coombs, Crittenden, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Jones, Lyman, Lyons, McDowell, McMillan, Moore, Morrison, Mueller, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Mr. Speaker—35.

Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1333 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones Kline, Lyman, Lyons Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—50

NOES—Badham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 334 passed by the following vote:

AYES—Baker, Edwin; Ball, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris Duval, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr Speaker—44

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No 22—Relative to a tour of inspection of military establishments of the State of California, by the Secretary of War and members of the Committee on Military Affairs of the House of Representatives and of the United States Senate.

Assembly Joint Resolution No 22 read

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 22 adopted by the following vote:

AYES—Baker, Edwin; Ball, Broughton, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Donohue Dorris, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Joint Resolution No 22 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No 22.

Relative to a tour of inspection of military establishments of the State of California, by the Secretary of War and members of the Committee on Military Affairs of the House of Representatives and of the United States Senate.

WHEREAS, The Secretary of War and the Committee on Military Affairs of the United States Senate and the House of Representatives are to visit the different military establishments in the State of California, and

WHEREAS, It is advisable and in the interest of the State of California to have this committee visit the federal arsenal located at Benicia, to consider the improvement of the same, now therefore, be it

Resolved by the Assembly and Senate, jointly, That the Secretary of War and the members of the Committee on Naval Affairs of the United States Senate and the House of Representatives, be urged to make an investigation of the federal arsenal at Benicia, in the interest of the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to forward copies of these resolutions to the Secretary of War and the Chairman of the Committee on Naval Affairs of the House of Representatives and of the United States Senate

MOTION.

Mr. Spence moved that Mrs. Saylor be excused for the remainder of the day.

Motion carried.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At twelve o'clock and thirty-eight minutes p.m., Mr. Mathews moved that further proceedings under the call of the House be dispensed with.

Motion lost.

Assembly Bill No 1157—An act to amend section 4312 of the Political Code, relating to public officers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1157 passed by the following vote:

AYES—Baker, Edwin, Ball, Broughton, Carter, Christian, Clarke, Coombs, Crittenden, Dean, Donohue, Dorris, Duval, Emme, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lamm, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—44.

NOES—Badham, and Graves—2

AMENDMENT TO TITLE.

During reading of the title, Mr Mitchell, A G., moved to amend the title as follows:

AMENDMENT NUMBER ONE

In line 2 of the title, of the printed bill, strike out the words "relating to public officers" and insert in lieu thereof the following: "relating to the establishment of chambers by judges of the superior court in cities other than the county seat."

Amendment adopted.

Bill ordered to reprint, and to Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Moore asked for and was granted unanimous consent to take up Senate Bill No. 215, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED FIFTEEN.

Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Moore moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 10, of the printed bill, as amended April 5th, following the comma after the word "provided" insert the following: "that every person in game district one and one-half of the State of California, who, between the sixteenth day of October and the thirty-first day of August, both dates inclusive, of the following year, hunts, pursues, takes, kills or destroys or has in his possession, whether taken or killed in the State of California, or shipped into the state from any other state or territory or foreign country, any male deer or any deer meat, is guilty of a misdemeanor, *provided further*,".

Motion carried.

The Speaker appointed Mr. Moore as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 215, with instructions, reports that the instructions of the Assembly have been carried out.

MOORE, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Noyes moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 2, of the printed bill, strike out the word "one" and insert in lieu thereof the word "two".

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, after the word "thousand" insert the words "two hundred".

AMENDMENT NUMBER THREE

On page 2, line 14, of the printed bill, strike out the word "thousand" and insert in lieu thereof the word "hundred".

Motion carried.

The Speaker appointed Mr. Noyes as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 490, with instructions, reports that the instructions of the Assembly have been carried out.

NOYES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 191 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Broughton, Carter, Christian, Clarke, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—Badham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Spalding asked for and was granted unanimous consent to take up Senate Bill No. 395, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED NINETY-FIVE.

Senate Bill No. 395—An act to amend section 1830 of the Political Code, relating to school district elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 395 finally passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—Badham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Senate Bill No. 534, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTY-FOUR.

Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act

entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 finally passed by the following vote:

AYES—Baker, C. C., Ball, Broughton, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Hawes, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—Heisinger—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Crittenden gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 534 was this day passed.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At one o'clock and seven minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Ball.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 2 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—58.

NOES—None.

The above reported bill ordered to enrollment.

ADJOURNMENT.

At one o'clock and thirteen minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Monday, April 30, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 30, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence,

Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Fox, Hon. George Gelder, a former member of the Assembly, and Mrs. Gelder, were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Hon. Ivan H. Parker, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. McPherson, Mrs. Ellsworth E. Eustice of Gilroy and Misses Ruth O'Hara and Stella McNear of Vallejo were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Rock, Mrs. Mildred Clair Pollock and Mrs. D. E. F. Easton of San Francisco were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Morris, Mr. Lester F. Scott of San Francisco was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Noyes, Hon. Ed. Lewis, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Reindollar, Hon. Charles W. Byrnes and Hon D. D. Bowman, former members of the Assembly, were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Mrs. George D. Squires of Woodside was extended the privilege of the floor of the Assembly for this day, and her name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Baker, C. C., its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal.

By Mr. Wright:

GOWONGA TRIBE, No. 252, IMPROVED ORDER OF RED MEN,
SAN JOSE, April 24, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from the lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities, be it therefore

Resolved, That this Tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land

and petition our Great White Fathers to consider the humble appeal of Gowonga Tribe No. 252 of San Jose, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this Great Republic, owe so much and have provided so little

P. J. MIRANDA, Sachem
LOUIS LIGHTSTON, Chief of Records.

By Mr Connolly:

WAW BEEK TRIBE, No 164, IMPROVED ORDER OF RED MEN,
MENDOCINO, April 24, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities, be it therefore

Resolved, That this Tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and petition our Great White Fathers to consider the humble appeal of Waw Beek Tribe No. 164 of Mendocino, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this Great Republic, owe so much and have provided so little

DOUGLAS DAVIS, Sachem.
WM. SHAW, Chief of Records.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts;

Also, Assembly Bill No 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property;

Also Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868";

Also: Assembly Bill No. 1159—An act to amend section 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries,

Also: Assembly Bill No. 419—An act to amend section 3897 of the Political Code, relating to the sale of property for delinquent taxes,

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1176—An act to provide for the investigation by the State of California of the possibilities of the storage, control and diversion of water for public use and public protection in the State of California, and making an appropriation for said purpose—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 792—An act to amend section 626o of the Penal Code, relating to the shooting from moving boats;

Also: Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended;

Also: Assembly Bill No. 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor;

Also: Assembly Bill No. 158—An act to amend section 1723 of the Code of Civil Procedure, relating to the establishment of the fact of death and its effect upon title to land in reference to life estates, homesteads, joint tenancies and community property;

Also: Assembly Bill No. 574—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 15 and 15c thereof, relating to the general powers of the board of directors of irrigation districts and providing for the creation of a revolving fund;

Also: Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 679—An act to amend sections 4130 and 4131 of the Political Code, both relative to duties of county recorder;

Also: Assembly Bill No. 1135—An act to add a new section to the Political Code, to be numbered 4152a, relating to duties of county clerks;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
BAKER, C. C.
NOYES.
McDOWELL.
JOHNSON.
DOZIER.
STEVENOT.
HEISINGER.
DAVIS.

The above reported bills ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Cleary moved that Assembly Bill No. 1176 be withdrawn from the file, and ordered re-referred to Committee on Irrigation.

Motion carried.

Assembly Bill No. 1176 re-referred to Committee on Irrigation.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 385—An act to prohibit contracts and agreements for the sale and future delivery of stock, bonds and other securities upon margin, commonly known as dealing in futures; to declare such

transactions unlawful, and to constitute a felony on the part of any person, association of persons or corporation participating therein, whether directly or indirectly; to prohibit the establishment, maintenance, or operation of any office or other place where such contracts are made or offered; to define what shall constitute prima facie evidence of guilt; to compel all persons participating in such transactions to testify concerning their connections therewith; to provide that no discovery made by any witness which would tend to subject him to conviction or punishment under this act shall be used against such witness in any penal or criminal proceedings, and that he shall be altogether pardoned therefor; to provide that regular commercial exchanges and other bona fide trade organizations may post quotations of market prices, and for other purposes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158*a*, both relating to the recording of instruments by county recorders

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

After the figures "1158" on line 3 of the printed bill strike out the remainder of the bill and insert the following

"Any instrument or judgment affecting the title to or possession of real property may be filed with the county recorder when the same has been prepared in accordance with the requirements of section one thousand one hundred fifty-eight *a* of this code and not otherwise. Such filing shall have the same effect as the recording heretofore permitted or required by law

SEC. 2. A new section is hereby added to the Civil Code to be numbered one thousand one hundred fifty-eight *a* and to read as follows

1158*a*. Before any instrument can be recorded it must be prepared upon blanks or forms furnished by the county recorder as provided by section four thousand one hundred thirty-one of the Political Code or upon blanks or forms exactly similar in size, weight and color of material to those so designated and provided. Each such instrument must be prepared and signed with record indelible ink and acknowledged by all the parties thereto and all acknowledgements to such instruments shall be upon the original or principal sheet or form which bears the signature of the party or parties to the instrument and not upon a page or slip attached thereto. In addition to the signature of the party or parties signing any such instrument which is to be filed the name of such party or parties so signing shall be typewritten or printed with pen and ink immediately below such signature, and all blank spaces must be filled in by ruling lines therein. Such document must be presented to the recorder without folds or creases therein and without erasures or interlineations. Such document shall be delivered to the county recorder of the county in which the property affected is located to be by him permanently bound and retained as the record of such instrument, and a receipt therefor delivered to the person so offering the same for filing; and on demand of any person, on prepayment of his fees, said recorder shall furnish a certified copy of said document. The recorder may refuse to accept for filing any instrument which he deems not in compliance with this section, and he must immediately by registered mail notify the person tendering the same of such refusal. The recorder may, however, receive for filing instruments executed in other states or foreign countries which do not comply with the foregoing provisions."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 685—An act to amend section 860 of the Penal Code, relating to examinations before committing magistrates and filing of informations by the district attorney.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 6, of the printed bill, strike out the word "the" after the word "that" and insert in lieu thereof the letter "a".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "defendant" insert the following, "represented by counsel".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

REQUEST FOR UNANIMOUS CONSENT

Mr. Dozier asked for and was granted unanimous consent to take up Senate Bill No. 125, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED TWENTY-FIVE.

Senate Bill No. 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Dozier moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 6 line 31, strike out words "nor to the fitting by any one of presbyopic eyes of persons over forty years of age," and insert in lieu the following "nor to prohibit the sale of complete ready to wear eyeglasses as merchandise, by any person not holding himself out as competent to examine, test or prescribe for the human eye, or its refractive errors."

AMENDMENT NUMBER TWO.

On page 8, section 11, after line 9 insert the following

"7. When the holder uses the title "Doctor" or "Dr" as a prefix to his name; or, without holding a diploma from an accredited school of optometry, the letters "Opt. D" or "O. D" as a suffix to his name, or holds himself out as having a special knowledge of optometry as defined in this act"

Motion carried.

The Speaker appointed Mr. Dozier as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Senate Bill No. 125, with instructions, reports that the instructions of the Assembly have been carried out

DOZIER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 892 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 841 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Dozier moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1314 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Mueller moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 510 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Smith moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 368 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER

Mr. Graves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1269 was passed be continued until the next legislative day

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 534 was passed be continued until the next legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Bernard, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1262 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Bernard, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, Miller, Mitchell, A. G., Moore, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599*a* and 1599*b*, relating to property taken from persons detained in city, county, or city and county jails.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 424 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, McMillan, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Spalding, Stow, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—46.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 361 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McPherson, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, and Mr. Speaker—48.

NOES—Wright—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 899—An act to add a new section to the Penal Code to be numbered 402*g*, relative to the use of soiled or unlaundered table linen or napkins for purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 899 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—46.

NOES—Baker, Edwin, Coombs, Dozier, Fulwider, Lyman, Prendergast, and Smith—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1326 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Bernard, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION.

Mr. Kline moved that further consideration of Assembly Bill No. 999 be postponed until two o'clock p.m. of this day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 517—An act to add a new section to the Political Code, to be numbered 1616*a*, relating to the powers and duties of city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 517 refused passage by the following vote:

AYES—Badham, Broughton, Burns, Carlson, Donohue, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Saylor, Stevenot, Woodbridge, Wright, and Mr. Speaker—28.

NOES—Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Dean, Dozier, Foster, Fulwider, Graves, Johnston, Lyman, Moore, Noyes, Prendergast, Smith, Snyder, Spalding, Spence, West, and Whitacre—24.

Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 900 passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedroti, Pomeroy, Reindollar, Roberts, Rock, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 869—An act to amend section 5 of, and to add a new section to be numbered 7*a*, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "the reciprocal or interinsurance act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee," and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 869 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 80—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 80 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker.—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 588 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Connolly, Coombs, Davis, Dean, Donohue, Duval, Eksward, Emme, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, McMillan, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, West, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 985 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Crotei, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—Baker, Edwin; Carter, Christian, Cleveland, Dawson, Fulwider, and Spalding—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, relating to salaries and fees of officers of counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1175 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 928—An act authorizing the board of supervisors of any county to appoint a park board, and prescribing the membership, organization, officers, government, powers, and duties thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. West:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 19*f* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913; and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mrs. Dorris asked for and was granted unanimous consent to take up Assembly Bill No. 432, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED THIRTY-TWO.

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*c*, relating to cooperative business corporations or associations.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mrs. Dorris moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the words "fifty-four *c*" and in lieu thereof insert the word "fifty-four *d*".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "fifty-four *c*" and in lieu thereof insert the words "fifty-four *d*".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 4 to 10, both inclusive, and in lieu thereof insert the following:

"654*d*. No person, or firm, corporation or association hereafter organized in this state, shall be entitled to use the word "cooperative" as part of its corporate or other business name or title for producers co-operative marketing activities, unless it has complied with or been organized pursuant to the provisions of title twenty, title twenty-one or title twenty-two of part four of the Civil Code of this state, or of title twenty-three of part four of said Civil Code, as said title twenty-three may be enacted by the forty-fifth session of the legislature of the State of California.

Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor."

Motion carried.

The Speaker appointed Mrs. Dorris as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 432, with instructions, reports that the instructions of the Assembly have been carried out.

DORRIS, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RE-REFER.

Mr. Kline moved that Assembly Bill No. 668 be withdrawn from the file, and ordered re-referred to Committee on Irrigation.

Motion carried.

Assembly Bill No. 668 re-referred to Committee on Irrigation.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 623 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Croter, Davis, Dean, Dorris, Dozier, Eksward, Foster, Graves, Hawes, Hornblower, Johnson, Jones, Kline, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stow, Whitacre, Woodbridge, Wright, and Mr Speaker—42.

NOES—Donohue—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 624 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Graves, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, Mathews, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder,

Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 627 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Broughton, Carlson, Carter, Christian, Clarke, Connolly, Croter, Davis, Dawson, Dorris, Dozier, Eksward, Foster, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.
Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Spence moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 4 of the printed bill, following line 8, insert:
"For traveling expenses of the state board of equalization such sum or sums as are provided in section three thousand seven hundred two of the Political Code."

AMENDMENT NUMBER TWO.

Immediately following amendment number 1 insert
"For investigations and appraisements, state board of equalization such sum or sums as are provided in chapter four hundred twenty-eight, statutes of 1921."

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, following line 2, insert
"For support of orphans such sum or sums as are provided in section two thousand two hundred eighty-three of the Political Code."

AMENDMENT NUMBER FOUR.

On page 9 of the printed bill, following line 48, insert
"For purchase of land California Redwood Park such sum or sums as are provided in chapter six hundred ninety, statutes of 1917."

AMENDMENT NUMBER FIVE.

On page 10 of the printed bill, following line 7, insert
"For statistics state agricultural society such sum or sums as are provided in chapter five hundred eighty-four, statutes of 1911."

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, following line 28, insert:
"For support of the California highway commission all revenues from bond sales under authority of section two, article sixteen of the constitution; all revenues from

motor vehicle registration as provided in chapter one hundred eighty-eight, statutes of 1915 and the amendments thereto; all receipts from the federal government under an act of congress and authority provided by chapter five hundred thirty-seven, statutes of 1917."

AMENDMENT NUMBER SEVEN.

Immediately following amendment number 6 insert

"For highway bond, interest and redemption, the amounts provided in chapter three hundred eighty-three, statutes of 1909, chapter four hundred four, statutes of 1915, chapter ninety-three, statutes of 1919."

AMENDMENT NUMBER EIGHT

On page 10 of the printed bill, following line 46, insert

"For investigation of water resources such sum or sums as are provided in chapter seven hundred four, statutes of 1909."

AMENDMENT NUMBER NINE.

On page 11 of the printed bill, following line 11, insert

"For Sacramento and San Joaquin drainage district number six such sum or sums as are provided in chapter five hundred fifty-six, statutes of 1919."

AMENDMENT NUMBER TEN

Immediately following amendment number 9 insert

"For Los Angeles flood control such sum or sums as are provided in chapter seven hundred forty-nine, statutes of 1921."

AMENDMENT NUMBER ELEVEN.

Immediately following amendment number 10 insert

"For uses veterans welfare board, for purchase of farms and homes such sum or sums as are provided in initiative act approved November 7, 1922."

AMENDMENT NUMBER TWELVE.

On page 11 of the printed bill, following line 35, insert:

"For vocational rehabilitation such sum or sums as are provided in chapter seven hundred fifty-eight, statutes of 1921."

AMENDMENT NUMBER THIRTEEN

Immediately following amendment number 12 insert

"For vocational education such sum or sums as are provided in the Smith Hughes act and chapter seven hundred twenty, statutes of 1917."

AMENDMENT NUMBER FOURTEEN.

Immediately following amendment number 13 insert

"For teachers permanent fund such sum or sums as are provided in chapter six hundred ninety-four, statutes of 1913."

AMENDMENT NUMBER FIFTEEN

On page 11 of the printed bill, following line 35, insert

"For text books for orphans such sum or sums as are provided in chapter four hundred seventy-two, statutes of 1907."

AMENDMENT NUMBER SIXTEEN.

Immediately following amendment number 15 insert:

"For support of elementary schools such sum or sums as are provided in section six of article nine of the constitution."

AMENDMENT NUMBER SEVENTEEN.

Immediately after amendment number 16 insert

"For support of secondary schools such sum or sums as are provided in section six of article nine of the constitution."

AMENDMENT NUMBER EIGHTEEN.

Immediately following amendment number 17 insert:

"For support of junior colleges such sum or sums as are provided in chapter four hundred seventy, statutes of nineteen twenty-one."

AMENDMENT NUMBER NINETEEN.

On page 11 of the printed bill, following line 40, insert

"For support of extension courses, university of California such sum or sums as are provided in chapter seven hundred thirty-five, statutes of nineteen twenty-one."

AMENDMENT NUMBER TWENTY.

Immediately following amendment number 19 insert:

"For support of training courses southern branch of the University of California such sum or sums as are provided in chapter seven hundred thirty-six, statutes of nineteen twenty-one."

AMENDMENT NUMBER TWENTY-ONE.

Immediately following amendment number 20 insert:

"For university building, interest and redemption of bonds, such sum or sums as are provided in chapter nine hundred twenty-three, statutes of nineteen fifteen."

AMENDMENT NUMBER TWENTY-TWO.

On page 13 of the printed bill, following line 37, insert:

"For veterans educational institute, such sum or sums as are provided by chapter five hundred seventy-nine, statutes of nineteen twenty-one."

AMENDMENT NUMBER TWENTY-THREE.

On page 13 of the printed bill, following line 44, insert:

"For Sacramento building, interest and redemption of bonds, such sum or sums as are provided in chapter two hundred thirty-nine, statutes of nineteen thirteen."

AMENDMENT NUMBER TWENTY-FOUR.

Immediately following amendment number 23 insert

"For San Francisco building, interest and redemption of bonds such sum or sums as are provided in chapter five hundred forty-one, statutes of nineteen thirteen."

AMENDMENT NUMBER TWENTY-FIVE.

Immediately following amendment number 24 insert.

"For interest and sinking fund such sum or sums as are provided in chapter sixty-five, statutes of eighteen ninety-three."

AMENDMENT NUMBER TWENTY-SIX.

Immediately following amendment number 25 insert.

"For principal and interest on bond debts of cities and counties such sum or sums as are provided in chapter three hundred thirty-five, statutes of nineteen eleven."

Motion carried.

The Speaker appointed Mr. Spence as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER. Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

SPENCE, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Morris, Rock, West, Kline and Lyons, the Speaker ordered a roll call taken on the report of Select Committee of One and amendments.

The question being on the report of Select Committee of One and amendments.

The roll was called, and the report of Select Committee of One and amendments refused adoption by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—36.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Burns, Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—39.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 11, lines 27, 28 and 29, of the printed bill, amend to read as follows:
"For free text books, state board of education, six hundred seventy-six thousand nine hundred eighty-three and thirty-three one-hundredths dollars."

Motion carried.

The speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Scott, Moore, Fulwider, Lyons and Morris, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment refused adoption by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dollis, Emme, Felton, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—33.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—42.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Crittenden moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 5, line 3, of the printed bill, strike out the word "five," and strike out all of line 4, and insert in lieu thereof the following: "Six hundred thirty-seven thousand two hundred dollars".

Motion carried.

The Speaker appointed Mr. Crittenden as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

CRITTENDEN, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Baker, Edwin; Smith, Spence, Pedrotti and Lyons, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Baker, Edwin; Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—34.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Jones moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 13, line 49, of the printed bill, strike out the words "seven hundred thousand" and insert in lieu thereof the words "one million".

Motion carried.

The Speaker appointed Mr. Jones as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out.

JONES, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Kline, Pedrotti, Lyons, Eksward and Moore, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called, and the report of Select Committee of One and amendment refused adoption by the following vote:

AYES—Broughton, Carlson, Cleary, Croter, Dean, Dorris, Emme, Fellom, Jones, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Whitacre, Woodbridge, and Wright—23.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, and Mr. Speaker—50.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Messrs. Schmidt and Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts, providing for a forfeiture of such compensation, providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or lease or discharge from

prison, authorizing allowance for extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Referred to Committee on Introduction of Bills.

RECESS.

At four o'clock and forty-three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SMITH, Chairman.
McDOWELL.
CLEARY.
DAVIS.
WHITACRE.
BAKER, C. C.
CHRISTIAN.
STEVENOT.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Mueller:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3766 of the Political Code relating to publication of delinquent tax list.

Referred to Committee on Introduction of Bills.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 354—An act to add a new section to be numbered 15a to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the use of said fund," approved June 16, 1913, as amended, relating to teachers employed at the southern branch of the University of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 31—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions, and to prescribe qualifications for such operators; and to prescribe punishment for violation hereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1313—An act to amend section 4013 of the Political Code relating to county officers.

Also: Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California:

Also: Assembly Bill No. 817—An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate.

Also: Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers:

Also: Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class:

Also: Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors:

Also: Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported Concurrent Resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921;

Also: Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 210—An act to amend section 360c of the Political Code relative to records;

Also: Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 307.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as a case of urgency Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 695 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers;

Also Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 303 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 442 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals, and to the disposition of fees received by any physician for services rendered in a State institution.

Also: Senate Bill No 13—An act to amend section 3247 of the Political Code relating to preference on public contracts and furnishing supplies:

Also: Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor;

Also Senate Bill No. 287—An act to amend section 361a of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 719 read first time, and referred to Committee on Medical and Dental Laws

Senate Bill No. 13 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No 531 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 287 read first time, and referred to Committee on Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class;

Also Senate Bill No. 728—An act to amend section 67b of the Code of Civil Procedure, relating to sessions of the superior court.

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

Senate Bill No 72 read first time, and referred to Committee on County Government.

Senate Bill No. 728 read first time, and referred to Committee on Judiciary.

ANNOUNCEMENT.

The Speaker announced that he had appointed Mr. Connolly the Chairman of the Roads and Highways Committee to fill the vacancy due to the death of the Hon G. H. Douglas.

ANNOUNCEMENT.

The Speaker announced that he had appointed Mr. Mathews on the Roads and Highways Committee, Mr Erb on the Fish and Game Committee, Mr. Hornblower on the Conservation Committee, and Mr. Mitchell, T A, on the Hospitals and Asylums Committee, to fill vacancies due to the death of the Hon. G. H. Douglas.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Smith asked for and was granted unanimous consent to take up Assembly Bill No. 828, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED TWENTY-EIGHT.

Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of habitual criminals and persons convicted of rape or carnal abuse of females under the age of ten years.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, of the amended bill, in line 3 of the title, after the first word, "of", strike out the words "habitual criminal and".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the amended bill, after the word "rape" strike out the comma, and in the same line after the word "violence," insert a comma.

The Speaker appointed Mr. Smith as such Select Committee.

Motion carried.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 828, with instructions, reports that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SENATE MESSAGES—(RESUMED).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 19?

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution strike out all of lines 5, 6 and 7.

AMENDMENT NUMBER TWO.

On page 1 of the printed resolution strike out the word "and" in line 17.

AMENDMENT NUMBER THREE.

On page 1 of the printed resolution strike out all of line 18 and all of line 19 preceding the word "now".

The roll was called, and Senate amendments to Assembly Joint Resolution No. 19 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter,

Davis, Dawson, Donohue, Dorris, Duval, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

The above reported joint resolution ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mrs. Dorris asked for and was granted unanimous consent to take up Assembly Bill No. 202, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED TWO.

Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mrs. Dorris moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 35, of the printed bill, strike out the words "two hundred fifty" and in lieu thereof insert the words "four hundred".

AMENDMENT NUMBER TWO.

On page 2, line 36, of the printed bill, strike out the words "one thousand nine hundred fifty" and insert in lieu thereof the words "two thousand one hundred".

AMENDMENT NUMBER THREE

On page 2 of the printed bill, strike out line 37 and in lieu thereof insert the following "each, and five deputies each at a salary of one thousand nine hundred fifty dollars per annum and one woman deputy at a salary of".

AMENDMENT NUMBER FOUR.

On page 2, line 38, of the printed bill, strike out the word "each".

AMENDMENT NUMBER FIVE

On page 11 of the printed bill, after line 5, insert the following

"16 The county traffic officer, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer five deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one thousand eight hundred dollars per annum which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, for said traffic officer and his said deputies and shall pay all of the expense of the upkeep of said machines. All of the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Motion carried.

The Speaker appointed Mrs. Dorris as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 202, with instructions, reports that the instructions of the Assembly have been carried out.

DORRIS, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SENATE MESSAGES—(RESUMED).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendemnts to Assembly Bill No. 1288?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed, amended bill, after the period after the word "implied" add the following: "The word "county" as used herein shall include county, and city and county."

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed, amended bill, after the colon after the word "follows", strike out the remainder of line 8, and also strike out all of lines 9, 10, 11, 12, 13, 14, and line 15 to and including the word "initiative" in said line 15, and insert in lieu thereof the following: "The several boards of supervisors of said counties, or parts of counties, may adopt an ordinance to the effect that the county, or part of county, intends to unite with such other counties as may adopt like ordinances to form such district, or such ordinance may, in one or more of said counties, be adopted by the electors of the county under the provisions of the law applicable to the passage of ordinances by the initiative Each of said counties shall be contiguous to another county therein; *provided* that counties separated by any of the waters of this state are contiguous within the meaning of this act"

AMENDMENT NUMBER THREE

On page 2, line 11, of the printed, amended bill, strike out the word "and", and insert in lieu thereof the word "under".

AMENDMENT NUMBER FOUR.

On page 3, line 18, of the printed, amended bill, after the period after the word "petition", add the following "In case an election is had in any county in the place of said petition, the county clerk shall certify to the secretary of state the result thereof, with a copy of the action of the board of supervisors authorizing said election."

AMENDMENT NUMBER FIVE.

On page 3, line 32, of the printed, amended bill, after the word "petitions" insert a comma, and after the comma the following, "or certifications of the result of elections when such elections are held,".

The roll was called, and Senate amendments to Assembly Bill No. 1288 were concurred in by the following vote:

AYES—Anderson, Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Croter, Davis, Dawson, Donohue, Dorris, Duval, Fellom, Foster, Hawes, Heisinger, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rendollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of

article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Morrison moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12 of the printed bill, after line 32, insert a new provision to read as follows

"For new buildings San Francisco Teachers College, one hundred ninety thousand dollars."

Motion carried.

The Speaker appointed Mr. Morrison as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 999, with instructions, reports that the instructions of the Assembly have been carried out

MORRISON, Select Committee.

REQUEST FOR A ROLL CALL.

On request of Messrs. Morrison, Hornblower, Mitchell, T. A., Carter and Kline, the Speaker ordered a roll call taken on the report of Select Committee of One and amendment.

The question being on the report of Select Committee of One and amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Kline moved a call of the House.

Motion lost.

The roll of absentees was called, and the report of Select Committee of One and amendment adopted by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Crittenden, Croter, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spence, Stevenot, Whitacre, Woodbridge, and Wright—38.

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Pedrotti, Pomeroy, Roberts, Smith, Spalding, Weller, Williams, and Mr. Speaker—33.

Bill ordered to reprint, re-engrossment, and on file for passage.

SPECIAL ORDER SET.

On motion of Mr. Kline, the consideration of Assembly Bill No. 999 was made a special order for Tuesday, May 1, 1923, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 984 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin: Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dorris, Duval, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 986 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Dawson, Donohue, Dorris, Emme, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 348 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Davis, Dawson, Donohue, Dorris, Erb, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—54

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1163 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Cleveland, Coombs, Croter, Davis, Dawson, Donohue, Dorris, Eksward, Erb, Felloin, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1324—An act to amend section 19*x*26 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1324 passed by the following vote:

AYES—Badham, Baker, C. C., Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dorris, Dozier, Erb, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Anderson, Bernard, and Croter—3.

Title read.

AMENDMENT TO TITLE.

During reading of the title, Mr. Cleveland moved to amend the title as follows:

AMENDMENT NUMBER ONE.

On the last line of the title, strike out the word "nineteenth" and insert in lieu thereof, the word "twenty-sixth".

Amendment adopted.

Bill ordered to reprint, and to Senate.

MOTION TO RE-REFER

Mr. Roberts moved that Assembly Bill No. 956 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

Motion carried.

Assembly Bill No. 956 re-referred to Committee on Public Utilities.

Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764*c*, relating to powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 388 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carlson, Cleary, Croter, Donohue, Dorris, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Spence, Whitacre, Williams, Woodbridge, and Wright—43.

NOES—Bernard, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Dozier, Duval, Erb, Fulwider, Graves, Johnston, Lyman, Mathews, Noyes, Reindollar, Schmidt, Scott, Smith, Snyder, Spalding, Stow, Weller, West, and Mr. Speaker—28.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 577 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Duval, Erb, Fellom, Fox, Fulwider, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 366—An act to repeal chapter CCX, Statutes of 1893, chapter XCIX, Statutes of 1897, chapter CCCXXI, Statutes of 1909, chapter CDLXXVII, Statutes of 1921, and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Connolly, Coombs, Davis, Dawson, Donohue, Dorris, Dozier, Erb, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spence, West, Whitacre, Williams, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 829 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Cleary, Cleveland, Croter, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Lyman, McDowell, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Clarke: An act to amend section 394 of the Code of Civil Procedure relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party.

By Miss Broughton: An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

By Mr. Donohue: An act to repeal an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinations; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts and parts of acts inconsistent with the provisions of this act", approved May 10, 1917, and all acts amendatory thereof.

By Mr. Duval: An act to amend section 670 of the Code of Civil Procedure, relating to judgment rolls.

By Mr. West: An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; pro-

viding for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913; and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Clarke: Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party.

Bill read first time, and referred to Committee on Judiciary.

By Miss Broughton: Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read first time, and referred to Committee on Irrigation.

By Mr Donohue: Assembly Bill No. 1354—An act to repeal an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties, and counties, to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages and providing penalties for the violation of such ordinances, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act", approved May 10, 1917, and all acts amendatory thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Duval, Assembly Bill No 1355—An act to amend section 670 of the Code of Civil Procedure, relating to judgment rolls.

Bill read first time, and referred to Committee on Judiciary.

By Mr. West: Assembly Bill No. 1356—An act to amend section 19*f* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913; and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on County Government.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, April 30, 1923.

To the Assembly of the State of California

Assembly Bill No. 938 is returned herewith without my approval.

This bill, while purporting to amend the Political Code does not contain any code section number but is in the form of a general law and for this reason would be invalid if signed. A correct bill carrying into effect the constitutional amendment regarding absent voters should be prepared and passed by the Legislature.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1923.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California; to provide for the maintenance of a uniform high standard of quality in California dairy products, to prevent the manufacture and sale of unwholesome or adulterated dairy products; to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the issuance and revocation of

licenses for dairy products plants and to provide for the accumulation of dairy statistics, to provide for rules and regulations to carry out the provisions of this act; to provide for the enforcement of its provisions and punishment of violators thereof; to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911, and to repeal all parts of acts in conflict herewith—report that we have met a like committee of the Senate, consisting of Senators Boggs, Osborne, and Dennett, and we report that the Committee on Free Conference have agreed to recommend the following

That Assembly Bill No 879 as amended in the Senate, April 18, 1923, be further amended as follows:

AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed amended bill as amended in the Senate on April 18, 1923, after the word "fat" insert a period and strike out all the remainder of lines 44, 45 and 46 and line 1 on page 3 to the period

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed amended bill as amended in the Senate April 18, 1923, after the word "fat" strike out the remainder of the line and all of line 30 and all of line 31 to the period.

AMENDMENT NUMBER THREE

On page 4, line 49, of the printed amended bill as amended in the Senate April 18, 1923, after the period insert the following "Milk to be made into cheese shall conform to the following requirements as a minimum it shall be unadulterated, fresh, clean, free from foreign substances detrimental to its quality or the quality of the products prepared therefrom, and shall have been obtained from the udder by the complete milking of one or more healthy cows properly fed and kept, excluding that obtained within five days after or fifteen days prior to parturition."

AMENDMENT NUMBER FOUR

On page 13, line 23, of the printed amended bill as amended in the Senate April 18, 1923 strike out the word "or" after the word "cheese" and insert in lieu thereof a comma (,) and the words "and no".

AMENDMENT NUMBER FIVE

On page 22, line 22, of the printed amended bill as amended in the Senate April 18, 1923, strike out the period and in lieu thereof insert the following ", *provided*, that no manufactured product of milk or cream may be destroyed without due notice to the owner thereof and a hearing before the director of agriculture of the State of California, or other officer especially designated by him."

CLEVELAND,
FOSTER,
DONOHUE,
Assembly Committee on Free Conference.

BOGGS,
OSBORNE,
DENNETT,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fulwider, Hawes, Heisinger, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 879.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 948?

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out the comma after the word "force".

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, strike out the word "crime" and insert in lieu thereof the word "crimes".

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, after the word "committing" insert the words "any of".

AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the word "crime" and insert in lieu thereof the word "crimes".

AMENDMENT NUMBER FIVE.

On page 2, lines 9 and 10, of the printed bill, strike out the words "or where the said crime is committed through the infliction of great bodily injury or torture" and insert in lieu thereof the following "or where, in the perpetration of any such crimes, great bodily injury or torture is inflicted"

The roll was called, and Senate amendments to Assembly Bill No. 948 were concurred in by the following vote:

AYES—Andersen, Badaracco, Badham, Baker, C. C., Bernard, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—52

NOES—Hornblower—1.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Wright:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to cure defects in maps or plats filed for record prior to January 1, 1922, and in deeds or conveyances re-referring to such maps.

Referred to Committee on Introduction of Bills.

ADJOURNMENT.

At ten o'clock and twenty-three minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 1, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 1, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. McDowell, his mother, Mrs. T. K. McDowell, of Fresno was extended the privilege of the floor of the Assembly for this day, and her name ordered printed in the Journal.

Through the courtesy of Mr. McDowell, Mrs. A. J. Cobb, Mrs. A. D. Smith, Mrs M. L. Way, Mrs. J. R. Price and Mrs. J. H. Gorman, all of Fresno, were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Roberts, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Pomeroy:

LA VERNE, April 25, 1923

To Members of Both Houses of the Legislature of California.

The Los Angeles County Woman's Christian Temperance Union at a convention held last week at Huntington Park adopted the following resolutions which we forward to our State Legislators for their serious consideration

WHEREAS, Your honorable body has before it several bills which tend toward the nullification of the Wright Act; therefore, the Los Angeles County Woman's Christian Temperance Union, in convention assembled, most earnestly request you to oppose any bill the purpose of which would in any way weaken law enforcement.

Reapportionment. Affirming our obedience to law and loyalty to our government, we, the County Woman's Christian Temperance Union, in convention assembled, do hereby urge the passage of the reapportionment measure now before our State Legislature, which conforms directly to our State constitution

J. O. BANNISTER, Secretary.

By Mr. Anderson:

ATHENS PARLOR No. 195, NATIVE SONS OF THE GOLDEN WEST.

OAKLAND, April 17, 1923.

WHEREAS, There are now before the Legislature of the State of California, Senate Bill No 549 and Assembly Bill No 1034, providing for the organization of a California Historical Association, and

WHEREAS The scope of work set forth for such proposed Historical Association and the objects to be attained thereunder are extremely meritorious and appeal to every patriotic, progressive and intelligent Californian, and

WHEREAS, The creation of such a California State Historical Association will replace the existing California Historical Survey Commission and will provide for more comprehensive and advantageous historical work of the State, scientific and educational in character and not overlapping the work of any other commission; therefore, be it

Resolved, That Senate Bill No 549 and Assembly Bill No. 1034 be and are hereby most heartily approved and endorsed and members of the Legislature are respectfully urged to give the bills their full support; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable Friend Wm. Richardson, to the honorable members of the committee in charge of the proposed legislation and to other members of our State government for their consideration and support.

ATHENS PARLOR No. 195 NATIVE SONS OF THE GOLDEN WEST.

By C F. CORRIGAN, Chairman History Committee.
C. J. HERN, Secretary.

By Mr. Erb:

MANZANITA TRIBE, No. 4, IMPROVED ORDER OF RED MEN

SAN FRANCISCO, April 28, 1923.

Hon. Louis F. Erb, Assemblyman,
Sacramento, California.

DEAR SIR The following is a copy of a resolution adopted by this Tribe and we respectfully request that you use every effort in its behalf

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities; be it therefore

Resolved, That this Tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and petition our Great White Fathers to consider the humble appeal of Manzanita Tribe No 4 of San Francisco, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this great republic, owe so much and have provided so little.

JAS W. O'NEIL, Sachem.
HENRY C. JAGGER, JR., Chief of Records.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1277—An act to amend section 2872 of the Political Code, relating to toll-bridges—and reports that the same has been correctly enrolled, and presented the same to the Governor on this first day of May, 1923, at nine o'clock a.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor,

Also: Assembly Bill No 1274—An act to regulate, restrict and prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries; declaring such wells to be public nuisances and providing for the abatement of the same;

Also, Assembly Bill No. 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8 and 8a of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, as amended, all relating to the levy and collection of taxes by and for the use of municipal corporations, public corporations and taxing districts and to the consolidation of certain municipal offices; and to add a new section to be numbered eight b, thereto, defining the term "municipal corporation" for the purposes of this act;

Also, Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout;

Also, Assembly Bill No. 385—An act to prohibit contracts and agreements for the sale and future delivery of stock, bonds and other securities upon margin, commonly known as dealing in futures; to declare such transactions unlawful, and to constitute a felony on the part of any person, association of persons or corporation participating therein, whether directly or indirectly; to prohibit the establishment, maintenance, or operation of any office or other place where such contracts are made or offered; to define what shall constitute prima facie evidence of guilt; to compel all persons participating in such transactions to testify concerning their connections therewith; to provide that no discovery made by any witness which would tend to subject him to conviction or punishment under this act shall be used against such witness in any penal or criminal proceedings, and that he shall be altogether pardoned therefor; to provide that regular commercial exchanges and other bona fide trade organizations may post quotations of market prices, and for other purposes;

Also, Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, state or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof;

Also, Assembly Bill No. 1005—An act to amend sections 5 and 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 963—An act to amend sections 851 and 854 of the Code of Civil Procedure, relating to pleadings in justices' courts;

Also, Assembly Bill No. 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties;

Also, Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat;

Also, Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State, to provide for registering all sales of pistols

revolvers or other firearms capable of being concealed upon the person, to prohibit the carrying of concealed firearms except by lawfully authorized persons, to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons, to prescribe penalties for violations of this act and increased penalties for repeated violations hereof to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person to provide for licensing retail dealers in such firearms and regulating sales thereunder, and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 1176—An act to provide for the investigation by the State of California of the possibilities of the storage, control and diversion of water for public use and public protection in the State of California, and making an appropriation for said purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

WILLIAMS, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1350—An act to amend section 953b of the Code of Civil Procedure relating to undertakings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

MORRIS, Chairman
FULWIDER
CHRISTIAN.
WELLER
MITCHELL, A G.
SNYDER
CRITTENDEN.
McDONALD
HORNBLOWER
SPENCE.
CARTER
BAKER, C. C.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No 552—An act to provide for the regulation and use of aircraft in the State of California, to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled, "An act concerning the registration numbering and use of aircraft, and the licensing of operators thereof," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McPHERSON, Chairman

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended,

Also: Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DONOHUE, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
DOZIER.
CLEARY.
NOYES.
CROTER.
CHRISTIAN.
McDOWELL.
PRENDERGAST.

The above reported bill ordered on file for second reading.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Graves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1269 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 534 was passed be continued until the next legislative day.

Motion carried.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 679—An act to amend sections 4130 and 4131 of the Political Code, both relative to duties of county recorder.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

After the figures "4130" in line 3 of the printed bill, strike out the remainder of the bill and insert the following: "The recorder must procure such books or binders for records as the business of his office requires, but orders for the same must first

be obtained from the board of supervisors. The books procured or provided must contain or must be suitable and fitted to receive and permanently retain the forms for deeds, mortgages and all other instruments of general use. He has the custody of and must keep all books, records, maps and papers deposited in his office. He must procure and keep on hand blanks or forms suitable for use in the preparation of all instruments enumerated in section four thousand one hundred thirty-one of this article, and must furnish same at cost to all persons making application therefor. In case any blank or blanks are sent to an applicant by mail the same shall not be folded or creased but shall be sent either flat or rolled. It is hereby made the duty of the attorney general of the State of California to prepare all such blanks or forms and to prescribe the size, weight and color of such blanks or forms which shall be uniform, for the same class of instruments, for all of the counties of the state. In the event that such instrument is a conveyance of any right, title or interest in real property suitable space shall be provided wherein may be inserted a plat delineating the property described therein. All such blanks or forms shall conform in all respects to the requirements of section one thousand one hundred fifty-eight *a* of the Civil Code of this state.

SEC. 2. Section four thousand one hundred thirty-one of said code is hereby amended to read as follows:

4131. He must upon payment of his fees for the same file all deeds, grants, transfers, and mortgages of real estate, releases of mortgages, powers of attorney to convey real estate, and leases which have been acknowledged or proved; mortgages of personal property, certificates of marriage and marriage contracts, wills admitted to probate, official bonds, notices of mechanics liens, transcripts of judgment which by law are made liens upon real estate in this state, notices of attachments upon real estate; notices of the pendency of an action affecting real estate, the title thereto, or the possession thereof, instruments describing, or relating to the separate property of married women, notice of preemption claims, births and deaths; certified copies of decrees and judgments of courts of record; and such other writings as are required or permitted by law to be recorded, by securely inserting same in books or binders prepared and provided for such purposes either sewed or insertable leaves which when placed in the book cannot be removed, and the recorder shall endorse thereon the date and the time the same was so recorded, together with his official signature and such other endorsements as may now or hereafter be required by law."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1135—An act to add a new section to the Political Code, to be numbered 4152*a*, relating to duties of county clerks.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the period at the end of line 1, insert the following: "A new section, to be numbered four thousand one hundred fifty-two *a*, is hereby added to the Political Code, to read as follows:

4152*a*. The county clerk of each county must procure such books or binders for records as the business of his office requires, but orders for the same must first be obtained from the board of supervisors. The books procured or provided must contain, or must be suitable and fitted to receive and permanently retain, the forms for all petitions, orders, decrees, and all other instruments of use in civil, criminal and probate matters pending in the superior court or any department thereof and which are filed or deposited in his said office. He must procure and keep on hand blanks or forms suitable for and which may be used in the preparation of all such petitions, orders, decrees and all other instruments of use in civil, criminal and probate matters and must furnish the same at cost to persons making application therefor, provided such person or persons shall specify that such form is then or thereafter to be used in civil, criminal or probate matters then or thereafter pending in the superior court or any department thereof. It is hereby made the duty of the attorney general of the State of California to prescribe the size, weight and color of such blanks or forms, and it is hereby made the duty of the attorney general of the State of California to prepare proper forms which may be used for all petitions, orders, decrees and all other instruments of use in civil, criminal and probate matters in the superior courts of this state, and such forms of petitions, orders, decrees and all other instruments so prescribed shall be uniform throughout the State of California."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 928—An act authorizing the board of supervisors of any county to appoint a park board, and prescribing the membership, organization, officers, government, powers, and duties thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following

"An act to provide for the establishment within counties of county park commissions and for the maintenance, powers and duties thereof."

AMENDMENT NUMBER TWO.

On page 1, line 1 of the printed bill, after the word "Section 1" insert the following "The board of supervisors of any county of the State of California may by ordinance establish a department to be known as the department of recreation, parks, and boulevards, which shall be under the control and management of a county park commission, hereinafter designated as the "commission".

SEC. 2. The commission shall consist of a member of the board of supervisors ex-officio named annually and five persons well known for their intelligence and integrity, appointed by the chairman of the board of supervisors with the approval of said board, and whose term of office shall be for a period of three years, *provided* that the first commissioners so appointed shall so classify themselves by lot at their first meeting, that the term of one of such commissioners shall expire at the end of one year, two at the end of two years, and two at the end of three years from the date of their first appointment, and at the expiration of the term of each member his successor shall be appointed for a term of three years. Appointments to fill vacancies shall be for the unexpired portion of the term. Said commissioners shall serve without compensation, *provided* that their necessary expenses may be allowed and paid.

SEC. 3. The commission shall adopt its own rules of procedure and at its first meeting and annually thereafter elect a president and vice president who shall hold office for one year or until their successors are elected and have qualified. The commission shall meet at least once a month, at such time and places as they may establish in their by-laws. Three appointed members shall constitute a quorum for the transaction of business. The commission shall name a secretary and other employees, and at such compensation as the commission may deem proper for the services rendered, to be paid for out of any funds available to carry on the work of the commission. The commission shall also appoint a chief executive officer under the commission who may or may not be a landscape architect, who shall hold office at the pleasure of the commission and who shall, in behalf of said commission have charge, supervision and direction of all work, and of all officers and employees under said commission, and may dismiss any officer or employee under him, except the secretary of the commission.

SEC. 4. The commission shall have power and it shall be its duty to devise and adopt a system of public parks, recreation, parkways, and boulevards for the use of the county and its inhabitants and to select and designate lands, to be used and appropriated or improved for such purposes whether lying within or without the county limits and to select routes and streets for parkways and boulevards, to confer with and advise the county board or supervisors or with any county or city authorities, semi-public bodies, citizens or other public officials to the end that the said system of public parks, recreation, parkways, and boulevards may be maintained, opened, or widened, and the necessary lands leased, purchased, condemned, or otherwise acquired, in the name of the county or by some responsible public authority. The county board of supervisors shall, provided sufficient funds are available therefor, acquire in the name of the county by proceedings in eminent domain any lands so designated by the county park commission and said lands shall be deemed to be taken for a public purpose and shall be under the sole control of said commission.

SEC. 5. The county park commission shall also have power, but not without its formal consent, to superintend, control, manage, acquire and maintain any and all

parks, recreation places, parkways and boulevards either within or outside the county limits from and after such time as the said parks, recreation places, parkways or boulevards are turned over to it by resolution of the county board of supervisors or by any other public authority, and to construct, improve, adorn, regulate and maintain the same in such manner as it may deem best and to establish a width of sidewalks and grades on all boulevards and parkways placed under its control and management. The commission may recommend the passage of ordinances for the regulation and orderly government of such parks, parkways, recreation spaces and boulevards and penalties for the violation thereof, as well as ordinances for the regulation of traffic on all boulevards, parkways, avenues, or roads under the control of said commission.

SEC. 6. On or before the first day of June of each year the county park commission shall file with the county board of supervisors a budget of expenditures estimated as necessary to carry out the purposes of this act in the said county during the succeeding fiscal year and the county board of supervisors shall thereafter in making up the annual tax levy and as a part thereof annually levy and collect a special tax not exceeding six mills on each dollar of assessed valuation in said county for the purpose of defraying the lawful expenses to be incurred by the commission as set forth in said budget. The county board of supervisors may include in the regular tax levy such further sums to carry out the purposes of this act as it may deem necessary and proper. The total sum of all taxes levied and collected for such purposes shall be held by the county treasurer subject to, and by him paid out on, the order of the county park commission as it may deem best to carry out the purposes of this act. The county park commission may by the affirmative vote of not less than three appointive members, in the name of the county accept bequests and donations of, acquire, take and hold title to real and personal property and shall have power to administer, disburse and dispose of the same and to use the income or proceeds therefrom for the purposes for which it is established."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of printed bill, after the words "Sec 34" in line 15 strike out all of the remainder of the bill and insert the following.

"Sec. 34. All moneys which may be hereafter paid to the said reclamation board by the State of California under and by virtue of the provisions of an act entitled "An act to appropriate money to be expended under the direction of and by the reclamation board to aid in carrying out the project adopted by the reclamation board for the Sutter-Butte by-pass assessment number six with such modifications and amendments as may hereafter be adopted by the reclamation board, and to aid in carrying out any work described in the plans of said Sutter-Butte by-pass assessment number six, in conformity with the report of the California debris commission, transmitted to the speaker of the house of representatives of the United States by the secretary of war on the twenty-seventh day of June, 1911, and such modifications and amendments as have been, or may be hereafter adopted by the reclamation board, or by the war department, or the congress of the United States, and providing for the future completion of the entire project," or by any law of similar import which has been or may be hereafter adopted by the legislature of the State of California, shall be applied on said Sutter-Butte by-pass assessment number six, by said reclamation board, to the pro rata payment

of such portions of said assessment as are based upon flood control benefits as set opposite each assessment, in the manner hereinbefore provided; *provided, however*, that if no flood control benefit amount is set opposite any tract of land, the assessment upon such tract of land shall not be entitled to any credit for any of the moneys so received by said reclamation board from said state. In case the amount remaining unpaid, including interest, upon the total of said assessment on any tract of land entitled to such pro rata payment or credit out of the money so received from the state shall be less than such pro rata payment or credit to which such tract is so entitled then the surplus of such pro rata payment or credit shall be by the reclamation board paid to the owner of such tract in cash out of said money so received from the state and deducted from the amount to be paid over by the reclamation board to the state treasurer as hereinafter directed.

The reclamation board shall prepare and furnish to the several county treasurers a statement of the several amounts so applied to the pro rata payment of such portions of the assessments as are by reason of flood control benefit, and, the several county treasurers shall enter such amounts on the original assessment lists as payments or credits on account of the several assessments. In making its calls or orders for the collection of installments on said assessment the percentage to be called and paid shall be calculated upon the original total amount assessed against each tract, but no such call or installment need be paid upon the assessment on any such tract except for the excess of the total of such calls over the total of payments so credited to such tract from application of such money received from the state as aforesaid, or otherwise paid thereon

The money so received by the reclamation board from the state shall, unless bonds based upon said assessment shall have been authorized by law, be by the reclamation board paid over forthwith to the state treasurer and by him credited to the funds of said assessment, to be used and expended in the same manner as funds collected from land owners upon said assessment. But if at the time of the receipt of any such money by the reclamation board from the state, bonds based upon said assessment shall have been authorized by law, the money so received from the state shall be deposited, by the reclamation board with the state treasurer to be held as a special fund for the redemption of such bonds and shall, under the direction and as required by the reclamation board, be applied to the payment and cancellation of such bonds in the manner following, to wit

Upon receipt of any sum of money under said act or acts of similar import the said reclamation board shall proceed to advertise, at least once a week for four consecutive weeks, in at least one daily newspaper published in the city and county of San Francisco, and one daily newspaper published in the city of Los Angeles, calling for bids or offers for the sale of said state reclamation board of sufficient of the issued and outstanding bonds to cover the amount represented by said money so received from said state; *provided, however*, that said reclamation board shall not purchase any bonds at a sum in excess of par plus accrued interest. And if the said reclamation board shall receive bids or offers at par plus accrued interest, or less than par plus accrued interest, then the said reclamation board shall purchase a sufficient amount of said bonds to make up the sum of money so received by them from the state and shall proceed forthwith to cancel said bonds so purchased, together with all interest coupons attached thereto

But, if the said reclamation board shall not receive bids or offers of a sufficient amount to cover the money so received from the state then as to the balance thereof, the said reclamation board shall pay bonds in the order of their numbers beginning as to the first payment, at bond number one, and continuing in numerical order, in a sufficient amount to cover said payment, and upon such subsequent payments, shall pay the said bonds according to the next succeeding numbers.

If however, bonds based upon said assessment shall have been authorized, but said bonds or any of them, shall not have been sold, upon the receipt of any sum of money under said act or acts of similar import and thereafter and prior to the sale of said bonds, or any of them, the reclamation board may order the cancellation of such number of said bonds so authorized, but not sold, as will, at par, equal the amount of money then on deposit in the state treasury, and the total of the bonds to be issued shall be reduced by the amount of the money on deposit in the state treasury, and no bonds shall be sold to an amount in excess of the amount originally authorized, as reduced by the bonds so cancelled at par The land owners shall be credited with an amount equal to the amount of bonds so cancelled, said sum to be applied on the Sutter-Butte by-pass assessment number six in the pro rata payment of such portions of said assessment as are based upon flood control benefit set opposite any tract of land in the same manner and to the same extent as hereinbefore provided, so that the total amount credited on said assessment for flood control benefit shall equal the money on deposit in the state treasury. The money on deposit in the state treasury at the time those bonds are so cancelled, shall thereupon be credited to a fund entitled "Sacramento-San Joaquin drainage district fund Sutter-Butte by-pass assessment number six emergency fund" and shall be paid out on warrants of the controller on said fund upon order of the reclamation board, and the controller is hereby directed to issue warrants upon said fund whenever drafts

of the reclamation board shall be presented to him and the state treasurer is hereby directed to pay such controller's warrants when there is sufficient money in said fund. The intent of this act is to make said funds available for the immediate use of the reclamation board in contracting for the completion of, against Sutter-Butte by-pass project number six, but nothing herein contained shall be constructed as permitting said reclamation board to use such fund in retiring warrants outstanding at the time of the passage of this act, but the reclamation board shall in its discretion to contract on a cash basis for additional work included in said project which the assessment heretofore referred to was designed to liquidate.

SEC. 2. The legislature hereby declares that it deems it necessary for the immediate preservation of the public health and safety that this act shall go into immediate effect, by reason of the following facts, to wit: That unless sufficient levees included in project number six, but not yet built and to construct which funds are not available, are constructed without delay, the effect will be to overflow and greatly damage a large area of valuable land within the boundaries of project number six and damage levees already constructed, all of which will imperil the property and safety of the inhabitants within said boundaries and the land owners assessed by said assessment number six, that the plans of the state for flood control contemplate the construction of said levees and said assessment number six has been levied for that purpose, but that due to certain unavoidable causes sufficient money is not now available from said assessment to complete said work so that certain land assessed under said assessment has become subject to a lien for said assessment but can not now enjoy any benefit therefrom unless said works are at once completed, and unless at once completed damage will result to the works already done and no funds are now available except as in this act provided to complete said levees without great delay. And it is hereby declared that this act constitutes an urgency measure which under the provisions of section one of article four of the constitution of the State of California shall go into immediate effect.

This act shall take effect immediately."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, after line 2, insert the following:

"15*a*. The county traffic officer, two thousand one hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer two deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one thousand eight hundred dollars per annum which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, for such traffic officer and his said deputies and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of the county traffic officer and his deputies whenever said office of county traffic officer is created by law."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 547—An act to amend section 19*x*32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of

Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out all of line 23 and insert in lieu thereof the following, "per annum."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, following subdivision 8, insert the following:

"*8a* Traffic officers. The traffic officer, two thousand two hundred fifty dollars per annum.

8b Fish and game warden. The fish and game warden, one thousand five hundred dollars per annum.

8c Live stock inspector. The live stock inspector, one thousand two hundred dollars per annum."

AMENDMENT NUMBER TWO

On page 4, line 18, of the printed bill, strike out the word "two" and insert in lieu thereof the word "four".

AMENDMENT NUMBER THREE

On page 4, line 29, of the printed bill, strike out the word "one" and insert in lieu thereof the word "two".

AMENDMENT NUMBER FOUR.

On page 6, line 8, of the printed bill, after the word "have" strike out the balance of line 8 and all of lines 9, 10, 11, 12 and 13 and insert in lieu thereof, the following: "not to exceed three emergency deputies who shall receive one hundred dollars per month each and not to exceed eight emergency clerks at a compensation of not to exceed five dollars per day. Such emergency deputies and emergency clerks shall be employed during tax paying time but only for such period of time as the board of supervisors shall determine. The total expenditure during any one year for such emergency deputies and clerks shall not exceed six thousand dollars."

AMENDMENT NUMBER FIVE

On page 6, following line 13, insert a new subdivision as follows:

"(1) The traffic officer shall have five regular deputies and not to exceed three additional deputies when the board of supervisors shall determine that the duties of such office requires the services of such additional deputies, at a salary of twenty-one hundred dollars per annum, *provided, however*, that the board of supervisors may,

in cases of emergency authorize the traffic officer to appoint and employ emergency deputies at a compensation of not to exceed six dollars per day, for each deputy such additional and emergency deputies, however, shall not be employed except and only when and during such time as the board of supervisors shall from time to time determine. The total amount to be expended for such emergency deputies during any one year shall not exceed the sum of two thousand dollars. The traffic officer and his deputies shall furnish their own vehicles but gasoline and oil necessarily used in the operation thereof while in the performance of official duties, shall be furnished by the county. The provisions of this act relating to traffic officer and his deputies, shall apply wherever the county office of traffic officer is created by law."

AMENDMENT NUMBER SIX

On page 6, line 17, of the printed bill, strike out the word "traveling" after the word "actual".

AMENDMENT NUMBER SEVEN.

On page 6, line 17, of the printed bill, after the work "expense", insert the words "including traveling expenses".

AMENDMENT NUMBER EIGHT

On page 6, line 18, of the printed bill, after the word "duties" insert the following: "except going to and from their respective offices, from and to their respective homes."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 3 of the printed bill, after line 72, insert the following:

"18. The county traffic officer, one thousand eight hundred dollars per annum: *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Said deputy shall be appointed by said county traffic officer and shall receive a salary of one thousand five hundred dollars per annum, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles for said traffic officer and his deputy and provide gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputy whenever said office of county traffic officer is created by law."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 9, 1923, after the word "amend" insert the following "sections twelve, thirteen, fourteen, seventeen and nineteen of"

AMENDMENT NUMBER TWO.

Strike out all of line 13 of the title of the printed bill, as amended April 9, 1923, following the word "amended," and all of lines 14, 15 and 16 thereof, and in lieu thereof insert a period.

AMENDMENT NUMBER THREE

On page 1, line 1, of the printed bill, as amended April 9, 1923, strike out the word "SIX" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended April 9, 1923, strike out all of line 14 and all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 thereof and insert in lieu thereof the following

"SEC. 12. The reclamation board shall have power to acquire either within or without the boundaries of the district, by purchase, condemnation or by other lawful means, in the name of the Sacramento and San Joaquin drainage district, from private persons, corporations, reclamation, swamp land, levee, protection or drainage districts, or other organizations or associations, all lands, rights of way, easements, property or material necessary or requisite for the purpose of by-passes, weirs, cuts, canals, sumps, levees, overflow channels and basins, reservoirs and other flood control works, and other necessary purposes, including drainage purposes, to construct, clear and maintain by-passes, levees, canals, sumps, overflow channels and basins, reservoirs and other flood control works, to construct and maintain ditches, canals, pumping plants, and other drainage works and to operate the same; to make contracts in the name of said district to indemnify or compensate any owner of land or other property for any injury or damage caused by the exercise of the powers by this act conferred, or arising out of the use, taking or damage of any property for any of such purposes, *provided, however*, that the reclamation board shall have no power, authority, or jurisdiction, either directly or indirectly, except as hereinafter provided in section thirteen of this act, to hereafter incur any indebtedness or expend any money or adopt or carry into effect any plan or project or to acquire any lands, rights of way, or easements, or to do any work, or cause any work to be performed, for which any land lying within the Sacramento and San Joaquin drainage district shall be assessed, save and except to maintain, repair, and operate its existing works of reclamation and flood control and to complete, maintain and operate any project adopted by said board prior to April 1, 1923, with the existing powers to levy assessments thereto. The board shall also have power to maintain actions in the name of the people of the State of California to restrain the doing of any act or thing that may be injurious to any of the works necessary to said plan of flood control or that may interfere with the successful execution of said plan or for damages for injury thereto, and any damages so recovered shall be deposited with the state treasurer to the credit of said district and shall be applicable to the payment of warrants against any assessment for the particular portion or project affected by such injury, to establish a standard of levee construction, to do any and all things necessary or incident to the powers hereby granted or to carry out the objects specified herein, to maintain actions in the name of the people of the State of California to compel by injunction the owner or owners of any bridge, trestle, wire line, viaduct, or embankment or other structure which shall be intersected, traversed or crossed by any by-pass, drainage canal, or overflow channel, so to construct or alter the same as to offer a minimum of obstruction to the free flow of water through any such by-pass, drainage canal, or overflow channel, and wherever necessary in the case of existing works, to compel the removal or alteration of any such embankment or other structure, to maintain actions in the name of the people of the State of California to restrain the diversion of the waters of any stream that will increase the flow of water in said Sacramento or San Joaquin rivers or their tributaries, and such diversion of the waters of any stream into said rivers or either of them or any of their tributaries, is hereby declared to be a public nuisance which may be prevented or abated by the reclamation board, to dispose, by sale, exchange, in payment for work done or services rendered, or for any other purpose which the reclamation board might deem advisable, of any land, property, material, equipment, or any other thing in the possession of the Sacramento and San Joaquin drainage district, which, in the opinion of the reclamation board, is no longer needed for the purposes of flood control works or other necessary or convenient purposes.

In case any land, right of way or easement is or shall be needed for any work of channel excavation, enlargement, rectification or control, or for the construction of any weir, which is a part of the plans to be carried out as contemplated by this act, and which is to be done or constructed in whole or in part by the United States or by the State of California and it is or shall be necessary or be required by the United States or by the State of California before doing such work or constructing such weir, that such land, right of way or easement be conveyed to or provided for the use of the United States or the State of California free of cost, the reclamation board shall have power to acquire such land, right of way or easement and cause the same to be conveyed to the United States or to the State of California free of cost, or to be condemned for the use and in the name of the United States or the State of California in the manner provided by the laws of this state or of the United States, and to pay the cost and expense of acquiring such land, right of way or easement out of the funds of any assessment by said board applicable thereto, or if such land, right of way or easement is or shall have been already acquired by said reclamation board in the name of the Sacramento and San Joaquin drainage district, the said board shall be and is authorized to cause the same to be conveyed by said district to the United States or to the State of California free of cost

Whenever any work to be done by the reclamation board or the Sacramento and San Joaquin drainage district under any of the provisions of this act is such that it can be so done in connection with work of public improvement of rivers and harbors authorized by the United States government as to bring it within the provisions of section four of the United States river and harbor act approved March 4, 1915, authorizing the receipt by the United States government agencies of funds to be contributed for expenditures in connection with funds appropriated by the United States for such work, then the funds under the control of the reclamation board and available for such work, or so much as may be necessary, may be contributed by the reclamation board to the United States government under the provisions of said section of said river and harbor act in order that the work may be done in the manner thereby contemplated

SEC. 2 Section thirteen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows

SEC. 13. Whenever in the opinion of the reclamation board it shall be necessary to levy an assessment upon any lands within said drainage district for any of the purposes herein specified, including the expenses of bonding said assessment if authorized by law, said board shall adopt plans therefor and shall make careful estimates of the costs and expenses thereof The plans to be carried out shall be divided by said board into separate portions or projects in such manner as will in its judgment best facilitate the levying of assessments for each particular portion or project in a just and equitable manner according to benefits upon the lands in said district affected by such portion or project, *provided, however*, that each separate and particular project or unit shall include all by-passes, cuts, canals, sumps, levees, pumping plants and other works of flood control and drainage as shall be necessary by reason of the carrying out and construction of the particular project, to properly conduct the water of any stream, natural or otherwise, the outlet of which has been intercepted by the construction of any levee or embankment included in such project or unit into such by-pass.

Said board shall enter in the minutes of the board a resolution to the effect that the execution of each such separate portion or project which they may determine upon is a public necessity. Each such particular portion or project shall be designated by the board in such resolution by name and number All assessments plans and funds intended for or connected with the execution of each particular portion or project shall be designated by such name and number and shall be kept separate and shall be used only for the purpose of carrying out such particular portion or project. Thereafter the board shall appoint three assessors who shall be disinterested persons, and shall have no interest in any real estate within said drainage district, and each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of an assessor to the best of his ability. Said assessors shall be exempt from the provisions of the civil service laws of this state After said assessors have examined the plan or plans of the works contemplated and the estimates of the cost, they shall make a preliminary report to the reclamation board indicating the exterior boundaries of the lands that in their opinion will be benefited by the expenditures. The assessors shall then appoint a time and place in each county in which any of said lands proposed to be assessed are situated, when and where they will hear objections to the said report and also evidence concerning the manner in which said assessment should be apportioned They shall give notice of such hearing in each of such counties by publication in a newspaper published in such county once a week for three weeks, the first publication to be not later than the twenty-first day before the day of hearing, which notice shall contain a general designation of the lands which will in their opinion be so benefited, as aforesaid, and shall refer to said preliminary report on file in the office of the reclamation board for such exterior boundaries.

Said assessors, may amend, modify or change the exterior boundaries of the lands that, in their opinion, will be benefited by such expenditures

If, within six months after the completion of said hearings there is filed with the board, written consent to such contemplated project, signed and acknowledged by the owners of land representing sixty-six per cent of the value of the land excluding improvements within the district, as described in the preliminary report of said appraisers, or as modified thereafter, as such value is shown by the last preceding county tax assessment roll of the county in which said land is situate, and also written consent to such contemplated project, signed and acknowledged by sixty-six per cent of the owners of land within said district as described in said preliminary report, or as modified thereafter, the board shall cause an assessment to be levied in the manner and form hereinafter provided.

Said assessors must assess upon the lands within said drainage district proposed to be assessed for the plans adopted by the reclamation board the said sums included in the estimates of said board, and shall apportion the same according to the benefits that will accrue to each tract of land in said district, respectively, affected by any particular portion or project by reason of the expenditure of said sums of money.

In determining the benefits that will or may accrue to each particular tract of land by the construction or maintenance of the works contemplated by any particular project or unit, the works of such project or unit shall be considered as a whole and lands shall be assessed for the works embraced in such project or unit only in the proportion that they will or may be benefited by the construction of the entire works embraced in the said project or unit, and no lands shall be considered as benefited by the construction or maintenance of the works embraced in such project or unit, or any part or portion thereof, nor shall any lands be assessed for the expense of the construction or maintenance of such project or unit or any part or portion thereof, because such lands have been or may be first endangered or flooded, or the natural drainage thereof obstructed by the construction or maintenance of any part or portion of the works embraced in such project or unit in advance of or prior to the completion of the construction of the entire works embraced in such project or unit.

Said assessors shall make a separate list of the lands so assessed in each county, which list shall contain a description of the tracts of land assessed by swamp land surveys, legal subdivisions, or other boundaries or references sufficient to identify the same, the name of the owner, if known, or if unknown, that fact, and the amount of the charge assessed against each tract. The name of the owner of land which is or is supposed to be the property of the estate of a deceased person in course of administration may be stated as estate of (such person, naming him), deceased. When there are two or more owners or supposed owners of any tract of land, partly known and partly unknown, the assessment may be to such known owner or owners by name and to other owners unknown. No mistake in the name of the owner, or supposed owner, of any real estate shall invalidate the assessment. In the assessment list for any county the assessors may make use of any abbreviation in common use in that county, without explanation thereof. The assessors may also in the assessment list for any county make use of other abbreviations, provided a schedule and explanation thereof with reasonable certainty shall, unless printed on each page of such assessment list, be prefixed to said assessment list and a reference thereto written, printed or stamped on each page of said assessment list whereon any such abbreviation is used. In case any land shall in the assessment list for any county be described in whole or in part by reference to a map, plat or survey, which map, plat or survey shall be on file or of record in any public office, it shall be sufficient in such description to designate such map, plat or survey by name, number or other designation sufficient to identify the same in a schedule of such maps, plats and surveys, which schedule shall be prefixed to said assessment list and shall set forth with reasonable certainty where each such map, plat or survey may be found, and shall be referred to by a reference written, printed or stamped on each page of said assessment list whereon such method of description is relied upon The assessors appointed for any assessment may also prepare or cause to be prepared a map or maps of the whole or any part or parts of the lands to be asessed with sufficient detail to indicate thereon and identify the several tracts of lands to be separately assessed or any of them, each of which such separate tracts shall be designated on such map or maps by a distinctive number. Each of such maps shall be inscribed and designated as "reclamation board assessment map No. —," giving each map a distinctive number Any such map may consist of any number of sheets attached together and designated as one map Such map or maps when approved by the reclamation board, shall be certified by the secretary of said board as having been so approved, and shall be filed for record in the office of the county recorder of the county wherein the land indicated on such map or maps is situated. Thereupon and thereafter, for the purpose of said assessment, or of any future assessment levied by said reclamation board, the assessment list for any county may, for the description of any tract of land so indicated on any such map, refer to such map and to the number by which such tract is designated on such map, and such reference, if used for that purpose, shall be a sufficient description of such tract for the purposes of such assessment list, and for the purposes of the notice of delin-

quent sale, certificate of sale and deed in pursuance of such sale, and all other proceedings under this act based upon such assessment. No provision of any other statute of this state relative to the filing or recording of maps in the office of the county recorder shall apply to the maps in this section referred to; *provided, however*, that the maps herein referred to shall have no legal effect for any purpose except for the convenient reference to and description of the tract of land indicated thereon for the purposes of description of such tracts of land by reference thereto in the matter of assessments levied by the reclamation board and acts and proceedings based thereon as herein provided. No fee shall be charged by any such county recorder for the filing for record of such map as in this section provided. Said lists when completed shall be filed with the secretary of the board and said secretary shall forward to the county treasurer of each county in which any lands so assessed are situated, the assessment list for such county, and the same shall be open for inspection by the public for at least sixty days. The compensation of said assessors shall be fixed and allowed by the board. The reclamation board shall appoint a time and place not less than sixty days after said list has been filed with the county treasurer when and where it will meet in each county wherein any of the lands so assessed are situated for the purpose of hearing objections to said assessments, and notice of such hearing in each county shall be filed with the county treasurer and published once a week for four weeks in some newspaper published in such county. At any time before or during such hearing any person interested in any land upon which any charge has been assessed, may file in the office of the reclamation board or with any member thereof, written objections to such assessment, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person or some other person who is familiar with the facts. At such hearing, the board shall hear such evidence as may be offered touching the correctness of such assessment or the manner of its apportionment, and may modify or amend the same, and may reapportion all or any part of the entire assessment. Unless the aggregate amount of the whole of such assessment shall be modified or amended by the reclamation board so as to cause a difference of more than two and one-half per cent greater or less than the original total amount of said assessment, it shall be deemed that the assessment has not been substantially modified and no necessity shall exist for a reapportionment thereof.

If said assessment shall be reapportioned the board shall give two weeks notice as before and proceed to hear objections in each county affected, as before, and shall then reconsider said assessment and make an order approving said assessment as finally fixed, and the decision of said board shall be final, and thereafter said assessment list shall be conclusive evidence, except in the suit hereinafter provided, that the said assessment has been levied and apportioned according to law. Any person interested, as aforesaid, in any land upon which any charge has been so assessed aggrieved by the decision of the board approving said assessment, may commence an action against the district in the superior court of the county in which said land or the greater part thereof is situated, to have said assessment upon such land modified or annulled. Such action must be commenced within sixty days after the reclamation board has approved such assessment and the assessment list for such county has been deposited in the office of the county treasurer as provided in the next section, and shall have preference over all civil actions in fixing the time of trial.

Whenever an assessment has been levied by the reclamation board upon lands in said district for general administrative expenses and other expenses not pertaining to any particular project, and the boundaries of said district have been or shall be extended so as to include lands other than the lands included within said district at the time such assessment was levied, the reclamation board shall make an estimate of the fair and equitable amount which should be contributed by the lands so included in the district by such change of boundaries for the purposes of such assessment previously levied by said board for general administrative expenses and other expenses not pertaining to any particular project, and shall levy and cause to be assessed, equalized and collected in the manner in this act provided, an assessment to the amount of such estimate upon lands so included in the district by such change of boundaries, according to benefits in the manner in this act provided.

In the event that consent in writing be not filed in the manner and at the time hereinbefore provided, no further expenditures for said project shall be made, nor shall any obligations be incurred therefor; *provided, however*, that the board may cause an assessment to be levied in the manner hereinbefore provided for the purpose of paying the necessary engineering and other expenses in preparing the plans for said project, in making the preliminary report of said assessors and in holding the hearings thereon.

SEC. 3. Section fourteen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows:

SEC. 14. After the reclamation board has held the hearings in each county pursuant to section thirteen of this act and the assessment lists have been made to conform with its decision, said lists shall be certified by the secretary of the board to be correct, and shall thereupon be filed in the offices of the county treasurers,

respectively, of the several counties in which are situated any of the lands assessed thereby. Each such county treasurer shall endorse thereon the date and time to the hour and minute when the same was so filed in his office; and thereafter from that time such assessment shall constitute a lien upon the lands so assessed in such county, and shall impart notice to all subsequent purchasers or incumbrancers or any person acquiring any interest in or lien upon said lands. The assessment shall then be paid to the respective county treasurers in one or more installments of such amounts, and at such times, respectively, as the board, from time to time, in its discretion, may, by order entered in its minutes, direct.

At the time within thirty days after said assessment list has been so filed in the office of the county treasurer as provided above, the whole amount of such assessment upon any tract of land therein separately assessed may be paid in cash to the county treasurer and thereupon the county treasurer shall issue his receipt therefor and shall endorse the fact and date of such payment upon the assessment list, and thereupon the lien of such assessment upon such tract of land shall cease. No interest shall be charged on any assessment paid in full within this thirty-day period. All assessments not paid in full within said period of thirty days shall bear interest at the rate of seven per cent per annum from and after the time when the assessment list is filed in the office of the county treasurer for collection. The remaining portion not yet ordered paid by said board of the assessment upon any tract of land may be voluntarily paid in full, with the accrued interest thereon, at any time after the lien of such assessment has accrued.

If any installment shall remain unpaid at the expiration of thirty days from the date of the board order calling said installment, then said installment shall become delinquent, together with accrued interest thereon to date of delinquency. When any such installment shall become delinquent, a penalty of one dollar, together with ten per cent of the amount of such installment plus interest, shall be added thereto and collected for the use of the district; *provided*, that if any action is pending in any court to have the assessment on any tract of land reviewed, modified or annulled, as provided herein, such assessment, if not annulled in said action, may, in the discretion of the board, become delinquent thirty days after any judgment rendered therein shall become final. From date of delinquency until time of delinquent sale, such unpaid installment, together with added interest and penalty, shall bear interest at the rate of seven per cent per annum.

After the said installment has become delinquent, the board, when it shall deem it advisable, shall publish in each county where such delinquencies exist, at least once a week for two weeks in some newspaper of general circulation published in the said county, a list in one notice of all said delinquencies in such county which notice shall contain a description of the property assessed as described in the assessment list or by other descriptions sufficient to identify the same, the name of the owner to whom it is assessed or a statement that it is assessed to unknown owners, if such is the fact, the amount of the delinquent installment, interest and penalty as above provided, and a further notice that each of said parcels will be sold at public auction by said county treasurer in front of the court house of said county at a specified day and hour, to pay said installment with accrued interest and the penalty, together with its proportion of the total cost of publication of said notice of sale.

At the time and place stated in said notice, or such other time to which said sale may have been postponed, the county treasurer shall sell each parcel of land described in said notice to the highest bidder for gold coin of the United States unless prior thereto he shall have received payment in full of said delinquent installment, interest, penalty and cost of publication. If not completed on the first day the sale may be continued from day to day and over Sundays and legal holidays until completed. No license shall be required of the county treasurer for conducting such sale. No bid for any parcel shall be accepted which is less than the aggregate sum then due for said installment thereon, together with accrued interest, penalty and cost of publication. If no bid is made for any parcel at such delinquent sale which is equal to the total amount then due thereon, the county treasurer shall bid in and sell said parcel to the said Sacramento and San Joaquin drainage district for the amount of said delinquent installment or installments, together with accrued interest, penalty and cost of publication.

The county treasurer shall execute to each purchaser at such delinquent sale including said drainage district, a certificate of such sale, which certificate of sale shall be recorded by said purchaser in the county recorder's office of said county. Out of the proceeds of said sales the county treasurer shall transmit to the state treasurer the total amount then due on the property so sold as shown in said notice, and shall pay to the owner of said property any surplus remaining after such payment to the state treasurer. The county treasurer shall, when directed by the reclamation board, postpone the said delinquent sale from time to time for not less than ten nor more than thirty days by a written notice posted at or near the place of sale, which written notice shall be substantially as follows: The sale of property for delinquent assessment under (name and number of assessment) of the Sacramento and San Joaquin drainage district, which was fixed for (time and place of sale) has been postponed to (time to which postponed) at the same place.

Any person interested in any tract of land sold at such delinquent sale may redeem the same at any time within one year after the date of sale by paying to the county treasurer for such purchaser a sum equal to the purchase price stated in the certificate of sale with interest thereon at the rate of twelve per cent per annum from the date of sale to the date of such redemption, together with the amount remaining due and unpaid of any installment upon any assessment on said land under the reclamation board act, with the penalty prescribed above for such other delinquencies. If no redemption shall be made within one year the reclamation board upon demand and the surrender of such certificate of purchase and the delivery of a certificate of the county treasurer that no redemption has been made within such year from date of sale, shall execute to the purchaser, his heirs or assigns, a deed of conveyance of the parcel of land described in such certificate, which deed shall convey to the grantee therein named the said land free and clear of all encumbrances except state, county and municipal taxes, assessments levied or assessed by statutory authority, and the unpaid balance of said or any assessment made by said drainage district, which said balance must be called in and collected in the same manner as other assessments, except that no parcel sold and conveyed to the Sacramento and San Joaquin drainage district shall thereafter, until redeemed or until sold and disposed of by the reclamation board, be subject to sale by the treasurer for subsequent installments of the said or any assessment as in this act provided.

Each deed by the reclamation board purporting to be executed under this act shall be prima facie evidence of the truth of the matters therein recited and of ownership by grantee of the lands therein described. All deeds herein required to be executed by the reclamation board may be executed by the president and secretary thereof on behalf of said board. Any parcel of land bid in and purchased by the Sacramento and San Joaquin drainage district at such delinquent sale shall be held in trust for the assessment under which the same was sold and may be sold and conveyed by said reclamation board or their successors in office at any time after the expiration of said redemption period of one year at public or private sale and with or without notice, to any person paying not less than the amount for which said parcel was bid in by said county treasurer at such delinquent sale for said drainage district, with interest thereon at the rate of twelve per cent per annum compounded yearly from the date of such delinquent sale, and also the amount of all subsequent installments or other assessments then delinquent, with accrued interest and penalties thereon.

Payment for the land so purchased shall be made in gold coin of the United States, and the reclamation board shall execute a deed to such purchaser at such sale conveying said property free of all encumbrances except state, county and other municipal taxes, assessments levied or assessed by statutory authority and the unpaid balance of all assessments of said drainage district, which balance must be called in and collected in the same manner as other assessments. If any lands so held by said drainage district remain unsold then the reclamation board shall sell all such lands so held by said drainage district at public auction to the highest bidder for cash, upon two weeks published notice substantially in the manner provided for notice upon above delinquent sales, and shall execute to the purchaser a conveyance, which deed shall convey title to the land as above prescribed. The proceeds of such sale shall be deposited with the state treasurer to the credit of the assessment under which the property became delinquent.

No county or public officer shall charge or receive any fee for any of the services required to be performed by him under the provisions of this act; but any reasonable and necessary expense actually incurred by any officer in carrying out any of the provisions of this act relating in any manner to the collection or enforcement of any assessment, shall be paid out of the funds of said drainage district applicable thereto.

SEC. 4. Section seventeen of said act approved December 24, 1911, as amended, is hereby amended to read as follows:

SEC. 17. The reclamation board shall have power to promote the construction, completion, maintenance and repair of levees along all rivers, streams, overflow channels and basins and by-passes where, in the opinion of the board, such levees are insufficient or necessary for the purpose of the plans for flood control to be carried out by said board under this act. Whenever any such levee is in the opinion of said board insufficient or necessary for the purpose aforesaid, the reclamation board shall give notice, by publication in the manner hereinafter provided, that such levee is insufficient or necessary, and that it is the intention of said board to construct, repair or complete such levee and pay the cost thereof out of an assessment levied or to be levied and assessed upon the lands within said drainage district directly or indirectly benefited by such levee. Such notice shall be signed in the name of the reclamation board by its president and secretary and shall be published once a week for three weeks in some newspaper published in the county wherein such levee or the greater part thereof is situated or is to be constructed, and the giving of such notice by publication shall be deemed completed on the twenty-first day after the first publication thereof. Any land owner or owners, and any reclamation district, drainage district, levee district, municipal corporation or other organization or association authorized by law to construct, repair or complete such levee shall have thirty days after completion of the giving of such notice by publication

as aforesaid within which to apply to said reclamation board for leave to construct, repair or complete such levee, which application shall be in writing and signed by such applicants or their respective executors, administrators, guardians, trustees or duly constituted and authorized officers, and filed in the office of the reclamation board: and in case such application be filed within thirty days, as aforesaid, such applicants shall have sixty days after the filing of such application, or such further time as said reclamation board may by order entered in its minutes allow, within which to present to said reclamation board their plans and specifications for the construction, repair or completion of such levee, and obtain the approval by said board of such plans and specifications, and to commence the work. Each such application for leave to construct, repair or complete such levee shall designate the name and post office address of at least one and not more than three of the applicants signing the same as the person or persons to whom any notice or communication may be addressed by the reclamation board in the matter of such application. In case there shall be two or more such applications filed in the office of the reclamation board within said period of thirty days last above mentioned the reclamation board may determine which of such applications shall be recognized and may reject the others. Any such levee constructed or work done by such applicants as hereinbefore provided, pursuant to such notice from the reclamation board and according to plans and specifications approved by said board, shall be considered as constructed or done with the permission of said board within the meaning of section eighteen of this act. If such application shall not be filed in the office of said reclamation board for permission to do such work, as aforesaid, within thirty days after completion of the giving of such notice by publication, or if such applicants shall fail to present to said board and obtain its approval of such plans and specifications and to commence the work as aforesaid, within said period of sixty days or such further time as the board may allow, or shall fail to complete such work with reasonable diligence after the same shall have been so commenced, the reclamation board shall thereupon be and is hereby empowered to proceed with the construction, repair or completion of such work, and to pay the cost thereof by assessment upon the lands within said drainage district directly or indirectly benefited by such levee according to such benefits, as in this act provided, which assessment may be either an assessment specially levied and assessed for that purpose, or any assessment levied and assessed by said board and applicable to the payment of such work. Notwithstanding anything in this section provided, if in the opinion of the reclamation board a case of emergency exists requiring immediate action to preserve life or property or to protect or preserve the safety of any such levee along any river, stream, overflow channel or basin or by-pass, the reclamation board may cause the necessary work to be done immediately for the protection or preservation of such levee, without giving the notice hereinbefore provided, and may pay the cost thereof, and any damage that may have been done by the performance of such work, by an assessment to be levied and assessed as above provided, or out of the funds of any assessment available for that purpose under the provisions of this act.

SEC. 5. Section nineteen of said act, approved December 24, 1911, as amended, is hereby amended to read as follows:

SEC. 19. The sum of one hundred thousand dollars, in addition to the sums heretofore appropriated, is hereby appropriated for the use of the reclamation board, at least twenty thousand dollars of which shall be used by the board to pay the expenses of the state engineer in carrying out the directions of this act. The controller is hereby directed to draw warrants upon the state treasurer whenever drafts of the reclamation board are presented to him, and the treasurer is hereby directed to pay said controller's warrants. In the first assessment levied in said district the sum of fifty thousand dollars shall be levied, collected and paid to the state treasurer as reimbursement of one-half of the above appropriation.

The State of California shall not be liable directly or indirectly, for any obligation, claim, or liability of any kind or character, arising under, or by reason of this act, or any of the provisions thereof, in excess of the one hundred thousand dollars in and by this act appropriated.

No member of the reclamation board shall be held personally liable on any obligation or liability of any kind or character arising out of the claim that he has failed to carry out any obligation imposed upon said reclamation board by this act or any part thereof and the legislature hereby expressly declares that discretion is vested in said board and the members thereof to determine how and when the various provisions of this act and the projects herein contemplated may best be carried into effect.

Nothing contained in this act shall ever be construed now, or previously, imposing a mandatory duty on the reclamation board to incur obligations or proceed with work of any kind or character unless money to meet said obligations or pay for said work is collected and available for liquidation of said obligations and work."

Amendments adopted

Bill read second time, ordered to reprint, and third reading

REQUEST FOR UNANIMOUS CONSENT.

Mr Spalding asked for and was granted unanimous consent to take up Senate Bill No. 458, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIFTY-EIGHT.

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Spalding moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, as amended March 29, 1923, strike out all of lines 8 to 21, both inclusive, also on page 2 strike out lines 1 to 11, both inclusive, and insert in lieu thereof the following

"SEC 5 Each teacher subject to the burdens of this act shall contribute twelve dollars each school year to the public school teachers' permanent fund for not less than thirty years, and shall pay the twelve dollars to the county superintendent of schools of the county in which the teacher is employed. The teacher must pay six dollars not later than December thirty-first for the half year ending December thirty-first, and must pay six dollars for the half year ending June thirtieth, at the time or before the time of filing his annual report with the county superintendent of schools and not later than June thirtieth of the current school year.

The county superintendent of schools shall issue a receipt in duplicate to the teacher when he makes his payment The teacher shall file his duplicate receipt with the clerk or secretary of the governing board of the school district in whose service he is employed and the clerk or secretary of the governing board of the school district shall not issue to the teacher his warrant for the school month including December thirty-first nor for his last month of teaching for the current school year until the teacher files with the clerk or secretary his duplicate receipt for the period ending December thirty-first or June thirtieth, as the case may be. The teacher may pay twelve dollars instead of six dollars at the time of making his first payment, in which case the filing of his receipt with the clerk or secretary of the school district shall relieve him from further payments during the current school year.

The county superintendent of schools shall deposit these payments weekly, or oftener, in the county treasury to the credit of the public school teachers' permanent fund and not later than the fifteenth day of July of each year, and semi-annually thereafter, shall draw his requisition in favor of the state treasurer and against the county auditor who shall draw his warrant on the county treasurer for the full amount then on deposit to the credit of the public school teachers' permanent fund. The requisition of the county superintendent of schools shall be accompanied by a list giving the names of the teachers and the amounts paid by each teacher, and a duplicate of said list shall be sent by the county superintendent of schools to the secretary of the public school teachers' retirement salary fund board Upon the receipt of such requisition the state treasurer shall collect the same and deposit the proceeds thereof in the state treasury to the credit of the public school teachers' permanent fund: provided, that in every city and county which constitutes a separate school district, as provided in section one thousand five hundred seventy-six of the Political Code, the payments herein provided to be made shall be made to the superintendent of schools who shall issue his receipt therefor in duplicate. In such case the teacher shall file his duplicate receipt with the board of education of such city and county and no official board, or commission whose duty it is to draw warrants or demands for the payment of said teacher's salary, shall draw such warrant or demand for the school month ending December thirty-first unless the duplicate receipt for the half year ending December thirty-first is on file, nor for the last month of teaching of the current school year, unless the duplicate receipt for the half year ending June thirtieth is on file."

Motion carried.

The Speaker appointed Mr Spalding as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 458, with instructions, reports that the instructions of the Assembly have been carried out.

SPALDING, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their respective names be stricken from the roll to date from and including the following dates respectively:

Effective from and including May 1, 1923:

Agnes Howe, assistant engrossing and enrolling clerk.....$5 00

Ami J. Davis, committee clerk..... 4 00

The committee further reports that the following named persons be and they are hereby appointed and employed for the positions and at the per diem set opposite their respective names. Said employment to be effective as follows:

Effective May 1, 1923:

Ami J. Davis, assistant engrossing and enrolling clerk.....$5 00

Resolved: That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named person upon the appropriations for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Savior, Schmidt, Smith, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented:

By Mr. Prendergast:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which read as follows:

An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain" and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof, and by adding thereto a new section to be numbered 4.

Referred to Committee on Introduction of Bills.

By Mr. Crittenden:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 1069—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

McMILLAN, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McMILLAN, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Stow moved that Assembly Bill No. 1290 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1290 re-referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 628 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Carter, Clarke, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California.

Assembly Concurrent Resolution No. 8 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 8 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 8.

Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California.

WHEREAS, The national encampment of the Grand Army of the Republic is a matter of State and national importance; and

WHEREAS, The Grand Army of the Republic is an institution maintained to foster and promote American patriotism and loyalty; and

WHEREAS, The national encampment of the Grand Army of the Republic has been considering holding the session of 1924 in California; and

WHEREAS, The John F. Godfrey Post in the city of Pasadena is suitably equipped and situated and is desirous of having such annual session in the city of Pasadena; and

WHEREAS, Due to the fact that the soldiers of the Civil War are passing rapidly and this would be the last session of the national encampment which could ever be held in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That the Legislature of the State of California extends a cordial invitation to the national encampment of the Grand Army of the Republic to hold the session of 1924 in the city of Pasadena, California; and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby instructed to forward copies of this resolution to the proper officials of the national encampment of the Grand Army of the Republic.

Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 631 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of

said State be amended by adding to article XIII thereof a new section, to be numbered 12¼, relative to revenue and taxation.

Assembly Constitutional Amendment No. 30 read.

The question being on the adoption of the amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Scott moved a call of the House.

Motion carried.

Time, ten o'clock and fifty-seven minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox Fulwider Graves, Hawes, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Wright, and Mr Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At eleven o'clock and seven minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Kline

The roll of absentees was called, and Assembly Constitutional Amendment No 30 refused adoption by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Croter, Davis, Dawson, Donohue, Emme, Erb, Fellom, Foster, Fox Hawes, Hornblower, Johnson Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, Mitchell, A. G., Mitchell, T A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar Roberts, Rock, Scott, Smith, Snyder, Spence, Weller, Williams and Mr. Speaker—49

NOES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Broughton, Carter, Connolly, Coombs, Crittenden, Dean, Dorris, Dozier, Duval, Fulwider, Graves, Heisinger, McDowell, McPherson, Miller, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Stow, West, Woodbridge, and Wright—28.

NOTICE OF RECONSIDERATION.

Mr. McPherson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No 30 was this day refused adoption

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—and reports that the same has been correctly re-engrossed

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ASSISTANT CLERK POWERS READING.

SPECIAL ORDER.

The hour of eleven o'clock a m having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A G, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

NOES—None.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 999 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian Clarke Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom Foster, Fox Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan McPherson, Miller, Mitchell, A G, Mitchell, T. A, Morris Mueller, Noyes, Pedrotti, Pomeroy Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—71

NOES—Fulwider, and Moore—2.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE

The following explanation of vote was received, read, and ordered printed in the Journal:

In voting as I do for Assembly Bill No 999 I wish to state that I believe in its present form it represents a serious reduction in the educational, progressive and humanitarian activities of the State

I believe that it will benefit, in its reductions, the corporations upon whom the burden of the support of the State should fall, and that individual taxpayers of the State, who have been misled by false charges of past extravagances and false hopes of a reduction of their own tax burdens, will in fact have their tax burdens increased

I believe that the responsibility must rest upon the Governor in the final analysis and that it will be idle for us to spend time in attempting to further amend the budget bill.

This is the Governor's plan of State financing We have suggested certain amendments which have been incorporated in the bill, while other proposed amendments have been refused. I deem it our duty as Legislators, while expressing our disapproval of

the bill in its present form, to avoid the charge of being mere obstructionists and to vote for the passage of the bill.

T. M. WRIGHT.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER EIGHTEEN.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

Senate Constitutional Amendment No 18 read.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following requests for permission to introduce bills were presented:

By Mrs. Dorris:

ASSEMBLY CHAMBER SACRAMENTO, May 1, 1923.

MR SPEAKER I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the Veteran's Welfare Fund for land settlement under the Veteran's Welfare Bond Act of 1921, prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits.

Referred to Committee on Introduction of Bills.

Also:

An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veteran's farm and home building fund under the Veteran's Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Referred to Committee on Introduction of Bills.

By Mr Morris:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act authorizing and providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either in incorporated cities, cities and counties or towns having a population of not less than 100,000 persons by cemetery corporations, associations, corporations sole or other persons owning or controlling such cemeteries, and authorizing and providing for the removal of the human remains therefrom and the reinterment of such remains or the depositing of the same in a mausoleum or columbarium, and repealing all acts in conflict therewith

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1923

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education,

Also Assembly Bill No. 927—An act to add a new section to the Political Code to be numbered 1698*a*, relating to school districts,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BAKER, C. C, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BAKER, C. C, Chairman

The above reported bill ordered on file for second reading.

ON CONSERVATION

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR SPEAKER Your Committee on Conservation, to which was referred Assembly Bill No. 106—An act to aid in the procuring to the State of California, in perpetuity, groves of sequoia gigantea and sempervirens trees, otherwise known as the redwoods, for the use of the public to provide that money may be paid into the State treasury by individuals for the purpose of purchasing tracts of land containing trees, and providing that when such sums of money are paid into the State treasury, it shall be the duty of the Governor to order the State Engineer to appraise said properties, and that, if the State Engineer shall report to the Governor that such sum of money as has been deposited in the State treasury is adequate in his opinion for the purchase of said grove or groves of trees, the Governor shall order the Attorney General to commence proceedings and take measures for the condemnation of said lands containing said grove or groves of trees for public use, to provide that in such condemnation action, the Attorney General may associate or appoint, as a Deputy Attorney General, for the purpose of this suit, without public expense, any attorney that shall be suggested to him by the person depositing the money in the State treasury; to provide that any land or grove of trees, so coming into the control of the State may, at the request of the person depositing the money in the State treasury, be known thereafter by any name designated by the donor of said money, to provide that, in the event of a condemnation suit, as herein provided, a judgment of the court or verdict of a jury shall find a value for said land of a greater amount than that deposited in the State treasury, the depositor of the money shall deposit an additional sum, making the sum in the State treasury equal to the judgment so found, said condemnation of said lands for the benefit of the people of the State of California shall be consummated but providing that, should said depositor not deposit an additional sum in the treasury to meet said judgment that, in that event, all costs of said proceedings of the court, including the expenses of the defendant or defendants, shall be paid out of the sum of money on deposit in the treasury and all proceedings in the courts for condemnation shall be dismissed and title restored to the original owner—the court in which said proceedings are held, notwithstanding any judgment, having the right, at the request of the Attorney General, to dismiss said proceeding and extinguish said judgment, to provide that, on said proceedings being dismissed, after expenses paid, the treasurer of the State of California, on the certificate of the Attorney General, signed by the Governor,

shall return the remainder of any fund, so deposited, to the person depositing the same—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended

McMILLAN, Chairman

The above reported bill ordered on file for second reading

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: Your Committee on Corporations, to which was referred Senate Bill No. 287—An act to amend section 361*a* of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

JOHNSTON, Chairman.
SNYDER.
MITCHELL, A. G.
CROTER.
HORNBLOWER.
NOYES.
LYMAN.
WELLER.
CARLSON.

The above reported bill ordered on file for second reading

REQUEST FOR UNANIMOUS CONSENT.

Mr. Christian asked for and was granted unanimous consent to take up Senate Bill No. 488, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-EIGHT.

Senate Bill No. 488—An act to amend section 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* of the Political Code, relating to agriculture.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Christian moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 27, of the printed bill, strike out all of lines 33, 34 and 35, and insert in lieu thereof the following: "It shall be the duty of the said commissioner to keep a detail record of his official acts and to file said record monthly with the board of supervisors with his oath attached thereto."

REQUEST FOR ROLL CALL.

On request of Messrs. Christian, Mitchell T. A., Burns, Reindollar and Crittenden, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One.

The question being on the motion to refer to Select Committee of One.

The roll was called and the motion to refer to Select Committee of One lost by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Burns, Carlson, Carter, Christian, Cleveland, Dozier, Eksward, Fellom, Foster, Hawes, Hornblower, Kline, Lyons, Mathews, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Reindollar, Scott, Smith, Weller, and Mr. Speaker—28.

NOES—Anderson, Ball, Bernard, Broughton, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fox, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Rock, Rosenshine, Saylor, Snyder, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Wright—35.

MOTION TO RE-REFER.

Mr. Stow moved that Senate Bill No 488 be withdrawn from the file, and ordered re-referred to Committee on Agriculture.

Motion carried.

Senate Bill No. 488 re-referred to Committee on Agriculture.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER EIGHTEEN—(RESUMED).

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 7, article I thereof, to provide that three-fourths of a jury may render a verdict in all criminal cases, excepting where as a result of such verdict the death penalty might be imposed.

Senate Constitutional Amendment No. 18 read.

ASSEMBLYMAN ROBERTS IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon Frank M. Roberts, member from the seventy-fourth district, was called to the chair.

THE SPEAKER IN THE CHAIR.

At two o'clock and thirty-eight minutes p.m., Hon Frank F. Merriam, Speaker of the Assembly, in the chair.

ASSEMBLYMAN BADHAM IN THE CHAIR.

At three o'clock and thirty-three minutes p.m., Hon. Willard E. Badham, member from the seventy-second district, was called to the chair.

THE SPEAKER IN THE CHAIR

At three o'clock and forty-three minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on the adoption of Senate Constitutional Amendment No 18

The roll was called, and Senate Constitutional Amendment No. 18 refused adoption by the following vote:

AYES—Badham, Baker, Edwin, Ball, Carter, Christian, Cleary, Davis, Dawson, Duval, Emme, Foster, Graves, Johnson, Jones, Kline, Lyons, Miller, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Snyder, Weller, Whitacre, Wright and Mr Speaker—29

NOES—Anderson, Badaracco, Baker, C. C., Bernard, Broughton, Burns, Carlson, Cleveland, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, T. A., Morrison, Noyes, Remdollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Stow, West, Williams, and Woodbridge—45

SPECIAL ORDER SET.

On motion of Mr. Baker, Edwin, the consideration of Assembly Bill No. 739 was made a special order for Thursday, May 3, 1923, at eleven o'clock a.m.

SPECIAL ORDER SET.

On motion of Mr. Dozier, the consideration of Assembly Bill No. 534 was made a special order for Wednesday, May 2, 1923, at eleven o'clock a.m.

RECESS.

At four o'clock and thirty minutes p.m., on motion of Mr. Dozier, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED

At eight o'clock p.m., the Assembly reconvened
Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
LYMAN.
CROTER.
CLEARY.
JOHNSON.
DOZIER.
HEISINGER.
PRENDERGAST.
McDOWELL.

The above reported bill ordered on file for second reading.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 40—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of

said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, as amended, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, providing for the care and disposition of moneys in their hands, providing for their removal and tenure of office, and providing for additional deputy clerks for said courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

DONOHUE, Chairman
EMME
JONES
SMITH.
LYONS.
PEDROTTI.
DOZIER
BADHAM.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 365—An act repealing the Political Code by amending sections 4041, 4041*b*, 4041*c*, 4041*d*, 4041*e*, and 4041*f*, and by adding new sections numbered 4041 to 4041*z*, inclusive, all relating to the powers and duties of the board of supervisors—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Erb:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of second-hand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the state of artificially colored alimentary pastes, vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

Referred to Committee on Introduction of Bills.

By Mr. Dozier:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions, and to prescribe punishment for violation hereof.

Referred to Committee on Introduction of Bills.

By Mr. Morris.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency, regulating the disposition of such moneys, providing for the creation and continuation of certain funds in the

State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

Referred to Committee on Introduction of Bills.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 1250—An act to amend section 681*a* of the Code of Civil Procedure, relating to stay of execution,

Also Assembly Bill No 303—An act to amend section 671 and 674 of the Code of Civil Procedure and to repeal section 671*a* of said code, relating to judgment liens and transcripts of judgments;

Also: Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict,

Also. Assembly Bill No. 299—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment;

Also: Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial,

Also· Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared.

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 974—An act to amend section 1961 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith",

Also Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein;

Also Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Also: Assembly Bill No. 324—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools,

Also Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of te State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of taxes therem, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended

Also Assembly Bill No 29—An act authorizing the establishment and government of port districts; providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district, providing for an election to determine whether said district shall be organized, providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board, authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation, providing for the levy and collection of assessments, and providing for the issuance and payment of bonds.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 83 read first time, and referred to Committee on Irrigation

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission, fixing the terms of office and compensation of the members of said commission fixing the power, duties and authority of said commission and its members providing for the filling of vacancies in the membership of said commission providing for the removal from office of the appointed members of said commission, providing for the cooperation of courts with said commission providing that certain courts shall take judicial notice of certain acts of the State Water Commission specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act, providing for the payment of the indebtedness and expenses of said commission, its members and employees, declaring what water is unappropriated providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation declaring the duties of those who desire to appropriate water, declaring the periods for which water may be appropriated and the conditions under which water may be appropriated, providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water providing for the ascertainment and adjudication of water rights providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission by the Attorney General, for the quieting of title to water rights specifying certain duties of the claimants, possessors or users of water or water rights, declaring water rights forfeited under certain conditions, regulating the appropriation of water excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act, defining certain words and terms used in this act, repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 229 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 732—An act to amend section 1195*a* of the Political Code relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 732 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9 and 10 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

Also: Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith, and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 146 read first time, and referred to Committee on Agriculture.

Senate Bill No. 729 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning Assembly Bill No. 40, Senators Jones, Dennett, and Boggs.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Assembly Bill No. 365, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED SIXTY-FIVE.

Assembly Bill No. 365—An act repealing the Political Code by amending sections 4041, 4041*b*, 4041*c*, 4041*d*, 4041*e* and 4041*f*, and by adding new sections numbered 4041 to 4041*z* inclusive, all relating to the powers and duties of the board of supervisors.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Carter moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill strike out the words "repealing the Political Code by amending" and insert in lieu thereof the following. "to repeal".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill strike out the word "by" and insert in lieu thereof the word "to".

AMENDMENT NUMBER THREE.

In line 5 of the title of the printed bill strike out the word "adding" and insert in lieu thereof the word "add". After the word "sections" insert the words "to be".

AMENDMENT NUMBER FOUR.

On page 2, lines 31 and 32, of the printed bill, strike out the words "political code" and insert in lieu thereof the words "Political Code".

AMENDMENT NUMBER FIVE

On page 3, line 32, of the printed bill, after the word "stadium" insert a comma (,) and strike out the word "and".

AMENDMENT NUMBER SIX.

On page 10, line 36, of the printed bill, strike out the word "and".

AMENDMENT NUMBER SEVEN.

On page 10, line 38, of the printed bill, strike out the word "providing" and insert in lieu thereof the word "provide".

AMENDMENT NUMBER EIGHT.

On page 11, line 30, of the printed bill, strike out the word "of" and insert in lieu thereof the word "or".

AMENDMENT NUMBER NINE.

On page 11, line 32, of the printed bill, strike out the word "trustee" and insert in lieu thereof the word "trustees".

AMENDMENT NUMBER TEN

On page 13, after line 9, of the printed bill, insert the following:

"Sec. 27 A new section is hereby added to the Political Code, to be numbered four thousand forty-one *y*, to read as follows

4041*y*. Any county may provide and maintain (1) suitable areas of land to serve as landing places, for the sole and exclusive use of craft employed in the navigation of the air; (2) necessary buildings in connection with such areas to be used as hangars and sheds for the protection of air craft

For this purpose the board of supervisors of any county shall have jurisdiction and power

(*a*) To purchase, receive by donation, take by condemnation, to lease and otherwise acquire, real or personal property, necessary for such areas or buildings, and to improve, take care of, manage and control the same

(*b*) To levy in any year a special tax not to exceed three mills on the one dollar of assesed valuation on all the taxable property in the county, such tax to be in addition to all other taxes provided for and the fund so created to be expended for the purposes hereof

(*c*) To establish a fund or funds for the purposes hereof, and to transfer from the general fund to such fund or funds, from time to time, such moneys as the board may deem necessary.

(*d*) To incur, in the manner provided by law, a bonded indebtedness on behalf of the county for any of the purposes hereof"

AMENDMENT NUMBER ELEVEN.

Insert after amendment No 10 the following

"Sec. 28. A new section is hereby added to the Political Code to be numbered four thousand forty-one *z*, to read as follows:

4041*z*. The board of supervisors shall have power to do and to perform all other acts and things required by law not in this title enumerated, or which may be necessary to the full discharge of the duties of the legislative authority of the county government."

Motion carried.

The Speaker appointed Mr. Carter as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 365, with instructions, reports that the instructions of the Assembly have been carried out.

CARTER, Select Committee

Report of Select Committee of One and amendments adopted.
Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Smith asked for and was granted unanimous consent to take up Senate Bill No. 202, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWO.

Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court.
Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill. Mr Smith moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "illegitimate" insert the word "minor".

AMENDMENT NUMBER TWO

On page 1, line 20, of the printed bill, after the period following the word "excuse" insert the following "In the event that the father of either a legitimate or illegitimate minor child is dead or unable by reason of physical or mental infirmity to furnish the necessary food, clothing, shelter or medical attendance for his minor child, the mother of said child shall become subject to the provisions of this section and be criminally liable for the support of said minor child during the period of inability on the part of the father to the same extent and in the same manner as the father would have been had it not been for his physical or mental infirmity."

AMENDMENT NUMBER THREE

On page 1 of the printed bill, in the third line of the title, insert a period after the word "child" and strike out the remainder of the title

Motion carried.
The Speaker appointed Mr. Smith as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 202, with instructions, reports that the instructions of the Assembly have been carried out.

SMITH, Select Committee

Report of Select Committee of One and amendments adopted.
Bill ordered to reprint, and on file for passage.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1114—An act to amend an act entitled, "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State

of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1114?

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after the word "of" following the word "consist" strike out the word "five" and insert the following "the chief of the division of animal industry, California department of agriculture, and four".

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, after the first word "and" strike out the word "two" and in lieu thereof insert the word "one".

AMENDMENT NUMBER THREE.

On page 5, line 24, of the printed bill, after "California" insert the words "except as hereinbefore provided".

AMENDMENT NUMBER FOUR.

On page 5, line 30, of the printed bill, after the word "fund" strike out the words "for the enforcement of this act," and insert the words "to be used to secure evidence against and prosecute violators of this act".

The roll was called and Senate amendments to Assembly Bill No. 1114 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Burns, Carter, Cleary, Cleveland, Crittenden, Davis, Dean, Dorris, Dozier, Emme, Erb, Foster, Graves, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mueller asked for and was granted unanimous consent to take up Assembly Bills Nos. 779, 781 and 787, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED SEVENTY-NINE.

Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of lines 15 to 28, inclusive.

Motion carried.

The Speaker appointed Mr. Mueller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 779, with instructions reports that the instructions of the Assembly have been carried out

MUELLER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-ONE.

Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15*a*, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows.

AMENDMENT NUMBER ONE

On page 10 of the printed bill strike out all of lines 7 to 16, inclusive.

Motion carried.

The Speaker appointed Mr. Mueller as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One to which was referred Assembly Bill No. 781, with instructions, reports that the instructions of the Assembly have been carried out

MUELLER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-SEVEN.

Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 5, line 22 of the printed bill, strike out the word "Required" and insert in lieu thereof "Require".

AMENDMENT NUMBER TWO

On page 8 of the printed bill strike out all of lines 1 to 12, inclusive

AMENDMENT NUMBER THREE

On page 8, line 24, of the printed bill strike out the word "Section" and insert in lieu thereof the word "Sections."

Motion carried.

The Speaker appointed Mr. Mueller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 787 with instructions, reports that the instructions of the Assembly have been carried out.

MUELLER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Emme:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1068 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Rules beg leave to report and request the adoption of the following temporary rule providing for the consideration of Assembly and Senate files during the remainder of the forty-fifth session as follows, to wit:

That during the consideration of any bill, constitutional amendment, concurrent or joint resolution or any amendments thereto, no member shall be allowed to speak more than five minutes upon any question except by leave of the House and except further the author shall be allowed five minutes to open and five minutes to close the debate.

CARTER, Chairman.

Mr. Carter moved the adoption of the report.

The question being on the adoption of the report.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion carried.

Time, eight o'clock and forty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Ball, Bromley, Broughton, Burns, Carter, Cleary, Cleveland, Connolly, Davis, Dean, Emme, Foster, Graves, Hornblower, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—41.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 574—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 15 and 15c thereof, relating to the general powers of the board of directors of irrigation districts and providing for the creation of a revolving fund.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 574 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Burns, Carter, Cleary, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Emme, Foster, Heisinger, Hornblower, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 26—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

Assembly Joint Resolution No. 26 read

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 26 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Burns, Carter, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Heisinger, Hornblower, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Dozier, and Graves—2.

Title read and approved.

Assembly Joint Resolution No. 26 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No 26.

Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

WHEREAS, The Supreme Court of the United States has decided against the constitutionality of a law regulating the minimum wage to be paid women engaged in trade or industry; and

WHEREAS, The advancement of social and industrial conditions in this country demands the regulation provided by such a law, and

WHEREAS, The purpose of the Industrial Welfare Commission Act of this State which is the bettering of the conditions of women and children engaged in trade or industry, will be in many respects nullified by such decision of the Supreme Court of the United States; and

WHEREAS, The validity of such a law is dependent upon an amendment to the constitution of the United States; now, therefore, be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California hereby memorializes Congress to propose an amendment to the constitution of the United States which will permit the states of the union to enact legislation fixing a minimum wage for women engaged in trade or industry; and be it further

Resolved, That our senators and representatives in Congress be and are hereby requested to use all honorable means to secure the adoption of a measure proposing such an amendment to the constitution of the United States, and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly be and are hereby instructed to forward duly certified copies of these resolutions to each of our senators and representatives in Congress and to the President of the United States

Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 749 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—Carter—1

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Bromley moved that the vote whereby Assembly Bill No. 892 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Christian—1.

MOTION TO RE-REFER

Mr. Crittenden moved that Assembly Bill No. 892 be withdrawn from file, and ordered re-referred to Committee on Municipal Corporations.

Motion carried

Assembly Bill No. 892 re-referred to Committee on Municipal Corporations.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Crittenden moved that the vote whereby Assembly Bill No. 841 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston,

Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—Broughton, Burns, and Dorris—3.

Assembly Bill No. 841 ordered on file for passage.

RECONSIDERATION WAIVED.

Mr. Dozier waived his motion to reconsider the vote whereby Assembly Bill No. 1314 was passed.

Assembly Bill No. 1314 ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Mueller moved that the vote whereby Senate Bill No. 510 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Carter, Cleary, Coombs, Crittenden, Crolet, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hornblower, Johnston, Jones, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Anderson, Badham, Baker, C. C., Christian, and Graves—5.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TEN.

Senate Bill No. 510—An act creating the California Military Reserve, providing for the appointment of officers therein, and when said reserve may be called into active service.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 9 and 10, of the printed bill, strike out the words "in case of insurrection, invasion, tumult, riot or imminent danger thereof", and insert in lieu thereof the words "in time of war."

AMENDMENT NUMBER TWO.

On page 3, line 18, of the printed bill, after the word "war" insert a period and strike out the rest of the line and strike out all of line 19.

AMENDMENT NUMBER THREE.

On page 3, line 29, of the printed bill, after the word "service" insert a period and strike out the word "for" and strike out all of lines 30, 31 and 32.

Motion carried.

The Speaker appointed Mr. Mueller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 510, with instructions, reports that the instructions of the Assembly have been carried out.

MUELLER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

MOTION TO RECONSIDER

Mr Smith moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 368 was passed be continued until the next legislative day.

REQUEST FOR ROLL CALL.

On request of Messrs. Morrison, Badaracco, Burns, Hornblower and Rock, the Speaker ordered a roll call taken on the motion to reconsider.

The question being on the motion to reconsider.

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

AYES—Anderson, Badham, Baker, C. C., Carter, Christian, Clarke, Cleary, Connolly, Croter, Davis, Dawson, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnson, Mathews, McDowell, Mitchell, A G, Moore, Noyes, Smith, Snyder, Spence, Weller, and Williams—29.

NOES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Heisinger, Hornblower, Jones, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—36.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Smith moved that the vote whereby Assembly Bill No. 368 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Anderson, Badham, Baker, C. C, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnson, Jones, Kline, Mathews, McDowell, McPherson, Mitchell, A G, Moore, Pomeroy, Prendergast, Smith, Snyder, Spence, Stow, Weller, Williams, and Mr. Speaker—36.

NOES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Heisinger, Hornblower, Johnston, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Stevenot, West, Whitacre, Woodbridge, and Wright—33

Assembly Bill No 368 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and nine minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Connolly.

The roll of absentees was called, and the report of the Committee on Rules adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G Mitchell, T A, Moore Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

ADJOURNMENT.

At eleven o'clock and fourteen minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, May 2, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 2, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Lyons, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Donohue:

SITTING BULL TRIBE NO. 108 OF IMPD. ORDER RED MEN,
HEALDSBURG, April 26, 1923

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities, be it therefore

Resolved, That this tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and petition our Great White Fathers to consider the humble appeal of Sitting Bull Tribe No. 108 of Impd. Order Red Men, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this great republic, owe so much and have provided so little.

ELGIN O. CARR, Sachem
JACK EHRLICH, Chief of Records.

By Messrs. Donohue and McPherson:

BOARD OF SUPERVISORS
SAN FRANCISCO, May 1, 1923.

To the Governor and Members of the Legislature,
Sacramento, California.

Your attention is respectfully called to the following resolution unanimously adopted by the Board of Supervisors of San Francisco and approved by his honor the mayor.

WHEREAS, It is now and always has been the law of the State of California that the board of supervisors of the county located upon the left bank descending of any navigable stream has the power to grant franchises for toll bridges to be constructed across such navigable stream, and

WHEREAS, There is now pending in the Assembly of the State Legislature a bill numbered 727, introduced by Assemblyman Clarence W. Morris from San Francisco, designed to take the power of granting such franchises for toll bridges from the boards

of supervisors throughout the State and vesting such power in the Railroad Commission of the State of California, and

WHEREAS, It is our opinion that the right to grant franchises for toll bridges is a legislative right and essentially a local matter particularly affecting the counties in which the toll bridge is to be located and therefore a right which should be vested in the duly elected representatives of the people of the counties affected, and

WHEREAS, It appears from past experience that the various boards of supervisors throughout the State are capable of properly handling and disposing of the matter of such franchises and that such boards of supervisors have always been faithful to the public trust thus vested in them, now, therefore, be it

Resolved, That the Board of Supervisors of the City and County of San Francisco, Mayor James Rolph, Jr., concurring, in regular session assembled on this thirtieth day of April, 1923, does disapprove of Assembly Bill No. 727, as introduced by Assemblyman Clarence W. Morris, and urgently requests the Legislature of the State of California now assembled at Sacramento to vote against said bill; and, be it further

Resolved, That the clerk of the board is hereby directed to furnish a copy of this resolution to each member of the Legislature and to the Governor.

EDWIN G. BATH,
JOSEPH MULVIHILL,
R. McLERAN.

April 23, 1923. Referred to State Laws and Legislation Committee.

JOSEPH MULVIHILL,
EDWIN G. BATH.

Adopted. J. S. DUNNIGAN, Clerk.
Approved. JAMES ROLPH, JR., Mayor.
San Francisco, April 30, 1923.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

Also, Assembly Bill No. 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158*a*, both relating to the recording of instruments by county recorders.

Also, Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1282—An act to provide for the construction of a dam across Carquinez Straits between the confluence of the Sacramento and San Joaquin rivers and the bay of San Francisco, authorizing the Department of Public Works of the State of California to investigate and decide the proper location thereof, and to prepare plans and specifications and estimates of the costs thereof, to levy assessments and issue bonds for the construction thereof, in accordance with the provisions of the "Reclamation Board Act" and acts amendatory and supplementary thereto, including an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District, based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, to levy such assessments upon the lands within the said Sacramento and San Joaquin Drainage District, and upon the lands benefited situated outside of said drainage district, and to provide for the maintenance and operation thereof.

Also, Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*d*, relating to cooperative business corporations or associations.

Also, Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty first class.

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIf, embracing sections 365 to 365c, both inclusive, relating to the California Highway Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 609—An act making an appropriation to pay the claim of the City of Sacramento against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 1320—An act making an appropriation to pay the claim of E. R. Simon against the State of California;

Also: Assembly Bill No. 855—An act making an appropriation to pay the claim of Director General of Railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3661*a* of the Political Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

WEST, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also: Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Topoc, Arizona, to be a State highway;

Also: Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CONNOLLY, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

McPHERSON, Chairman.
FELLOM.
MORRISON.
MUELLER.
ROCK.

REQUEST FOR UNANIMOUS CONSENT.

Mr Emme asked for and was granted unanimous consent to take up Assembly Bill No. 59, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIFTY-NINE.

Assembly Bill No. 59—An act to add a new section to the Penal Code, to be numbered 653*f*, relating to landlord and tenant

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 line 14, of the printed bill, strike out the period and in lieu thereof insert the following ", *provided, however*, that the tenant of any premises, having a child or children shall be personally liable for any damage other than ordinary wear and tear, occasioned by such child or children to such premises during his occupancy of such premises"

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 59, with instructions, reports that the instructions of the Assembly have been carried out

EMME, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1350—An act to amend section 953*b* of the Code of Civil Procedure, relating to undertakings

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 6, add the following:

"1. The county clerk, two thousand seven hundred dollars per annum and such fees as are allowed by law; *provided*, that he shall appoint one chief deputy at a salary of one thousand eight hundred dollars per annum, two courtroom deputies at a salary of one thousand five hundred dollars per annum each, two office deputies at one thousand five hundred dollars per annum each, and one copyist at a salary of one thousand two hundred dollars per annum, whose duty it shall be to act as copyist for the county clerk as such, as well as for the clerk as ex-officio clerk of the board of supervisors and do copying work when required by the board of supervisors; and deputy clerks not to exceed three in number for the purpose of registering electors in the office of the county clerk, to be paid at not to exceed seventy-five dollars per month each; *provided*, that such deputies so employed for registering electors shall not be employed except during a year when a general election is held throughout the state and said deputies shall be employed only between the first day of January and the first day of December of such years, one or more deputies for the purpose of registering electors in said years, who shall receive a compensation of ten cents for each elector legally registered by them, and shall receive no other compensation or expenses. Each of said deputies to be paid at the same time and in the same manner as county officers are paid.

2. The sheriff, two thousand five hundred dollars per annum, *provided*, he shall appoint one under sheriff at a salary of two thousand four hundred dollars per annum and four deputy sheriffs at a salary of one thousand eight hundred dollars per annum each, one deputy sheriff at a salary of one thousand eight hundred dollars per annum; one deputy sheriff to be paid for only for six months of each year at a salary of one hundred twenty five dollars per month; and a person to act as matron of the county jail at a salary of one hundred dollars per month. Said under sheriff and each of said deputies and assistants shall be paid at the same time and in the same manner as county officers are paid The sheriff shall also receive such fees as are allowed sheriffs by section four thousand three hundred *b* of the Political Code of the State of California, except that for traveling in the service of any paper required by law to be served, in either civil or criminal process or proceeding for each mile actually and necessarily traveled, one way only, twenty cents. No constructive mileage to be allowed

3. The recorder, two thousand seven hundred dollars per annum; *provided*, that the recorder shall appoint one chief deputy at a salary of one thousand eight hundred dollars per annum, one deputy at a salary of one thousand five hundred dollars, four copyists at a salary of one thousand eighty dollars each per annum, to be paid at the same time and in the same manner as county officers are paid.

4. The auditor, two thousand seven hundred dollars per annum; *provided*, that the expenses incurred, if any, in making extensions of assessments and tax rolls shall be paid out of said sum of two thousand seven hundred dollars, compensation above mentioned, *and provided, further*, that said auditor shall appoint one deputy at a salary of one thousand eight hundred dollars per annum, one deputy at a salary of one thousand two hundred dollars per annum, and two copyists at a salary of one thousand eighty dollars per annum each, to be paid at the same time and in the same manner as county officers are paid

5. The treasurer, two thousand five hundred eighty dollars per annum, and such fees as are now or may hereafter be allowed by law, *provided*, that the treasurer

shall appoint one deputy at a salary of one thousand five hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid.

6. The tax collector, three thousand dollars per annum, *provided*, that said tax collector shall appoint one revenue and taxation deputy at a salary of one thousand eight hundred dollars per annum; *and provided, further*, that he shall appoint one stenographer to be paid only between July first and January first of each year, at a salary of one hundred dollars per month *and provided, further*, that he shall be allowed additional help to be employed by him when needed, at an expense of not to exceed the sum of one thousand two hundred dollars in any one year, to be paid at the same time and in the same manner as county officers are paid.

7. The assessor, three thousand dollars per annum, *provided*, that the assessor shall appoint one assistant assessor at a salary of one thousand eight hundred dollars per annum, one chief deputy at a salary of one thousand six hundred twenty dollars per annum and one title transfer deputy at a salary of one thousand three hundred twenty dollars per annum, one draftsman at a salary of one thousand three hundred twenty dollars per annum, one property ownership deputy at a salary of one thousand three hundred twenty dollars per annum, and one office deputy at a salary of one thousand three hundred twenty dollars per annum The salaries of which deputies shall be paid in the same manner and at the same time and from the same funds as county officers are paid. The assessor may also appoint as many deputies as may be necessary to carry on his work at an expense to the county not to exceed four thousand dollars during any fiscal year. The salaries of which last named deputies shall be paid at the same time and in the same manner and from the same fund as the assessor is paid. The amount of each of which payments shall be determined by the auditor from a certificate furnished by the assessor showing the person and amount to which payments are due and the period of time for which compensation is made, or, the salaries of said deputies may be paid by claim presented to the board of supervisors in regular form and approved by the assessor, the total amount of which claims, however, shall not exceed the sum of four thousand dollars above mentioned, for any one fiscal year The assessor shall also receive six per cent of the personal property tax collected by him and the amount allowed by law for making out the military roll.

8 The district attorney, three thousand dollars per annum: *provided*, that he shall appoint one assistant district attorney at a salary of two thousand four hundred dollars per annum, and one deputy district attorney at a salary of one thousand eight hundred dollars per annum, and one stenographer at a salary of one thousand two hundred dollars per annum, said assistant, deputy and stenographer to be paid at the same time and in the same manner as county officers are paid

9. The coroner, such fees as are now or may be hereafter allowed by law, *provided*, that the coroner shall appoint one stenographer at a salary of six hundred dollars per annum, to be paid at the same time and in the same manner as county officers are paid.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, three thousand dollars per annum and actual traveling expenses when visiting schools of his county, *provided*, such superintendent of schools may appoint an assistant superintendent of schools at a salary of one thousand eight hundred dollars per annum, one deputy at a salary of one thousand two hundred dollars per annum, and one deputy at a salary of one thousand two hundred dollars per annum, payable at the same time and in the same manner as county officers are paid.

12. The surveyor, one thousand eight hundred dollars per annum for all work performed for the county, and in addition thereto all necessary and actual traveling expenses incurred in connection with field work, and all fees allowed by law: *provided*, that out of the compensation hereinabove provided he shall pay the cost of plotting, tracing or otherwise preparing maps, plats or block-books for the use of the county assessor: *provided, further*, that all property ownership books, data, and transcript records required for making such maps, plats, or block-books shall be procured at the expense of the county in such manner and by such persons as the board of supervisors may direct, *and provided, further*, that the fees for land surveys, except when done for the county, shall be ten dollars per day, or fraction thereof, and in addition thereto all necessary and actual traveling expenses And it shall be the duty of the county surveyor to prepare and furnish all necessary plans and specifications for all bridges and bridge work, in addition to his other duties, without extra compensation. He shall appoint a deputy at a salary of one thousand dollars per annum, payable at the same time and in the same manner as county officers are paid: *provided, however*, that in cases of emergency additional help may be furnished the county surveyor by the board of supervisors at a compensation to be fixed by the board

13. The justices of the peace, the following monthly salaries, to be paid each month as the salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases.

In townships having a population of fifteen thousand or more, two hundred dollars per month.

In townships having a population of over eight thousand and less than fifteen thousand, one hundred fifteen dollars per month;

In townships having a population of six thousand and less than eight thousand, seventy-five dollars per month.

In townships having a population of four thousand and less than six thousand, fifty-five dollars per month.

In townships having a population of two thousand and less than four thousand, forty dollars per month.

In townships having a population of one thousand and less than two thousand, thirty dollars per month.

In townships having a population of less than one thousand, twenty dollars per month

In townships having a population of less than nine hundred, fifteen dollars per month

Each justice of the peace must pay into the county treasury once a month all fines collected by him, *and provided, further*, that for the purposes of this subdivision the population of the several townships shall be ascertained from the United States census reports of 1920.

14. In townships having a population of fifteen thousand or more constables shall receive as compensation in lieu of all fees in criminal cases, the sum of one hundred twenty-five dollars per month, in townships having a population of eight thousand and less than fifteen thousand, the sum of eighty-five dollars per month; in townships having a population of six thousand and lass than eight thousand, the sum of fifty dollars per month, in townships having a population of four thousand and less than six thousand, twenty-five dollars per month, in townships having a population of one thousand five hundred and less than four thousand, fifteen dollars per month, in townships having a population of one thousand and less than one thousand five hundred, ten dollars per month; in townships having a population of less than one thousand, five dollars per month *provided* that in addition to the fees and salaries herein allowed, each constable shall receive for traveling expenses outside of his own township, but within his own county, for the service of a civil or criminal process, the sum of fifteen cents per mile for each mile actually and necessarily traveled, one way only, no constructive mileage to be allowed, *and provided, further*, that such salaries for services in criminal cases shall be paid at the same time and in the same manner as the salaries of county officers are paid; *and provided, further*, that in addition to the salaries provided herein, constables in all townships shall receive for their own use the fees which are now or may hereafter be allowed by law in civil cases; *and provided, further*, that for the purposes of this subdivision, the population of the several townships shall be ascertained from the United States census report of 1920.

15 Each member of the board of supervisors for all services required of them by law, or by virtue of their office, except as road commissioners shall be allowed one thousand two hundred dollars per annum as a salary, and fifteen cents per mile in traveling to and from his place of residence to the court house, *provided*, that only one mileage must be allowed at each term; *and provided, further*, that said salary and mileage shall be in lieu of all fees otherwise provided by law for supervisors Each supervisor shall receive for services as road commissioner, thirty cents per mile one way for all distances actually traveled by him in the performance of his duties, *provided*, that he shall not in any one year receive more than six hundred dollars as such road commissioner, *provided*, that no member of the board of supervisors or other county officer, shall except for his own services or expenses, present or verify by his oath attached thereto, any claim, account, or demand for allowance against the county.

16 All salaries herein not otherwise provided for shall be paid out of the treasury of said county in equal monthly payments on the last day of each month.

17 The fees for jurors in counties of this class shall be as follows: For attending as a grand juror or juror in the superior court for each day's attendance, while serving as such juror, per day, three dollars; for each day's attendance when not selected to serve, two dollars. For attending justice's court, for each juror sworn to try the cause, per day, in civil cases, only, one dollar and fifty cents. A juror excused at his own request shall not be entitled to a per diem fee. For each mile actually and necessarily traveled in attending court as a juror, except in criminal cases in justice's court, for which no allowance shall be made, in going only, per mile, fifteen cents"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of line 14 following the semicolon, all of lines 15 to 21, both inclusive, and all of line 22 preceding the semicolon and insert in lieu thereof the following: "*provided*, that it shall be the duty of the board of school trustees or board of education to draw its order for such purchase on the county superintendent of schools, transmit the same to him with instructions that he draw his requisition on the county auditor, as provided in subdivision three *a* of section one thousand five hundred forty-three and section one thousand five hundred forty-three *a* for such supplies, furniture or equipment immediately upon the delivery to the board of school trustees or the board of education of said supplies, furniture and equipment.

The said order of the board of trustees shall, in all cases, be signed by the trustees, transmitted to the superintendent of schools, endorsed by said superintendent of schools and said requisition drawn upon the county auditor and delivered to the claimant or his order immediately upon the delivery to the board of trustees of all school supplies, furniture or equipment."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 18, insert the following:

"Sixth. Boards of school trustees and city boards of education shall have power and may in their discretion grade, pave, sewer, or otherwise improve streets and other public places in front of real property owned or controlled by them, and appropriate money to pay the cost and expense of such improvements whether made by said boards, under contracts executed by said boards, or under contracts made in pursuance of any of the general laws of the state respecting street improvements, or under contracts made in pursuance of the charter of any municipality, and appropriate money to pay that portion of the cost and expense of opening, widening or extending streets or other public places in front of real property under any of the general laws of the state, or under the charter of any municipality, governing such proceedings."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 927—An act to add a new section to the Political Code to be numbered 1608*a*, relating to school districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, following the word "district" add the words "or other school districts."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the words "and it shall be their duty" following the word "power"

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 5 to 12, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 106—An act to aid in the procuring to the State of California, in perpetuity, groves of sequoia gigantea and sempervirens trees, otherwise known as the redwoods, for the use of the public; to provide that money may be paid into the State treasury by individuals for the purpose of purchasing tracts of land containing trees, and providing that when such sums of money are paid into the State treasury, it shall be the duty of the Governor to order the State Engineer to appraise said properties, and that, if the State Engineer shall report to the Governor that such sum of money as has been deposited in the State treasury is adequate in his opinion for the purchase of said grove or groves of trees, the Governor shall order the Attorney General to commence proceedings and take measures for the condemnation of said lands containing said grove or groves of trees for public use; to provide that in such condemnation action, the Attorney General may associate or appoint, as a deputy attorney general, for the purpose of this suit, without public expense, any attorney that shall be suggested to him by the person depositing the money in the State treasury; to provide that any land or grove of trees, so coming into the control of the State may, at the request of the person depositing the money in the State treasury, be known thereafter by any name, designated by the donor of said money; to provide that, in the event of a condemnation suit, as herein provided, a judgment of the court or verdict of a jury shall find a value for said land of a greater amount than that deposited in the State treasury, the depositor of the money shall deposit an additional sum, making the sum in the State treasury equal to the judgment so found, said condemnation of said lands for the benefit of the people of the State of California shall be consummated; but providing that, should said depositor not deposit an additional sum in the treasury to meet said judgment that, in that event, all costs of said proceedings of the court, including the expenses of the defendant or defendants, shall be paid out of the sum of money on deposit in the treasury and all proceedings in the courts for condemnation shall be dismissed and title restored to the original owner,—the court in which said proceedings are held, notwithstanding any judgment, having the right, at the request of the Attorney General, to dismiss said proceeding and extinguish said judgment; to provide that, on said proceedings being dismissed, after expenses paid, the Treasurer of the State of California, on the certificate of the Attorney General, signed by the Governor, shall return the remainder of any fund, so deposited, to the person depositing the same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill and in lieu thereof insert the following

"An act relating to the acquisition by the state of land for redwood parks; authorizing the state board of forestry to make a survey and report on all suitable redwood park sites in the state, providing a method for procuring such parks by purchase, donation or condemnation proceedings and prescribing the procedure therefor; providing for assistance by the attorney general and vesting the state board of forestry with jurisdiction and control of such parks after their acquisition by the state."

AMENDMENT NUMBER TWO.

On page two of the printed bill, strike out lines 1 to 34, both inclusive, and strike out all of page 3 of the printed bill and in lieu thereof insert the following.

"SECTION 1. The state board of forestry is hereby authorized and directed to make a survey of forest lands in this state and report upon such lands suitable for use as public parks. Said board is directed to divide the state into general sections for the purposes of said survey, and to file its report on each of such sections as soon as the survey of each section is complete.

In making selections of such lands for park purposes and in passing upon applications provided for in section three hereof, the said board shall give due consideration to the maintenance of the integrity of logging units. Said report shall designate by accurate description the specific areas which said board recommends should be acquired by the state for park purposes and said reports shall be filed with the secretary of state.

SEC. 2 Upon the filing of its report upon any section, the said board of forestry is hereby authorized to acquire for and in the name of the people of the State of California, any land in said selected areas designated in said report, either by gift, donation, contribution, purchase, devise, or proceedings in eminent domain; also to receive and accept at any time by gift, donation, contribution or bequest, money to be used for said survey, for the acquisition of said lands, and/or the care and maintenance thereof, *provided*, that nothing herein contained shall be construed to abridge or curtail any existing right of owners of forest lands adjacent to land acquired hereunder to cross said acquired lands, and said board of forestry shall have the power to grant such necessary rights of way.

SEC 3. Upon written application by any person, designating with accuracy all or any part of such park land area the state board of forestry shall examine such designated lands and in writing, approve or disapprove such designated land for park purposes; if said board approves such land, it shall then be the duty of said board to appraise such land and to advise such person of the sum of money necessary, in the opinion of said board, for the acquisition of such designated land, *provided, however*, that any expenses occasioned by such examination and /or appraisement shall be deposited in advance by the person so applying. Said appraisement and approval shall be filed with the secretary of state

Any person may, at any time within ninety days after the filing of such appraisement and approval, deposit a sum of money with the treasurer of the State of California together with a description of any land so approved and included within the areas designated by any report of the state board of forestry as herein provided, with the declaration that he desires said described lands to be acquired for the use of the people of the State of California for park purposes; any sum so deposited, equal in amount to the appraisement of the state board of forestry, shall be used by said state board of forestry for the acquisition, maintenance and preservation of the park land so described. No action to condemn any such land shall be commenced until the amount of such appraisement is deposited

Nor shall any condemnation proceeding be brought if the owner of such land shall file his written acceptance of any sum deposited or part thereof as the purchase price of such land.

SEC 4. Any lands acquired hereunder through gifts of money used for acquiring the same, or by donation, gift or devise, may be known by any name designated by the donor and approved by the state board of forestry.

SEC. 5. Should there be rendered in any condemnation action a judgment for a greater amount than the money deposited in the state treasury, the person so depositing said money shall have the right to deposit a sum additional thereto, sufficient to cover the amount of said judgment and all costs and expenses, in which event said condemnation shall be proceeded with, and said lands passed to the State of California.

Should, however, said additional deposit not be made within thirty days from entry of judgment as herein provided, then said judgment shall be set aside, the court being hereby authorized to set said judgment aside, and to render a judgment

for all costs and expenses on behalf of the defendant or defendants and all costs on behalf of the State of California, which costs and expenses shall be paid out of the fund on deposit in the state treasury as hereinbefore provided.

SEC. 6. In the event as in the previous section set forth, the depositor of the money in the treasury should not enlarge such deposit to cover the judgment and costs and expenses, after the payment of all costs of the State of California and the expenses of defendant from said fund, the remainder of said fund shall, by the treasurer, on the certificate of the governor and the attorney general, be paid to the depositor thereof.

SEC. 7. If, in said proceedings for condemnation, a judgment should be rendered for a less amount than the amount deposited in the treasury and said lands thereby become the property of the state, after deducting all expenses of the state and the defendant in said proceedings, the residue or remainder of said sum in the treasury shall, on the certificate of the governor and the attorney general, be paid to the depositor of said moneys.

SEC. 8. The value of said lands and the expenses of the defendant in such proceedings, determined by judgment in condemnation shall be paid by the treasurer of the State of California to the defendant in said action from any moneys paid into the treasury as in this act provided.

SEC. 9. In any case where land is acquired hereunder by proceedings in eminent domain, all costs and expenses, including costs of appeal, no matter by whom such appeal may be taken, shall be borne by the State of California from the funds so deposited with the treasurer and in awarding damages to the person whose property may be so taken, the court or jury shall be and is hereby required to include as damages any and all detriment which may be occasioned to such person through the taking, including damage to the business of such person, and to the property of such person not taken, and to the value of such property last mentioned whether it be contiguous or not to that taken if such property not taken be used or is susceptible of use in conjunction with the property that is taken—the intention hereof being that the person whose property is taken shall be fully compensated for loss of value of the property and business which is not taken but nothing herein contained shall be construed as requiring or permitting compensation to be awarded for injury to good will of any business. All statutory provisions applicable to proceedings in eminent domain, not inconsistent herewith, shall apply to such proceedings brought hereunder.

SEC. 10. The state board of forestry shall have full power and control over any lands acquired hereunder and over any funds provided for the purchase and maintenance of the same, and shall make and enforce all necessary rules and regulations for the care, maintenance and government of the same and for the carrying out of the purposes of this act and shall be allowed out of any money available or deposited under the terms hereof, all expenses necessary and requisite to carry out the purposes of this act.

SEC. 11. No payment on any piece of land to be acquired under this act shall be made until an abstract or abstracts of title shall have been furnished to the attorney general of the State of California and the said attorney general shall have examined said abstract or abstracts of title and shall have rendered and delivered to the said state board of forestry his opinion in writing, certifying that no valid liens or encumbrances exist on said land, and that the title to said lands and the whole thereof is good and valid. It is hereby made the duty of the attorney general to examine said abstract or abstracts of title and to deliver and render to said board of forestry his said opinion in writing. The opinion of the attorney general, together with the said abstract or abstracts of title shall be filed in the office of the secretary of state.

SEC. 12. Nothing herein contained shall in any way interfere with existing rights in eminent domain which the State of California or the state highway commission may now have, nor shall this act prevent acceptance at any time of gifts of money, timber or lands pending the report of the state forestry board."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such

districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 7, add the following:

"1 The county clerk, four thousand six hundred dollars per annum, he shall have three deputies at a salary of two thousand four hundred dollars each per annum; four deputies at a salary of one thousand nine hundred twenty dollars each per annum; five deputies at a salary of one thousand eight hundred dollars each per annum, two deputies at a salary of one thousand five hundred dollars each per annum He shall also have three additional deputies for a period of not to exceed ten months during each and every even numbered year at a salary of five dollars per day each during their said employment, and four deputies for a period of not to exceed six months during each and every even numbered year, such deputies to receive a salary of five dollars per day each during their said employment, and also for such even numbered years he shall appoint such deputies in the county as are necessary for the purpose of registering the electors, such deputies to receive five cents for each elector legally registered by them. The county clerk shall pay into the county treasury at the close of each month all fees received by him as county clerk during the month, accompanied by a statement of the sources from whence received

2 The sheriff, six thousand dollars per annum; he shall have an under sheriff at a salary of two thousand four hundred dollars per annum; one deputy at a salary of two thousand four hundred dollars per annum and five deputies at a salary of two thousand dollars per annum each; eight deputies at a salary of one thousand eight hundred dollars per annum each, one Bertillon deputy who shall have charge of the records made under the Bertillon system and who shall act as a photographer and who shall receive a salary of two thousand dollars per annum; two stenographers whose annual salary shall be one thousand eight hundred dollars; one clerk whose annual salary shall be one thousand two hundred dollars; a matron whose annual salary shall be one thousand five hundred dollars. The sheriff shall pay into the county treasury all sums received by him for service of process.

3. The recorder, four thousand dollars per annum; one deputy at a salary of two thousand four hundred dollars per annum; one deputy at a salary of two thousand one hundred dollars per annum; six deputies at a salary of one thousand eight hundred dollars per annum each.

The recorder shall have such copyists as are necessary to perform the duties of the office at a compensation of seven cents per folio; *provided, however*, that all instruments that are partly written or typewritten and partly printed, and for the recording of which the county has furnished the county recorder with books containing printed forms corresponding to such instrument, the compensation shall be three and one-half cents per folio for the entire number of folios of written and printed matter in said instrument.

4. The auditor, four thousand dollars per annum he shall have one deputy at a salary of two thousand four hundred dollars per annum; two deputies at a salary of two thousand one hundred dollars per annum each, one deputy at a salary of one thousand eight hundred dollars per annum; and eight deputies for not to exceed one hundred twenty days in each year at a salary of five dollars per day each, who shall make segregation of road district values and perform such other services as are required by law.

5. The treasurer, four thousand dollars per annum; he shall have one deputy at a salary of two thousand four hundred fifty dollars per annum; one deputy at a salary of two thousand one hundred fifty dollars per annum, two deputies at a salary of one thousand eight hundred fifty dollars per annum each.

6. The tax collector, four thousand dollars per annum; he shall have one deputy at a salary of two thousand four hundred dollars per annum; one deputy at a salary of two thousand one hundred dollars per annum; one deputy at a salary of two thousand dollars per annum, five deputies at a salary of one thousand eight hundred dollars each per annum, and eighteen additional deputies for not exceeding three months in each year at a salary of five dollars per day each; and six additional deputies for not exceeding two months in each year at a salary of five dollars per day each. The tax collector shall be allowed the actual and necessary expenses required by him in the performance of his official duties as license collector of Fresno county.

7. The assessor, five thousand dollars per annum; he shall have one deputy at a salary of two thousand four hundred dollars per annum; one deputy at a salary of two thousand one hundred dollars per annum, five deputies at a salary of one thousand eight hundred dollars each per annum, ten deputies for a period not to exceed six months at a salary of five dollars per day each, and four deputies for a period not to exceed four months at a salary of seven dollars and fifty cents per day each, twenty-nine deputies for a period not to exceed three months at a salary of seven dollars and fifty cents per day each, all sums collected by the assessor or his deputies as personal property taxes shall be paid into the county treasury monthly as collected with a statement of account of each collection.

8. In counties of this class grand and trial jurors shall receive three dollars per day each while engaged in the performance of the duties required by them, and in addition thereto shall receive the mileage now allowed by law.

9. The district attorney, six thousand dollars per annum, he shall have one assistant at a salary of four thousand five hundred dollars per annum, one deputy at a salary of four thousand two hundred dollars per annum, one deputy at a salary of three thousand nine hundred dollars per annum; one deputy at a salary of three thousand six hundred dollars per annum, one deputy at a salary of three thousand dollars per annum, and two deputies at a salary of two thousand four hundred dollars per annum each. A detective at a salary of two thousand four hundred dollars per annum, one stenographer at a salary of one thousand eight hundred dollars per annum, and one stenographer at a salary of one thousand six hundred eighty dollars per annum; and one stenographer at a salary of one thousand five hundred dollars per annum.

Neither of these stenographers shall receive other compensation by reason of services as stenographic reporter in any action or proceeding wherein the fee or per diem of the stenographic reporter constitutes a charge against the county.

The district attorney and his deputies shall devote their entire time during office hours to the work of the county and State and are prohibited from engaging in private work within such office hours. It is understood that this provision relative to private work does not affect the district attorney until his salary is six thousand dollars per annum.

10. The coroner, such fees as are now or may hereafter be allowed by law.

11. The public administrator, such fees as are now or may hereafter be allowed by law.

12. The superintendent of schools, four thousand dollars per annum; he shall have one deputy at a salary of two thousand seven hundred dollars per annum, three deputies at a salary of two thousand four hundred dollars each per annum, one deputy at a salary of two thousand one hundred dollars per annum; two deputies at a salary of one thousand eight hundred dollars per annum each and two deputies at a salary of one thousand five hundred dollars per annum each. One of the deputies is to act as an attendance officer for the schools of Fresno whose duties shall be to enforce the laws in regard to compulsory attendance of pupils and who shall perform such other duties in connection with school work as the county superintendent may direct. The superintendent and his supervising assistants and attendance officers shall be allowed their actual traveling expenses incurred while visiting the schools of the county.

13. The surveyor, four thousand dollars per annum in full compensation for all services as county surveyor and as road overseer and inspector. He shall have one deputy at a salary of two thousand four hundred dollars per annum, one deputy at a salary of two thousand one hundred dollars per annum, and one deputy at a salary of one thousand eight hundred dollars per annum.

13. The county surveyor shall be allowed all necessary traveling and field expenses of himself and chainmen or other necessary help in the field. In addition, the county surveyor shall be allowed to employ all necessary inspectors and field or office help needed in the preparation of plans, specifications or surveys preliminary to the submission to the qualified voters of a county of this class of a proposition to issue bonds under the provisions of section four thousand eighty-eight of the Political Code for the construction of roads, bridges or highways; *provided, however*, that before employing such inspectors or field or office help, the surveyors shall first obtain the consent of the board of supervisors to such employment; *provided, however*, that the term of employment of such inspectors or field or office help shall cease at the completion of such preliminary work hereinabove provided for. The salaries and expenses of such inspectors or field or office help shall be paid out of the county general fund upon proper claims presented therefor to the board of supervisors. In any county of this class, where bonds have been or shall hereafter be issued under the provisions of section four thousand eighty-eight of the Political Code, for the construction of roads, bridges or highways, the county surveyor may, at any time during the planning, laying out or construction of such roads, bridges or highways, employ all necessary inspectors and field or office help to assist him in planning, laying out or constructing such roads, bridges and highways; *provided, however*, that before employing such inspectors and field or office help, the surveyor shall first obtain the consent of the board of supervisors to such employment. Inspectors and field or office help shall not be employed longer than necessary to actually com-

plete the roads, bridges or highways paid for out of funds created by such bond issue. There shall also be allowed to such surveyor, from and after the issue of bonds provided in said section four thousand eighty-eight, an additional deputy at a salary of three thousand six hundred dollars per annum, whose duties shall be limited to operations contemplated under such bond issue, and whose term of employment shall cease at the completion of such operation, *provided, however*, that before employing such additional deputy the surveyor shall first obtain the consent of the board of supervisors for such employment. The salaries of all such persons employed as inspectors or field or office help shall be prescribed by the board of supervisors, and all such salaries, together with the field expense of all such inspectors or field or office help, as well as the salary of said additional deputy, shall be paid out of the fund created by such issue of bonds, upon proper demands therefor presented to the board of supervisors. The surveyor and his deputies shall devote their entire time and service to the work of the county, and are prohibited from engaging in private surveying and engineering work, and shall do all surveying and engineering work for the county, including the preparation of plans and specifications for the construction of bridges.

14. The registered population of the several judicial townships of this county is hereby determined to be the registered votes as shown by the great register of the county in the office of the county clerk January 1, 1923, as follows, to wit:

Township No. 1, Dos Palos	1,351
Township No. 2, Clovis	3,282
Township No. 3, Fresno	23,700
Township No. 4, Fowler	1,568
Township No. 5, Selma	2,751
Township No. 6, Coalinga	2,811
Township No. 7, Sanger	1,907
Township No. 8, Reedley	2,486
Township No. 9, Kingsburg	1,296
Township No. 10, Tollhouse	2,060
Township No. 11, Kerman	1,586
Township No. 12, Dunlap	271
Township No. 13, Laton	591
Township No. 14, Parlier	737
Township No. 15, Riverdale	779
Township No. 16, Del Rey	315
Township No. 17, Caruthers	1,171

And for the purpose of regulating the compensation of the constables and justices of the peace, townships of this class of counties are hereby classified as follows: Townships having a registered voting population of ten thousand and more shall belong to and be known as townships of the first class; townships having a like population of one thousand four hundred fifty and less than ten thousand shall belong to and be known as townships of the second class; townships having a like population of six hundred and less than one thousand four hundred fifty shall belong to and be known as townships of the third class; townships having a like population of less than six hundred shall belong to and be known as townships of the fourth class.

15. Justices of the peace in townships of the first class shall receive a salary of two hundred fifty dollars per month to be paid each month as the county officers are paid.

For each justice's court in townships of the first class there shall be one justice's clerk, who shall be appointed by the justice of the peace. Said clerk shall be appointed immediately on this act taking effect and shall take the oath of office prescribed for county officers, and give a bond in the sum of three thousand dollars, conditioned upon and for the faithful discharge of the duties of the office, which bond shall be approved and filed in the same manner as are bonds of county officers.

Said justice's clerk shall be authorized to administer all oaths, take and serve affidavits, and shall be authorized to issue and sign writs, summons and all other processes in any action or proceeding in the justice's court of the township for which he is appointed or pending before any justice of the peace in said township, in the name of the justice before whom the same is pending, or out of whose court the same is issued, which shall be in substantially the following form:

"_____
Justice of the Peace.

Attest _____
Clerk."

All legal papers of every kind in actions or proceedings in such justice's court shall be issued by the said justice's clerk in the manner and form hereinbefore set out. The said justice's clerk shall issue, sign and certify to any and all papers, transcripts or records which are required to be issued, signed or certified by said justice of the peace. All complaints, answers and other pleadings and papers required to be filed in the said justice's court, shall be filed with such justice's clerk, who shall keep a permanent record of such actions and proceedings in the justice's docket, now provided by law to be kept by such justice. Said clerk shall keep a

record of the proceedings of said court and shall have the custody of all records and papers of the same

All fees for the issuance of process, or other fees, which are by law allowed for any official service of the justice of the peace, shall be exacted and paid in advance into the hands of the justice's clerk which, together with all fees, fines, forfeitures or penalties received in said justice's court, shall be paid into the county treasury.

Said justice's clerk shall render each month to the county auditor and county treasurer an exact account, under oath, of all fines forfeitures and penalties and fees received by him or collected by said court Said justice's clerk shall receive a salary of one thousand five hundred dollars per year, which shall be payable in like manner and out of the same funds and at such times as county officers are paid.

In the event that the board of supervisors do provide, by order, that two justice's courts be established in any township of the first class, then and in such an event the justice of said additional court shall be entitled to and shall appoint a clerk for said additional court which said clerk shall be vested with the same authority and charged with the same duties and entitled to the same compensation as the clerk of the justice's court hereinbefore provided for

The board of supervisors shall provide, in a convenient locality, a suitable office and court room, including all necessary office furniture, telephone, light, heat and water and all necessary stationery and office supplies for the justices and clerks thereof for all justice's courts in and for townships of the first and second class

Justices of the peace and persons now performing the duties of justices of the peace shall receive the following monthly salaries to be paid each month as the county officers are paid and the same shall be in full compensation for all their services rendered and shall include their office rent except as heretofore provided for justices of the first and second class, to wit

In townships of the second class	$100
In townships of the third class	90
In townships of the fourth class	75

For each justice's court in townships other than the first class, there shall be one justice's clerk, who shall be appointed by the justice of the peace; *provided*, that the total number of cases, civil and criminal, filed in said court during the calendar year preceding such an appointment be six hundred fifty. Said clerk shall be appointed immediately on this act taking effect and shall have same qualifications, authority and duties as prescribed for clerks of justice's courts of the first class. Said justice's clerk shall receive a salary of one thousand five hundred dollars per year, which shall be payable in like manner and out of the same funds and at such times as county officers are paid On the first day of each calendar year, the justice of each court, entitled to a clerk under this provision shall file with the county clerk a certified list of all cases filed in his court for the preceding calendar year, giving titles of same.

Justices of the peace shall pay to the county treasurer once a month all fees and fines collected by them and shall be responsible for the collection and payment to the county treasurer of all such fees and fines as herein provided.

16 Constables shall receive the following monthly salaries to be paid each month as the county officers are paid and to be in full compensation for all services rendered by them in criminal cases, to wit:

In townships of the first class	$125
In townships of the second class	100
In townships of the third class	90
In townships of the fourth class	75

In addition to the monthly salaries above provided each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services rendered by him in civil cases, and shall also be allowed all necessary expenses actually incurred in arresting and conveying prisoners to court or prison, which expenses shall be audited by the board of supervisors and paid out of the county treasury, *provided, further*, that when a constable is required to go out of the county to serve a warrant of arrest or any other paper in a criminal case, he shall be allowed mileage in going and returning outside of the county at the rate of five cents per mile.

17 The county traffic officer, two thousand four hundred dollars per annum *Provided* that in counties of this class there shall be and there is hereby allowed to the county traffic officer one secretary which office is hereby created at a salary of one thousand eight hundred dollars per annum, one assistant which office is hereby created at a salary of two thousand forty dollars per annum, one deputy traffic officer which office is hereby created at a salary of one thousand nine hundred twenty dollars per annum and nine deputy traffic officers which offices are hereby created at a salary of one thousand eight hundred dollars per annum each; said secretary, assistant and deputies shall be appointed by said county traffic officer and shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles, *provided, however* that for each mile necessarily traveled in carrying out the duties of his office said county traffic officer, his said assistant, secretary

and each of said deputies shall receive the sum of three cents. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law.

18. The supervisors shall receive each the sum of four thousand eight hundred dollars per annum, payable monthly in installments of four hundred dollars per month, in full compensation for all services rendered, either as supervisors or road overseers. The supervisors shall devote their entire time to the work of the county.

19. The salaries of all county and township officers and their deputies shall be payable in installments monthly on the first day of each month.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments, and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 287—An act to amend section 361*a* of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 6, line 47, of the printed bill, after the word, "space", insert the following "which certificate the commission may grant or deny with or without a hearing at its discretion; *provided, however*, that any warehouseman may, without securing such certificate, extend or increase his storage or warehouse floor space for the sole and exclusive purpose of storing therein the goods, wares and merchandise owned by the lessor or owner of the building or premises in which the additional or increased storage or warehouse floor space is situated, *and provided further*, that any common carrier defined in subdivision (1) hereof may engage in the business of warehouseman solely as an adjunct to, and in connection with its business as a common carrier without first securing such certificate of public convenience and necessity".

AMENDMENT NUMBER TWO.

On page 5, line 20, of the printed bill, after the word, "is", insert the following "regularly".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 40—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, as amended, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, providing for the care and disposition of moneys in their hands, providing for their removal and tenure of office, and providing for additional deputy clerks for said courts.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 862—An act to amend section 626c of the Penal Code, relating to protection of deer—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 862?

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, as amended April 6, strike out the words "either side" and insert in lieu thereof the words "both sides".

The roll was called, and Senate amendment to Assembly Bill No. 862 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, McMillan, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as

amended by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1323?

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, after the word "shall" strike out the comma.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, insert a comma after the word "be".

AMENDMENT NUMBER THREE.

On page 3, line 7, of the printed bill, after the word "territory" strike out the period and in lieu thereof insert a comma.

AMENDMENT NUMBER FOUR.

On page 3, line 7, of the printed bill, strike out the letter capital "T" of the word "The" and insert in lieu thereof a small "t".

AMENDMENT NUMBER FIVE.

On page 3, line 18, of the printed bill, after the word "board" insert the words "of supervisors".

AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, strike out the comma following the word "shall".

The roll was called, and Senate amendments to Assembly Bill No. 1323 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Connelly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Remdollar, Roberts, Rosenshine, Saylor, Schmidt, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof.

Bill read third time.

MOTION TO RE-REFER.

Mr. Cleveland moved that Assembly Bill No. 159 be re-referred to Committee on Agriculture.

REQUEST FOR ROLL CALL.

On request of Mrs. Woodbridge, Mr. Cleveland, Mrs. Dorris, Miss Broughton and Mr. Rock, the Speaker ordered a roll call taken on the motion to re-refer.

The question being on the motion to re-refer.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Badham, Baker, C. C., Christian, Cleveland, Connolly, Dozier, Graves, McDowell, McPherson, and Moore—10.

NOES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnson, Johnston, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Snyder, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED THIRTY-FOUR.

Assembly Bill No. 534—An act to amend section 1609 of the Political Code, relating to duties of boards of school trustees and city boards of education.

Bill read third time.

MOTION.

Mr. Rosenshine moved that the hour of recess be extended until the matter under consideration had been disposed of.

Motion carried

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 534 refused passage by the following vote:

AYES—Baker, C. C., Christian, Clarke, Cleary, Cleveland, Connolly, Dozier, Duval, Heisinger, Jones, Kline, McMillan, Moore, and Stow—14.

NOES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Carter, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

EXPLANATION OF FAILURE TO VOTE.

The following explanation of failure to vote was received, read, and ordered printed in the Journal:

I was detained in my office at the time the vote was taken on Assembly Bill No. 534. I had previously informed Mr. Eksward, who was handling the opposition to this bill on the floor, where I could be located. Had I been present I would have voted against the passage of this bill.

WEST.

RECESS.

At twelve o'clock and eight minutes p.m., on motion of Mr. Bernard, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Waestman reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

STOW, Chairman.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Senate Bill No. 531—An act to amend section 27 of the "Workmen's Compensation Insurance and Safety Act of 1917", as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BURNS, Chairman
HORNBLOWER.
WEST.
DORRIS.
DEAN.
MORRISON.
HAWES.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9 and 10 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

STOW, Chairman.
DUVAL.
McMILLAN.
BAKER, C. C.
CLEARY.
NOYES.
CLEVELAND.
CLARKE.
JOHNSON.
FOSTER.
WILLIAMS.
FULWIDER.
PRENDERGAST.
BALL.
BERNARD.
BROUGHTON
WOODBRIDGE.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California:

Also: Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

DAVIS, Chairman.

The above reported joint resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Pedrotti asked for and was granted unanimous consent to take up Senate Bill No. 41, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FORTY-ONE.

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Pedrotti moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the words "or more".

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, strike out the word "such".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the word "township" and insert in lieu thereof the word "county".

AMENDMENT NUMBER FOUR

On page 2, line 9, of the printed bill, strike out the word "township" and in lieu thereof insert the word "county".

AMENDMENT NUMBER FIVE.

On page 2, line 32, of the printed bill, strike out the word "is" and in lieu thereof insert the word "be".

AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, strike out the word "warrant" and insert in lieu thereof the word "warrants".

AMENDMENT NUMBER SEVEN.

On page 2, line 34, of the printed bill, after the word "of" insert the word "any".

Motion carried.

The Speaker appointed Mr. Pedrotti as such Select Committee:

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 41, with instructions, reports that the instructions of the Assembly have been carried out.

PEDROTTI, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wright asked for and was granted unanimous consent to take up Senate Bill No. 9, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER NINE.

Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Wright moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the amended bill, strike out the word "recorded" and insert in lieu thereof the word "transcribed".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the amended bill, strike out the word "record" and insert in lieu thereof the word "transcribe".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the amended bill, strike out the word "recording" and insert in lieu thereof the word "transcribing".

AMENDMENT NUMBER SIX.

On page 1, line 26, of the amended bill, strike out the word "unrecorded" and insert in lieu thereof the word "untranscribed".

Motion carried.

The Speaker appointed Mr. Wright as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 9, with instructions, reports that the instructions of the Assembly have been carried out.

WRIGHT, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California to amend the constitution of the State of California by adding to article VI thereof a new section to be numbered 26, relative to the continuation in service of retired justices of the Supreme Court, justices of the district court of appeal and judges of the superior court of the State of California—

has had the same under consideration and respectfully reports the same back, and recommends that it be re-referred to Committee on Ways and Means.

MITCHELL, A. G., Chairman.

The above reported Constitutional Amendment ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California to amend section 36, article IV of the constitution of said State, relating to State highways; bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the Judicial Department, and providing for the establishment of municipal courts—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof, relating to the compensation of city, county, town or municipal officers—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

MITCHELL, A. G., Chairman.

The above reported constitutional amendment ordered on file for adoption.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 323 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carlson, Carter, Christian, Clarke, Crittenden, Donohue, Duval, Emme, Fellom, Foster, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDERS.

The hour of two o'clock p.m. having arrived, the special orders heretofore set for this hour were taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-SIX.

Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure, relating to decision upon trial by court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 166 passed by the following vote:

AYES—Anderson, Baker, C. C., Broughton, Burns, Carlson, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Erb, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—44.

NOES—Baker, Edwin; Carter, Cleveland, Dawson, Dozier, Eksward, Mitchell, A. G., Noyes, Pomeroy, Scott, and Mr. Speaker—11.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-SEVEN.

Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure, relating to special decisions of the court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 167 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—Baker, Edwin; Cleveland, Dawson, and Mitchell, A. G.—4.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTY.

Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure, relating to vacation of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 170 passed by the following vote:

AYES—Anderson, Badaracco, Ball, Burns, Carlson, Clarke, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Erb, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Jones, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTY-ONE.

Assembly Bill No. 171—An act to amend section 633*a* of the Code of Civil Procedure, relating to notice of intention to vacate judgment and the granting of new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 171 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Croter, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-EIGHT.

Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure, relating to entry of judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 168 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C C, Ball, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T A., Moore, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTY-NINE.

Assembly Bill No. 169—An act to repeal section 634 of the Code of Civil Procedure, relating to waiver of findings of fact.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 169 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker C. C, Broughton, Burns, Carlson, Clarke, Cleary, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan McPherson, Miller, Mitchell, T A., Moore, Morris, Mueller, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and

approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Cleveland moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4, line 22, of the printed amended bill, after the word "contract" add the following, "which are hereby defined to be such a contract where the contractor takes for his labor a part of the crop in kind".

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 159 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Cleveland gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 159 was this day passed.

ASSISTANT CLERK POWERS READING.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 1, 1923

To the Assembly of the State of California.

Assembly Bill No. 58 is returned herewith without my approval.

In preparing this bill provision for salaries of justices of the peace in cities of the third class was omitted, and should it become a law there would be no means of paying these salaries. The author has requested the bill returned unsigned.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hornblower—1.

NOES—Anderson, Badham, Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 1, 1923.

To the Assembly of the State of California

Assembly Bill No. 57 is returned herewith without my approval.

The veto of Assembly Bill No. 58 makes this bill unnecessary

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 1, 1923.

To the Assembly of the State of California

Assembly Bill No. 137 is returned herewith without my approval.

The State Highway Commission advises me that the legislatures of the various states are without authority to declare any road in the seven per cent system of the federal government and that this bill if it became a law would be null and void.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badham—1.

NOES—Anderson, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Moore, Morris, Morrison, Mueller, Pedrotti, Saylor, Schmidt, Scott, Smith, Spence, Stevenot, Stow, West, Whitacre, Wright, and Mr. Speaker—48.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 1, 1923.

To the Assembly of the State of California

Assembly Bill No. 247 is returned herewith without my approval.

In line 9 of the title the word "chiropody" is used by mistake instead of the word "osteopathy". The Legislative Counsel Bureau advises me that this invalidates the bill. This bill increases the qualifications required for chiropody. It seems to me the present law requires ample qualifications.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Burns, Fellom, Hornblower, Morrison, Reindollar, Schmidt, Scott, and Stevenot—8.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Mitchell, T. A., Moore, Morris, Mueller, Pedrotti, Prendergast, Saylor, Snyder, Spalding, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 1, 1923.

To the Assembly of the State of California.

Assembly Bill No. 272 is returned herewith without my approval.

This bill provides for the annual observance in the public schools and educational institutions of Gold Discovery Day on January 24th. This would require private as well as public schools and universities, colleges, business colleges and theological institutes to observe this day. This would result in a waste of time on the part of thousands of students in the higher institutes of learning.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Cleary, Crittenden, Dean, Emme, Erb, Heisinger, Lyman, Mitchell, T. A., Mueller, Schmidt, Stevenot, West, Whitacre, Woodbridge, and Wright—17.

NOES—Baker, C. C., Ball, Bromley, Broughton, Christian, Clarke, Cleveland, Connolly, Coombs, Dawson, Donohue, Dozier, Fellom, Foster, Fulwider, Graves, Johnson, Kline, Mathews, McPherson, Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Snyder, Spalding, Williams, and Mr. Speaker—30.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 2, 1923.

To the Assembly of the State of California

Assembly Bill No. 1160 is herewith returned without my approval.

This bill repeals section 1511*b* of the Penal Code, which requires a coroner's jury to view and examine the body of the deceased person under inquest. It seems to me that if this requirement is dispensed with, the main purpose of a coroner's inquest is defeated. Witnesses might testify in large numbers that a man had succumbed to apoplexy or heart trouble who had actually been shot or beaten to death. The purpose of a personal inspection by the jury is to satisfy them beyond a doubt of the cause of death. Whatever inconvenience may be suffered by the coroner or his jury in traveling to the place where a body may be, it seems to me, is compensated by the certainty which it is the purpose of the statute as now written to establish.

This section of the code should not be repealed, for as the law now stands a coroner's jury must "view" the dead body. This feature of the law has continued under English law, and generally in the states of the union, from time immemorial, and in some cases would lead to a hiding of crime in homicide cases if it were dispensed with.

There is a protest from the district attorneys against this bill.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Anderson, Carlson, Cleary, Croter, Dozier, Emme, Fellom, Foster, Lyman, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spence, Williams, and Wright—19.

NOES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Erb, Fulwider, Graves, Heisinger, Hornblower, Johnston, Kline, Lyons, Mathews, McDowell, McPherson, Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Scott, Snyder, Spalding, Weller, Whitacre, and Mr. Speaker—40.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 2, 1923.

To the Assembly of the State of California.

Assembly Bill No. 1162 is herewith returned without my approval.

This bill is a companion of Assembly Bill No. 1160 and is subject to the same objections.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Reindollar—1.

NOES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Coombs, Crofer, Dawson, Dean, Donohue, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McPherson, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—44.

RECESS.

At four o'clock and seven minutes p.m., on motion of Mr. McPherson, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Emme: An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

By Mr. Morris: An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency, regulating the disposition of such moneys, providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof, and repealing all acts and parts of acts in conflict herewith.

By Mr. Erb: An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of second-hand boxes for packing such pastes, prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes, vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof; and providing for the time this act shall go into effect.

By Mr. Dozier: An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe punishment for violation hereof.

By Mr. Morris: An act authorizing and providing for the abandonment and disposal of cemeteries and cemetery lands, or parts of either in incorporated cities, cities and counties or towns having a population of not less than 100,000 persons by cemetery corporations, associations, corporations sole or other persons owning or controlling such cemeteries, and authorizing and providing for the removal of the human remains therefrom and the reinterment of such remains or the depositing of the same in a mausoleum or columbarium, and repealing all acts in conflict therewith.

By Mrs. Dorris: An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veteran's farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits.

Also: An act to provide for the deposit of proceeds from the sale of bonds issued for the benefit of the veteran's welfare fund for land settlement under the Veteran's Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits.

By Mr. Prendergast: An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oilshale, gas and sodium on the public domain" and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, by amending section 2 thereof, and by adding thereto a new section to be numbered 4.

By Mr. Crittenden: An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

By Messrs. Schmidt and Pedrotti: An act authorizing the use of convict labor on State highways or State roads, providing for the compensation of such convict labor, regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation, providing for creation of prisoners recreation and educational fund, providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance for extra good time credits for such labor, providing penalties for interference with such convict labor and repealing all acts or parts of act in conflict herewith.

By Mr. Mueller: An act to amend section 3766 of the Political Code, relating to publication of delinquent tax list.

By Mr. Wright: An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

FOX, Chairman.

Mr. Fox moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Emme: Assembly Bill No. 1357—An act to amend section 1608 of the Political Code relating to the powers of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Morris: Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency, regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Erb: Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of second-hand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes; vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof; and providing for the time this act shall go into effect.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Dozier: Assembly Bill No 1360—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe punishment for violation hereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Morris: Assembly Bill No. 1361—An act authorizing the Board of Supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other persons governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein.

Bill read first time, and referred to Committee on Judiciary.

By Mrs. Dorris Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veteran's farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the state officers in relation thereto, and appropriating the interest received and to be received on said deposits.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Also: Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued for the benefit of the veteran's welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921, prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Prendergast: Assembly Bill No. 1364—An act to amend an act entitled "An act to accept the provisions and benefits of an act

passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain," and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921 by amending section 2 thereof, and by adding thereto a new section to be numbered 4.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Crittenden: Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code, to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Elections.

By Messrs. Schmidt and Pedrotti: Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance for extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Mueller: Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to publication of delinquent tax list.

Bill read first time, and referred to Committee on Revision and Printing.

By Mr. Wright: Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyance referring to such maps.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 497—An act to amend section 4242 of the Political Code, re-

lating to the salaries, fees, and expenses of officers in counties of the thirteenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
LYMAN.
CROTER
STEVENOT.
WHITACRE.
McDOWELL.
NOYES
JOHNSON.
PRENDERGAST.
DOZIER.
CLEARY.
DAVIS.
HEISINGER.

The above reported bill ordered on file for second reading.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and industrial relations to act as an investigator and conciliator of industrial controversies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

BURNS, Chairman.
WILLIAMS.
FOSTER
WELLER.
PRENDERGAST.
DORRIS.
HAWES.
DEAN.
MATHEWS.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1356—An act to amend section 197 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, providing for the punishment of those guilty of offenses with reference to such persons; and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SMITH, Chairman.
CROTER.
DAVIS.
STEVENOT
HEISINGER.
NOYES
CLEARY.
JOHNSON.
BAKER, C. C.
CHRISTIAN.
DOZIER

The above reported bill ordered on file for second reading

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1283—An act to amend the title and an act entitled "An act making an appropriation for the survey, location and construction of a highway between Susanville in Lassen County and a point on the line between California and Nevada, approximately two miles east of Constantia in said county," approved June 1, 1917—has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

CONNOLLY, Chairman.
STEVENOT
WOODBRIDGE
WRIGHT.
HEISINGER.
McPHERSON
REINDOLLAR.
FELLOM.
SCOTT.
CLARKE
COOMBS
MUELLER

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended, and be re-referred to Committee on Constitutional Amendments.

COOMBS, Chairman.

The above reported constitutional amendment ordered re-referred to Committee on Constitutional Amendments

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

CONNOLLY, Chairman.
HEISINGER.
FELLOM.
WRIGHT.
MUELLER.
McPHERSON.
DONOHUE.
REINDOLLAR.
CLARKE.
WOODBRIDGE.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities, and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and

the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof", and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DOZIER, Chairman.

The above reported bill ordered on file for second reading

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

J. A BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

Senate Bill No. 84 read first time, and referred to Committee on Public Utilities.

Also:

SENATE CHAMBER SACRAMENTO, May 2, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes, and providing for the government of such district.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes;

Also Assembly Bill No 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances;

Also: Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, April 23, 1923, Tuesday, April 24, 1923; Wednesday, April 25, 1923; Thursday, April 26, 1923; Friday, April 27, 1923, and Saturday, April 28, 1923, be approved as corrected by the minute clerk.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Graves asked for and was granted unanimous consent to take up Senate Bill No. 405, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIVE

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Graves moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill as amended April 27, strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended April 27, strike out that part of line 10 following the period, and strike out all of lines 11 to 14, inclusive.

Motion carried.

The Speaker appointed Mr. Graves as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 405, with instructions, reports that the instructions of the Assembly have been carried out.

GRAVES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Assembly Bill No. 1343, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FORTY-THREE.

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, strike out the word "which" and in lieu thereof insert the word "why".

AMENDMENT NUMBER TWO.

On page 3, line 22, of the printed bill, strike out the second word "election" in said line and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THREE.

On page 5, line 46, of the printed bill, strike out the word "commission" and in lieu thereof insert the word "board".

AMENDMENT NUMBER FOUR.

On page 6, line 4, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "board".

AMENDMENT NUMBER FIVE

On page 6, line 36, of the printed bill, after the word "district" insert the words "is situated".

AMENDMENT NUMBER SIX.

On page 10, lines 22 and 23, of the printed bill, strike out the words "in a newspaper published in each of the counties comprising the district" and insert in lieu thereof the following "once a week for two weeks in a newspaper published in the district, or if none is published therein, then in a newspaper published at the county seat of the county in which the district is situated"

AMENDMENT NUMBER SEVEN.

On page 13, line 38, of the printed bill, strike out the word "person" and insert in lieu thereof the word "purchaser".

AMENDMENT NUMBER EIGHT.

On page 14, line 24, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following "*provided, however*, that no such deed shall divest the lien of any state, county or municipal tax or of any assessment or tax levied or assessed by statutory authority."

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1343, with instructions, reports that the instructions of the Assembly have been carried out.

DONOHUE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Donohue asked for and was granted unanimous consent to take up Assembly Bill No. 853, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED FIFTY-THREE.

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill as amended April 27, 1923, strike out the word "thirtieth" and insert in lieu thereof the word "thirty-first".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill as amended April 27, 1923, strike out the word "June" and insert in lieu thereof the word "March".

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 853, with instructions, reports that the instructions of the Assembly have been carried out.

DONOHUE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dean asked for and was granted unanimous consent to take up Senate Bill No. 176, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SEVENTY-SIX.

Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Dean moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 5, line 31, of the printed bill, strike out the words "four hundred" and insert in lieu thereof the words "two thousand".

Motion carried.

The Speaker appointed Mr. Dean as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 176, with instructions, reports that the instructions of the Assembly have been carried out.

DEAN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

The following requests for permission to introduce bills were presented.

By Mr. McMillan:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An act to add a new section to the Political Code to be numbered 1608*a*, relative to school districts.

Referred to Committee on Introduction of Bills.

By Mr. Reindollar:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.

Referred to Committee on Introduction of Bills.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleveland asked for and was granted unanimous consent to take up Assembly Bill No. 176, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTY-SIX.

Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Cleveland moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

After the word "appoint" strike out the period and insert a semicolon and add the following: "*Provided*, that the provisions of this act shall not apply to the organization of the said board or commission."

Motion carried.

The Speaker appointed Mr. Cleveland as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 176, with instructions, reports that the instructions of the Assembly have been carried out.

CLEVELAND, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Foster asked for and was granted unanimous consent to take up Assembly Bill No. 1274, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SEVENTY-FOUR

Assembly Bill No. 1274—An act to regulate, restrict and prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries; declaring such wells to be public nuisances and providing for the abatement of the same.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Foster moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, both inclusive, of the title of the printed bill, and in lieu thereof insert the following:

"An act to add three new sections to the Penal Code to be numbered three hundred sixty-nine *h*, three hundred sixty-nine *i* and three hundred sixty-nine *j* prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydro-carbon substance in certain localities and prohibiting the operation and maintenance of any well so located."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out lines 1 to 9, both inclusive, and in lieu thereof insert the following:

"SECTION 1 A new section is hereby added to the Penal Code to be numbered three hundred sixty-nine *h* and to read as follows

369*h*. Any person who drills, digs or otherwise sinks or permits or causes any other person to drill, dig or otherwise sink, any well for oil, gas or other hydro-carbon substance upon or into any land within fifty feet of the center line of any track of any railroad, is guilty of a misdemeanor.

SEC. 2. A new section is hereby added to the Penal Code to be numbered three hundred sixty-nine *i* and to read as follows:

369*i*. Any person who operates or maintains, or takes oil, gas or any other hydro-carbon substance from, or permits or causes any other person to operate or maintain, or take oil, gas, or any other hydro-carbon substance from any well, producing oil, gas or other hydro-carbon substance, upon or in any land within fifty feet of the center line of any track of any railroad, is guilty of a misdemeanor

SEC. 3 A new section is hereby added to the Penal Code to be numbered three hundred sixty-nine *j* and to read as follows:

369*j*. It shall be unlawful hereafter to drill any well for the production of oil or any other hydro-carbon product, within any hospital grounds, or any site selected or agreed upon for hospital erection, nor within five hundred feet of the exterior boundary thereof, located within the corporate limits of any city containing over fifty thousand population, and any person so doing shall be guilty of a misdemeanor."

Motion carried.

The Speaker appointed Mr. Foster as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1274, with instructions, reports that the instructions of the Assembly have been carried out.

FOSTER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Prendergast asked for and was granted unanimous consent to take up Assembly Bill No. 841, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED FORTY-ONE.

Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Prendergast moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out all of the bill following the word "defraud" and insert in lieu thereof the words "such employer or prospective employer out of the cost or value of such transportation so advanced together with such pecuniary advancements is guilty of a misdemeanor."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "It shall be unlawful for an", and insert in lieu thereof the word "An".

Motion carried.

The Speaker appointed Mr. Prendergast as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 841, with instructions, reports that the instructions of the Assembly have been carried out.

PRENDERGAST, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—and respectfully requests your honorable body to concur in said amendment.

J. A. BELK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 204?

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "ninety" and insert in lieu thereof the word "thirty".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and forty-four minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, Edwin, Ball, Coombs, Dawson, Dean, Donohue, Dorris, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, McMillan, McPherson, Miller, Noyes, Pedrotti, Prendergast, Reindollar, Saylor, Schmidt, Smith, Spalding, Stevenot, Williams, Woodbridge, Wright, and Mr. Speaker—33.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lyman asked for and was granted unanimous consent to take up Senate Bill No. 580, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED EIGHTY.

Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 12 of the printed bill as amended March 30, 1923, after the word "performed" insert a comma and the following "or if any such reclamation, irrigation or other district maintains an office then in the office of his own such district instead of the office of the county clerk.".

Motion carried.

The Speaker appointed Mr. Lyman as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Senate Bill No 580, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1122 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Broughton, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Bernard, Burns, Hornblower, and Mitchell, T. A.—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 430 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Broughton, Burns, Clarke, Cleary, Cleveland, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Kline, Mathews, McDowell, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Baker, Edwin, Carter, Christian, Coombs, Crittenden, Dawson, Dean, Dozier, Heisinger, Johnston, McMillan, and Noyes—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act to amend section 208 of the Penal Code and to add a new section to said code to be numbered 207*a*, relating to kidnapping.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 711 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person, to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 263 passed by the folowing vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Burns, Cleary, Cleveland, Crittenden, Croter, Davis, Donohue, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Badaracco, Carter, Dawson, and Dozier—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to person from whom it was taken.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 868 passed by the following vote:

AYES—Badaracco, Bernard, Burns, Carter, Christian, Connolly, Coombs, Croter, Dawson, Donohue, Dorris, Dozier, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Rosenshine, Schmidt, Scott, Smith, Spence, Stevenot, Stow, West, Whitacre, and Woodbridge—43.

NOES—Badham, Baker, C. C., Ball, Broughton, Clarke, Cleary, Cleveland, Crittenden, Davis, Dean, Foster, Miller, Mitchell, A. G., Pomeroy, Roberts, Saylor, Snyder, Spalding, Weller, Williams, Wright, and Mr. Speaker—22.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 868 was this day passed.

Assembly Bill No. 1112—An act to repeal section 3664*c* of the Political Code, relating to the collection of data and determination of valuations by the State Board of Equalization for purposes of taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1112 refused passage by the following vote:

AYES—Badham, Baker, Edwin, Carter, Cleveland, Connolly, Dawson, Dozier, Eksward, Foster, Fulwider, Johnston, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, and Weller—16.

NOES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Heisinger, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOTICE OF RECONSIDERATION.

Mr. Davis gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1112 was this day refused passage.

Assembly Bill No. 556—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 556 refused passage by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Burns, Coombs, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnson, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Morrison, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, Williams, Woodbridge, and Wright—33.

NOES—Anderson, Baker, C. C., Baker, Edwin, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Dawson, Dozier, Eksward, Foster, Fox, Fulwider, Lyman, Lyons, McMillan, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Roberts, Smith, Snyder, Stow, Weller, West, Whitacre, and Mr. Speaker—33.

Assembly Bill No. 420—An act to add a new section, to be numbered section 8*g*, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended, relating to reports to be made by physicians to police authorities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 420 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyons, Mathews, McDowell, McMillan, McPherson, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—56.

NOES—Weller—1.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At ten o'clock and fifteen minutes p.m., Mr. Smith moved that further proceedings under the call of the House be dispensed with.

Motion lost.

Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1124 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dozier, Emme, Foster, Fox, Fulwider, Hawes, Johnson, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 764 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Felloni, Foster, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Scott, Snyder, Spalding, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—Anderson, Badaracco, Baker, Edwin; Burns, Coombs, Croter, Dozier, Ekswaid, Emme, Fox, Graves, Hawes, Lyman, McPherson, Mitchell, A. G., Mitchell, T. A., Pomeroy, Reindollar, Rosenshine, Schmidt, Smith, Spence, West, and Williams—24.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At ten o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Badham.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 204 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Felloni, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Graves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1269 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 534 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. McPherson moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 30 was refused adoption be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At ten o'clock and forty-eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day, until nine o'clock and thirty minutes a.m., Thursday, May 3, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 3, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Ekswaid, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Christian, Mr. Fred Bebergall of San Francisco, former state adjutant of the American Legion, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs Saylor, Hon Elizabeth Hughes, a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr Baker, C. C., its further reading was dispensed with.

ASSISTANT CLERK WESTMAN READING.

PRESENTATION OF PETITIONS

The following petitions were presented and ordered printed in the Journal:

By Mr Kline:

RIVERSIDE, April 28, 1923.

Resolution unanimously adopted by congregation First Methodist Episcopal Church

WHEREAS, Senate Bill No. 417, by Senator Dennett, provides that upon request of parents or guardian, the governing board of any city or county school, or school district, may excuse their child, not exceeding two hours per week, to permit such child to attend week day schools, giving instruction by certificated teachers, in branches not taught in public schools therefore be it

Resolved, That this congregation instruct its pastor to communicate with the Senator and Assemblyman of this district, urging their support of this Senate Bill No 417. Also that individual members of this congregation write letters to their Senators and Assemblymen urging their support of this bill, also, be it further

Resolved, That this Senate Bill No 417 be amended so that such action of school boards and trustees shall be compulsory.

(Signed) L. W HOLLAND,
CHAS F. BROOKHART,
Committee.

By Mr. McPherson:

SOLANO TRIBE No 114, IMPROVED ORDER OF RED MEN
BENICIA, April 25, 1923.

Mr R B McPherson, Assemblyman.

DEAR SIR AND BROTHER WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities, be it therefore

Resolved, That this tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps to be taken to bring this urgent matter before the federal authorities of our land and petition our Great White Fathers to consider the humble appeal of Solano Tribe No 114, of Benicia, State of California, for and on behalf of the great race now fast fading away and to whom we, as citizens of this great republic, owe so much and have provided so little.

J. L. MARSHALL, Sachem.
E. P. HIGGINS, Chief of Records.

Also:

SAMOSET TRIBE No. 22, IMPROVED ORDER OF RED MEN,
VALLEJO, April 26, 1923.

WHEREAS, The American Indians of the State of California are actually suffering from a lack of the necessities of life, a lack of suitable reservations whereby they may gain a livelihood, and a lack of proper educational facilities, be it therefore

Resolved, That this tribe respectfully appeal to our State Legislature to take immediate action to relieve this deplorable condition, by causing the proper steps be taken to bring this urgent matter before the federal authorities of our land, and petition our Great White Fathers to consider the humble appeal of Samoset Tribe No 22 of Vallejo, State of California, for and on behalf of that great race now fast fading away and to whom we, as citizens of this great republic, owe so much and have provided so little.

R E. LUDFORD, Sachem
LOUIS BOSS, Chief of Records.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 732—*An act to amend section 1195a of the Political Code relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors*—has had the same under consideration and respectfully reports the same back, and recommends that it do pass.

POMEROY, Chairman.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district, providing for an election to determine whether said *district shall be organized, providing for the election of a board of trustees and the* management and control of said district by said board of trustees and defining the powers and duties of said board, authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation, providing for the levy and collection of assessments, and providing for the issuance and payment of bonds,

Also Senate Bill No. 229—An act to amend section 11 of an act entitled "An *act to regulate the use of water which is subject to such control by the State of* California, and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission, fixing the terms of office and compensation of the members of said commission, fixing the power, duties and authority of said commission and its members providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission, providing for the cooperation *of courts with said commission, providing that certain courts shall take judicial* notice of certain acts of the State Water Commission, specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act, providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or *of such portion or portions of such capacity as the public good may require, declar*ing what water may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water, declaring *the periods for which water may be appropriated and the conditions under which* water may be appropriated, providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights, specifying certain duties of the claimants possessors or users of water or water rights declar*ing water rights forfeited under certain conditions regulating the appropriation of* water, excepting cities cities and counties, municipal water districts irrigation districts and lighting districts from certain provisions of this act, defining certain words

and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional" approved June 16, 1913, as amended;
Has had the same under consideration and respectfully reports the same back, and recommends that they do pass.

WILLIAMS, Chairman.

The above reported bills ordered on file for second reading

MOTION TO RE-REFER

Mr Mathews moved that Senate Bill No 537 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

Motion carried.

Senate Bill No. 537 re-referred to Committee on Public Utilities.

REQUEST FOR UNANIMOUS CONSENT

Mr. Noyes asked for and was granted unanimous consent to take up Assembly Bill No 491, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED NINETY-ONE.

Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Noyes moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 48 of the printed bill after the word "purposes", insert the following, "including land for gravel pits and rights of way of not less than twenty feet in width for egress and ingress thereto".

AMENDMENT NUMBER TWO.

On page 3, line 8, after the word "district" add the following to Sec. 6, "provided that in case the board of supervisors shall find and determine that the best interests of the county require that such property be acquired by condemnation, they shall direct the district attorney of the county to institute suit to condemn said property for such county or public purposes"

Motion carried

The Speaker appointed Mr. Noyes as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No 491, with instructions, reports that the instructions of the Assembly have been carried out

NOYES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated:

By Mr. Pomeroy: Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California

Introduced, and referred to Committee on Oil Industries.

REPORTS OF STANDING COMMITTEE

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State;

Also Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California, to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years,

Also Assembly Bill No. 262—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class,

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class;

Also Assembly Bill No. 928—An act to provide for the establishment within counties of county park commissions and for the maintenance, powers and duties thereof,

Also Assembly Bill No 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921;

Also Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended;

Also: Assembly Bill No 1350—An act to amend section 953b of the Code of Civil Procedure relating to undertakings.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1135—An act to add a new section to the Political Code, to be numbered 4152a, relating to duties of county clerks;

Also Assembly Bill No 547—An act to amend section 19r32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care,

custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes, for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offences with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.

Also: Assembly Bill No. 679—An act to amend sections 4130 and 4131 of the Political Code, both relative to duties of county recorder;

Also: Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended,

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article III, embracing sections 365 to 365c, both inclusive, relating to the California Highway Commission.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "financed" insert the words "and the property maintained"

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, after the word "act" add a new section to be worded as follows

"SEC. 4 No liability shall be assumed by the State of California for the operation of this fair or maintenance and upkeep of its property."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 6, add the following

"1. The county clerk, four thousand, five hundred dollars per annum, *provided*, that in counties of this class, there shall be and there is hereby allowed to the county clerk the following clerks, deputies and employees, who shall be appointed by the county clerk and shall be paid salaries as follows One chief deputy at a salary of one hundred seventy-five dollars per month, two court room deputies at a salary of one hundred seventy-five dollars each per month; one office deputy at a salary of one hundred fifty dollars per month, one stenographer at a salary of one hundred twenty-five dollars per month; one copyist at a salary of one hundred dollars per month, *provided, further*, that in any year the compilation of registration of voters is required by law, or supplements to be made thereto, the county clerk shall receive as expenses for compiling such registration of voters and making supplements thereto and work incident to elections, the sum of seven and one-half cents for each name registered, to be paid upon the filing and presentation of duly verified claims therefor, by the county clerk with the board of supervisors of said county, *and provided, further*, that in any year when a registration of voters is required by law or supplements to be made thereto, the said county clerk may appoint such number of registration deputies as may be necessary for the registration of voters in their respective precincts, each of said deputies to receive the sum of ten cents per name for each elector registered by him, said registration deputies to be paid for their services on the presentation and filing with the board of supervisors of said county, a duly verified claim therefor on the general fund of said county, after proper allowance of said claim by said board of supervisors the salary of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county clerk is paid, *provided further*, that the compensation for registration of electors and compilation of the registration of voters and supplements thereto as herein provided for, shall not be paid in monthly installments but shall be paid after proper allowance of verified claims therefor by the board of supervisors of said county.

2. The sheriff, six thousand dollars per annum. All mileage for service of papers in civil actions arising either inside or outside of the county, excepting actions in which the county is interested All fees for service of papers in civil actions All expenses incurred in criminal cases and mileage in criminal cases, for each mile actually and necessarily traveled by automobile twelve and one-half cents per mile. The sum of not less than thirty-seven and one-half cents per day each shall be allowed by the board of supervisors for feeding each prisoner committed to his custody, *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff the following deputies, clerks and employees, who shall be appointed by the sheriff, and shall be paid salaries as follows one under sheriff at a salary of two hundred twenty-five dollars per month; one deputy sheriff at a salary of two hundred dollars per month, one deputy sheriff at a salary of one hundred seventy-five dollars per month, one deputy sheriff to act in criminal cases at a salary of one hundred seventy-five dollars per month, one deputy sheriff to act in criminal cases at a salary of one hundred fifty dollars per month; one deputy sheriff to act as day jailer at a salary of one hundred fifty dollars per month, one deputy sheriff to act as night jailer at a salary of one hundred fifty dollars per month, two deputy sheriffs to act as bailiffs at a salary of one hundred fifty dollars each per month, one stenographer to the sheriff at a salary of one hundred forty dollars per month, one office stenographer to the sheriff at a salary of one hundred ten dollars per month. *Provided*, that the sheriff may employ from one to five persons to act as deputy sheriffs at a salary of not to exceed five dollars per day each, when in the judgment of the sheriff such deputies are necessary; *provided, however*, that the total amount of the compensation for such additional deputies to be paid per diem shall not in any fiscal year exceed the total sum of one thousand five hundred dollars *Provided, further*, that the compensation of said last mentioned deputies shall be paid upon presented of duly verified claims filed with the board of supervisors of the said county in the same manner that other claims are filed and paid. The salaries of the deputies, clerks and employees herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid

3. The recorder, four thousand dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the recorder the following deputies, clerks and employees, who shall be appointed by the county recorder, and shall be paid salaries as follows One chief deputy, at a salary of one hundred seventy-five dollars per month; one deputy at a salary of one hundred fifty dollars per month; two index clerks at a salary of one hundred fifteen dollars each per month, four copyists at a salary of one hundred fifteen dollars each per month; and one copyist, at such time as in the judgment of the county recorder is neces-

sary, at a salary of one hundred dollars per month. The salaries of the deputies, clerks and employees herein provided for shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid.

4. The auditor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the auditor the following deputies, clerks and employees who shall be appointed by the county auditor and who shall be paid salaries as follows: One deputy auditor at a salary of one hundred seventy-five dollars per month; two clerks at a salary of one hundred dollars per month each; the salaries of the deputy and employees hereinabove provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid. *Provided, further*, that the said auditor is hereby allowed such clerks and employees as he may deem necessary and appoint at a salary not to exceed five dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such clerks and employees on a per diem basis shall not exceed the total sum of nine hundred dollars per annum; *provided, further*, that such clerks and employees shall be paid for their services out of the same fund as the auditor is paid upon filing with the board of supervisors of said county their duly verified claims for the sums due them.

5. The treasurer, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, one deputy treasurer who shall be appointed by the treasurer and who shall receive a salary of one hundred seventy-five dollars per month; said salary to be paid in monthly installments at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid; *provided, however*, that the bond of the treasurer and his deputy shall be executed with a reliable bonding and surety company and that the premiums on said bonds when the same have been duly approved, shall be a charge against the county and payable out of the general fund upon the presentation and filing of duly verified claims therefor with the board of supervisors.

6. The tax collector, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the tax collector the following clerks, deputies and employees, who shall be appointed by the tax collector and shall be paid salaries as follows: One deputy tax collector at a salary of one hundred seventy-five dollars per month; one deputy tax collector at a salary of one hundred fifty dollars per month, one clerk at a salary of one hundred twenty-five dollars per month; one stenographer to the tax collector at a salary of one hundred dollars per month, and such copyists as the tax collector may appoint at a salary of not to exceed three and one-half dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such copyists shall not exceed the sum of three thousand dollars per annum; one index clerk to be paid at not to exceed one cent for each separate assessment appearing on the rolls each year; such copyists and index clerk to be paid for their services on the presentation and filing with the board of supervisors of said county their duly verified claims therefor. The salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid; *provided, however*, that the compensation of said copyists and said index clerk shall be paid on the presentation and filing of claims with the board of supervisors as hereinbefore provided.

7. The district attorney, six thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the district attorney the following deputies, clerks and employees, who shall be appointed by the district attorney, who shall hold office at the pleasure of the district attorney and shall be paid salaries as follows: One deputy district attorney at a salary of three hundred dollars per month, two deputy district attorneys at a salary of two hundred dollars per month each; and one stenographer to the district attorney at a salary of one hundred forty dollars per month; one stenographer at a salary of one hundred dollars per month. The salary of the deputies, clerks and employees herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid. The district attorney and his deputies shall be allowed twelve and one-half cents per mile without any constructive mileage for his expenses for traveling, necessarily done by automobile; and his actual traveling expenses when he travels by rail.

8. The superintendent of schools, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools one deputy superintendent of schools, who shall be appointed by the superintendent of schools, and shall be paid a salary of one hundred fifty dollars per month; one deputy superintendent of schools who shall be a registered nurse to be appointed by the superintendent of schools and who shall receive a salary of one hundred fifty dollars per month; one field deputy superintendent of schools, who shall be appointed by the superintendent of schools to assist the superintendent of

schools in the discharge of his duty in visiting and examining schools, as provided by the state law, said field deputy shall receive a salary of two hundred fifty dollars per month, and his actual and necessary traveling expenses while engaged in performing the duty of his office under the direction of the superintendent of schools; *provided, however*, that in lieu of the deputy superintendent of schools herein provided for at a salary of two hundred and fifty dollars per month, the superintendent of schools may appoint one deputy superintendent of schools in each high school district in the county, provided that the combined salaries of such deputies appointed in each high school district of the county, do not exceed the sum of three thousand dollars per annum. The salary of the deputies provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the superintendent of schools is paid.

9 The assessor, six thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the assessor the following clerks, deputies and employees who shall be appointed by the assessor, and shall be paid salaries as follows: Two deputy assessors at a salary of one hundred seventy-five dollars per month each; one deputy assessor at one hundred fifty dollars per month; three field deputy assessors to hold office during not to exceed four months each in any one year, at a salary of one hundred seventy-five dollars per month each; one transfer deputy at a salary of one hundred twenty-five dollars per month, one stenographer at a salary of one hundred fifteen dollars per month, and such additional deputy assessors and clerks as the assessor may appoint, at a salary not to exceed five dollars per day each, not to exceed the sum of two thousand, seven hundred fifty dollars per annum. The salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid; *provided, however*, that the compensation of said additional deputy assessors and clerks at a salary not to exceed five dollars per day, shall be paid on the presentation and filing of claims with the board of supervisors as hereinbefore provided. *Provided, however*, that in counties of this class the assessor shall receive no compensation or commission for collection of personal property taxes, nor shall such assessor receive any compensation or commission for making out the military roll of persons returned by him as subject to military duty as provided by Section one thousand nine hundred one of the Political Code.

10. The coroner, such fees as are now or may hereafter be allowed by law; *provided, however*, that in counties of this class the coroner shall be allowed for general services in holding an inquest, the sum of twenty-five dollar, and there shall be and there hereby is allowed to the county coroner one stenographer to the coroner whose duty it shall be to act as reporter, and take down in shorthand and transcribe into long hand the testimony of the witnesses at all inquests. Said stenographer to the coroner shall be appointed by the coroner and be paid a salary of one hundred dollars per month, which salary shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county officers are paid. The county coroner is further allowed to rent an office for a sum not to exceed fifteen dollars per month, which rental shall be paid on the presentation and filing of duly verified claims therefor with the board of supervisors of said county. All subpoenas or processes issued by said coroner may be served by any peace officer and fees for such service shall be paid as provided by law.

11. The public administrator, such fees as are now or may be hereafter allowed by law.

12 The surveyor, six thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the surveyor the following deputies and employees who shall be appointed by the surveyor and hold office at his pleasure. One assistant surveyor at a salary of two hundred fifty dollars per month; one office engineer at a salary of two hundred ten dollars per month; one field engineer at a salary of two hundred ten dollars per month; one draughtsman at a salary of one hundred eighty dollars per month; three chain men at a salary of one hundred twenty-five dollars per month each. The salary of the deputies and employees herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund as the salary of the surveyor is paid. The surveyor shall be allowed his actual reasonable and necessary expenses incurred in the discharge of his official duties, which said expenses shall be paid upon the filing of a claim for the same with the board of supervisors.

13 Justices of the peace shall receive the following monthly salaries to be paid each month as the salaries of county officers are paid which shall be in full for all services rendered by them in criminal cases; (1) In townships having a population of ten thousand and one, or more, two hundred dollars per month; (2) In townships having a population of from seven thousand and one, or more, to ten thousand, inclusive, one hundred seventy-five dollars per month; (3) in townships having a population of from four thousand and one to seven thousand, inclusive, one hundred fifty dollars per month, (4) in townships having a population of three thousand and one to four thousand, inclusive, one hundred twenty-five dollars per month, (5) in townships having a population of two thousand five hundred or more and less than three thousand, fifty dollars a month, (6) in townships having a popula-

tion of two thousand or more, and less than two thousand five hundred, forty-five dollars a month (7) in townships having a population of one thousand two hundred or more, and less than two thousand, forty dollars a month; (8) in townships having a population of one thousand or more and less than one thousand two hundred, twenty dollars a month; (9) in townships having a population of four hundred fifty or more, and less than one thousand, fifteen dollars a month; (10) in townships having a population of less than four hundred fifty, five dollars per month. Each justice must pay into the county once a month all fines and fees collected by him in criminal and civil cases, and the auditor must withhold warrants for salary until a certified statement has been filed with him of all criminal and civil cases tried or filed and fines and fees collected and paid into the county treasury. In addition to the monthly salary herein, each justice may receive as expenses for maintaining his office such sum as may be necessary, not to exceed twenty per cent of the amount allowed him as salary.

14. Constables shall receive the following salaries to be paid each month as salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases. (1) In townships having a population of three thousand or more, one hundred fifty dollars a month, (2) in townships having a population of two thousand five hundred or more, and less than three thousand, eighty dollars a month, (3) in townships having a population of two thousand or more and less than two thousand five hundred, seventy-seven and one-half dollars a month. (4) in townships having a population of one thousand two hundred or more, and less than two thousand, seventy-five dollars a month; (5) in townships having a population of one thousand or more, and less than one thousand two hundred, thirty-five dollars a month, (6) in townships having a population of four hundred fifty or more, and less than one thousand, twenty-five dollars a month, (7) in townships having a population of less than four hundred and fifty, five dollars a month, *provided, further* that in addition to the salary herein allowed each constable shall be paid out of the treasury of the county for traveling expenses outside of his own township, for services of warrant of arrest or any other paper in a criminal case, such fees as are now or may be hereafter allowed by law. For serving a coroner's subpoena the same fees and mileage as are now or may hereafter be allowed by law for the service of a subpoena issued out of a justice's court. For summoning a coroner's jury the same fees as are now or may be hereafter allowed for summoning a jury in a civil action in the justice's court. For transporting prisoners to the county jail, the expenses of such transportation. In addition to the monthly salary allowed him herein, each constable may receive for his own use in civil cases the fees allowed by law. In addition to the monthly salary allowed herein, each constable in townships having a population of three thousand five hundred or more may receive as expenses for maintaining his office each month a sum not to exceed twenty-five per cent of the amount allowed him as salary.

15. The population of the several judicial townships, for the purposes of fixing the compensation of township officers, shall be ascertained and declared by the board of supervisors in the month of July, 1926, and in the month of July every four year thereafter.

16. Each member of the board of supervisors one thousand five hundred dollars per annum for personal services performed by him as supervisor, member of the board of equalization and road commissioner. Each supervisor shall also receive as expenses, as supervisor and road commissioner not to exceed twenty cents per mile each way traveling to and from his residence while engaged in the performance of the duties of supervision of public roads as commissioner, or other business of the county, said expenses not to exceed fifty dollars in any one month.

17. The bonds of county officers, their assistants, deputies and employees such as required by law to be furnished when executed with a reliable bond and surety company, the cost of said bond when duly approved, shall be a charge against the county payable out of the general fund.

18. The traffic officer, one hundred seventy-five dollars per month, *provided*, that in counties of this class there shall be and there hereby is allowed to the traffic officer the following deputies, which offices are hereby created who shall be appointed by the traffic officer and be paid salaries as follows: Six deputy traffic officers at a salary of one hundred sixty-five dollars per month each. The salaries of the deputies herein provided for shall be paid by the county monthly at the same time and in the same manner and out of the same fund as the salary of the traffic officer is paid. *Provided*, that all the provisions of this subsection are to apply to the office of county traffic officer whenever said office of county traffic officer is created by law.

19. Actual, reasonable and necessary expenses shall be allowed all the officers of the county in the discharge of their official duties. Detail expense accounts must be rendered on the first day of each month for the expenses incurred within the previous month. For traveling necessarily done by automobile an officer shall be allowed mileage at the rate of twelve and one-half cents per mile without any constructive mileage except as herein otherwise provided."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1356—An act to amend section 19*f* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the State of Arizona opposite the town of Topoc, Arizona, to be a State highway.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

Bill read second time, and ordered on file for third reading.

Senate Bill No 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 531—An act to amend section 653*c* of the Penal Code, relating to hours of labor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9 and 10 of an act entitled "An act to promote the development of the California fruit, nut, and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing

standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, after the word "planting" insert the following: "and of the maintenance and care of such trees".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "highway" insert the following: "in an amount to be determined by the board of supervisors,".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building

and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 30, line 48, of the printed bill, after the word "it" strike out from and including the semicolon to and including the word "building" before the period on line 50, same page.

AMENDMENT NUMBER TWO.

On page 47, line 41, of the printed bill, strike out the period after the word "purposes" and insert in lieu thereof the following ": *provided*, that a room occupied or intended or designed to be occupied for sleeping purposes by but one person may contain not less than five hundred cubic feet of air space."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Joint Resolution No. 17—Relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 17?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, line 18, after the word "further", insert the following

"*Resolved* That any moneys returned to the State of California under said, or any similar bill, be so returned to said State for the benefit of the several counties in which any such lands are situated, the same to be paid to said counties in the proportion in which said lands are so situated."

The roll was called and Senate amendment to Assembly Joint Resolution No 17 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Heisinger, Johnson, Kline, Mathews, McMillan, Miller, Moore, Mueller, Noyes, Pomeroy, Roberts, Scott, Smith, Spalding, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 676—An act to define collection agencies, to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 676?

AMENDMENT NUMBER ONE

On page 1, line 19, of the printed amended bill, strike out the word "his" and insert in lieu thereof the word "their".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed amended bill, strike out the word "his" being the second word in said line, and insert in lieu thereof the word "the".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed amended bill, strike out the word "his" being the fifth word in said line, and insert in lieu thereof the word "their".

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed amended bill, after the word "accounts" strike out the comma and insert in lieu thereof a semicolon and the words "also excepting".

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed amended bill, after the word "associations" strike out the comma and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SIX.

On page 1, line 24, of the printed bill, after the word "business" strike out the comma and insert in lieu thereof a semicolon and the following: "duly licensed real estate agents and brokers".

The roll was called and Senate amendments to Assembly Bill No. 676 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Davis, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fox, Heisinger, Hornblower, Johnson, Kline, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 653—An act to add a new section to be numbered section 15*b* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a

public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mrs. Woodbridge moved a call of the House.

Motion carried.

Time, ten o'clock and thirty-three minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Baker, C. C., Baker, Edwin; Ball, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Mathews, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mitchell, A. G., asked for and was granted unanimous consent to take up Assembly Bill No. 509, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED NINE

Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mitchell, A. G., moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 9, of the printed bill, strike out all of lines 9, 10, 11 and 12 and insert in lieu thereof the words:

"11 The actual and necessary expenses of county auditors, county clerks, district attorneys, county assessors, county sheriffs, county tax collectors, county engineers or county surveyors, county recorders, and county coroners, incurred while traveling to and from and while".

Motion carried.

The Speaker appointed Mr. Mitchell, A. G. as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 509, with instructions, reports that the instructions of the Assembly have been carried out.

MITCHELL, A. G., *Select Committee.*

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 490 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Kline, Mathews, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1227 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Carter, Cleary, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Kline, Lyons, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mueller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of line 20.

Motion carried.

The Speaker appointed Mr. Mueller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 774, with instructions, reports that the instructions of the Assembly have been carried out.

MUELLER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifty-eight minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin, Ball, Bernard, Broughton, Burns, Clarke, Coombs, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, and Wright—49.

NOES—Baker, C. C., Carter, Christian, Cleary, Connolly, Davis, Donohue, Dozier, Fulwider, Graves, Moore, Mueller, Whitacre, and Mr. Speaker—14.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED THIRTY-NINE.

Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read third time.

MOTION TO SUSPEND RULE.

Mr. Coombs moved that the rule limiting debate be suspended during the consideration of Assembly Bill No. 739.

Motion lost.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code, all relating to partnerships, and to make the Partnership Law of the State of California uniform with the law of other states.

Also: Assembly Bill No. 129—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5a and 5b, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees;

Also: Assembly Bill No. 405—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment against persons convicted of the commission of crime;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording.

Also: Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Also: Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.

Also: Assembly Bill No. 1292—An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers;

Also: Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by co-owners.

Also: Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure, relating to undertaking on appeal in justice's court;

Also: Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

WHEREAS, Pursuant to the Standing Rules of this Assembly, the Chairman of the Committee on Ways and Means, Honorable Chester M. Kline, visited the various

institutions of the State for the purpose of learning the financial needs of such institutions; and

WHEREAS, Said Honorable Chester M. Kline made such investigation and contracted expenses to the amount of $110.73 as itemized below;

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent expenses of the Assembly in favor of the said Honorable Chester M. Kline for the said amount of $110.73, and the State Treasurer is hereby authorized and directed to pay the same.

Railroad fare	$29 68
Hotel and meals	78 85
Telephones and telegrams	2 20
	$110 73

Resolution read, ordered printed in the Journal, and referred to Committee on Contingent Expenses.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anderson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-ONE.

Senate Concurrent Resolution No. 21.—Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923.

Senate Concurrent Resolution No. 21 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 21 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Christian, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Pedrotti, Pomeroy, Reindollar, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48

NOES—None

Title read and approved.

Senate Concurrent Resolution No. 21 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 21.

Approving an amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a nominating municipal election held therein on the seventeenth day of April, 1923.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1341 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Christian, Connolly, Coombs, Crittenden, Crotier, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED THIRTY-NINE (RESUMED).

Assembly Bill No. 739—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion lost.

The roll of absentees was called, and Assembly Bill No. 739 lost by the following vote:

AYES—Badham, Ball, Bromley, Carter, Christian, Cleveland, Davis, Dawson, Emme, Graves, Kline, Lyons, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Weller, Whitacre, and Mr. Speaker—22.

NOES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Crotier, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fitt, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Morrison, Noyes, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Williams, Woodbridge and Wright—53.

NOTICE OF RECONSIDERATION.

Mr. Baker, Edwin, gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 739 was this day refused passage.

EXPLANATIONS OF VOTE.

The following explanations of vote were received and ordered printed in the Journal:

The following amendment to Assembly Bill No. 739 was prepared by me and submitted to the author of the bill and to other proponents but they did not see their way clear to accept it

SEC. 5. This act shall take effect only upon the adoption by the electors of the state of an amendment to section six of article four of the constitution restricting the representation from populous centers of the state in one house of the legislature by providing, either that in any reapportionment effected after January 1, 1931, no county or city and county shall contain more than ten assembly districts, or that in any reapportionment effected after January 1, 1931, no county or city and county shall contain more than five senatorial districts. Such amendment to be submitted to the electors of the state by the legislature at a regular or extra session or by initiative and upon the adoption by the electors of such amendment this act shall become immediately effective and shall continue in effect till January 1, 1931, but no longer.

If this amendment had been accepted I would have supported the bill. Due to the proximity of final adjournment, however, I believed the passage of the bill at this session would probably not be possible even if so amended, and therefore, in the interest of saving the time that would be consumed in discussion of the amendment, reprinting, if adopted and later consideration of the bill, I refrained from offering it from the floor.

CLEARY.

Also:

I am voting for reapportionment because the constitution provides that reapportionment should take place every ten years and according to population I believe in the constitution and that constitutional provisions should be followed, but I also believe that it is wrong to give both Houses of the Legislature into the control of the centers of population, hence while voting for the Baker bill, I think the constitution should be changed.

KLINE.

MOTION TO WITHDRAW BILL.

Mr. Duval moved that Assembly Bill No. 738 be withdrawn from the Committee on Revenue and Taxation and placed upon the file for passage.

REQUEST FOR ROLL CALL.

On request of Messrs. Bernard, Erb, Eksward, Heisinger and Morrison, the Speaker ordered a roll call taken on the motion to withdraw.

The question being on the motion to withdraw.

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

AYES—Anderson, Ball, Bernard, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dozier, Duval, Erb, Fellom, Foster, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Mr. Speaker—49.

NOES—Badham, Baker, Edwin; Broughton, Cleveland, Dorris, Eksward, Fulwider, Graves, Hawes, Mathews, McPherson, Morris, Spence, and Wright—14.

Assembly Bill No. 738 ordered on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 963—An act to amend sections 851 and 854 of the Code of Civil Procedure, relating to pleadings in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 963 passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Whitacre, Woodbridge, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 360 passed by the following vote:

AYES—Badham, Ball, Bromley, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Croter, Dawson, Dean, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyman, Mathews,

McDowell, McMillan, McPherson, Moore, Mueller, Pomeroy, Roberts, Rosenshine, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, and Woodbridge—46.

NOES—Saylor, Smith, Wright, and Mr Speaker—4.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At four o'clock and six minutes p.m., on motion of Mr. Anderson, the Assembly was declared at recess until eight o'clock p m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts,

Also Assembly Bill No 1620—An act to add a new section to the Code of Civil Procedure to be numbered 981*a*, relating to dismissal of appeal

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass.

(Signed out)

MORRIS, Chairman.
WHITACRE
ROSENSHINE.
HORNBLOWER.
CRITTENDEN.
BROUGHTON.
SPENCE
WELLER.
SMITH.
MUELLER.
BROMLEY.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 17—An act declaring the public highway extending from Irwin street within the corporate limits of the city of San Rafael, in Marin County, California, to Point San Quentin in Marin County California, to be a State highway;

Also Assembly Bill No 748—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 52 thereof,

Also Assembly Bill No 972—An act declaring the county road in Calaveras County, extending from Angels Camp through Vallecita and Murphy to Calaveras big trees in the national forest to be a State highway;

Also Assembly Bill No 322—An act providing for the creation of revolving funds in the counties of the State;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1202—An act to amend sections 12, 15, 21 and 22 of an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary thereto, and, also, to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended—and reports that the same has been correctly enrolled, and presented the same to the Governor on this third day of May, 1923 at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 590—An act to amend an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' *approved May 27, 1919,' approved June 3, 1921*;

Also: Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles, and repealing an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913;

Also: Assembly Bill No. 34—An act to amend sections 3, 4, 5, 9, 12, 13, 14, 15 and 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued." Approved June 11, 1915, as amended.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1923 at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 880—An act to provide authority to any county in California to cooperate with the United States Department of Agriculture and the California Department of Agriculture in the payment of indemnities for cattle slaughtered for tuberculosis in counties where the eradication and control of tuberculosis among cattle is conducted under the provisions of chapter DCCXIV, Statutes 1921;

Also: Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of effecting such removal.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 398—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts, the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof;

Also: Assembly Bill No. 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children, providing for the administration and

enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 847—An act declaring the county road commencing at Willows and extending through Fruto, Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway—and reports that the same has been correctly enrolled, and presented the same to the Governor on this third day of May, 1923, at four o'clock p m.

ROBERTS, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard, providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard, providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts, providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled 'An act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909"; approved May 1, 1911, as amended.

Also: Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Also Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Also: Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason, providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof.

Also Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said Act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State;

Also: Assembly Bill No 799—An act to amend section 4250 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-first class;

Also Assembly Bill No. 890—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class;

Also Assembly Bill No 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Also Assembly Bill No 73—An act to amend an act entitled, "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919

Also Assembly Bill No 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof,

Also Assembly Bill No 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909

Also Assembly Bill No 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class

J A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty,

Also: Assembly Bill No 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale,

Also Assembly Bill No 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof,

Also Assembly Bill No 1261—An act to add a new section to the Political Code, to be numbered 4259a, relating to the fees and mileage of jurors in counties of the thirtieth class

Also Assembly Bill No 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class

Also Assembly Bill No 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class;

Also Assembly Bill No 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected

therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution, and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act, and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 731 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1*a* and 10*a* to, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation, providing for the appointment of deputies and employees; providing for their duties and compensation, providing for the inspection of petroleum and gas wells, requiring all persons operating petroleum and gas wells to make certain reports, providing procedure for arbitration of departmental rulings, creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof, and making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 461 read first time, and referred to Committee on Oil Industries.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1221—An act to amend section 3666*a* of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic to hold the session of 1924 of the national encampment in the city of Pasadena, California.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses

of officers in counties of the thirty-second class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 548?

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, after line 3, insert the following:

"16. The county traffic officer, two thousand two hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Said deputy shall be appointed by said county traffic officer and shall receive a salary of two thousand two hundred dollars per annum which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said traffic officer and his deputy shall provide their own motorcycles or other vehicles and shall pay all of the expense of the upkeep of such machines and the said county shall provide gasoline and oil for the purpose of propelling the same, *and provided, further*, that there shall be and there is allowed to the county traffic officer a sum not to exceed one thousand two hundred dollars in any one year to be used in carrying out the duties of his office. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputy whenever said office of county traffic officer is created by law."

AMENDMENT NUMBER TWO.

On page 5, line 4, of the printed bill, strike out the number "16" and in lieu thereof insert the number "17".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-one minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker, Edwin, Ball, Broughton, Clarke, Cleary, Coombs, Davis, Duval, Graves, Hawes, Johnson, Johnston, Lyman, McMillan, Miller, Noyes, Pedrotti, Reindollar, Saylor, Scott, Spalding, Stevenot, West, Woodbridge, Wright, and Mr. Speaker—27.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Spalding asked for and was granted unanimous consent to take up Senate Bill No. 628, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED TWENTY-EIGHT.

Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Spalding moved that the Speaker appoint a Select Commttiee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 6, of the printed bill, following the word "annum", add the words: "and a clerk and stenographer at thirteen hundred and eighty dollars per annum".

Motion carried.

The Speaker appointed Mr. Spalding as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Commitee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Senate Bill No 628, with instructions, reports that the instructions of the Assembly have been carried out.

SPALDING, Select Committee

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. West asked for and was granted unanimous consent to take up Senate Bill No. 141, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FORTY-ONE.

Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. West moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, line 37, of the printed bill, preceding the word "No" insert the following "(*d*)".

AMENDMENT NUMBER TWO

On page 3, line 37, of the printed bill, strike out the comma after the word "receivers".

AMENDMENT NUMBER THREE

On page 3, line 38, of the printed bill, strike out the comma after the word "trustees".

AMENDMENT NUMBER FOUR.

On page 4, line 9, of the printed bill, strike out the comma after the word "receivers".

AMENDMENT NUMBER FIVE.

On page 4, line 10, of the printed bill, strike out the comma after the word "trustees".

Motion carried.

The Speaker appointed Mr. West as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 141, with instructions, reports that the instructions of the Assembly have been carried out.

WEST, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Emme asked for and was granted unanimous consent to take up Senate Bill No. 40, at this time, without reference to file, for the purpose of amending

CONSIDERATION OF SENATE BILL NUMBER FORTY.

Senate Bill No. 40—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, as amended, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, providing for the care and disposition of moneys in their hands, providing for their removal and tenure of office, and providing for additional deputy clerks for said courts.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

In lines 12 and 13 of the title of the printed bill, strike out the following "fifth day of March, one thousand nine hundred one," and in lieu thereof insert the following: "5th day of March, 1901,"

AMENDMENT NUMBER TWO

Strike out all of line 14 of the title of the printed bill following the word "June", and all of lines 15 to 21, both inclusive, and in lieu thereof insert the following: "6th, 1913, as amended."

AMENDMENT NUMBER THREE

On page 1, line 11, of the printed bill, strike out the word "fifth" and in lieu thereof insert the following "5th".

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, strike out the word "city".

AMENDMENT NUMBER FIVE.

On page 3, line 37, of the printed bill, strike out the word "deputies" and in lieu thereof insert the words "deputy clerks".

AMENDMENT NUMBER SIX.

On page 4, line 1, of the printed bill, strike out the word "said" and in lieu thereof insert the word "the".

AMENDMENT NUMBER SEVEN.

On page 4, line 4, of the printed bill, strike out the word "custodian" and in lieu thereof insert the word "custodians".

AMENDMENT NUMBER EIGHT.

On page 4, line 12, of the printed bill, after the word "minute" insert the word "entry".

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 40, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 66?

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the word "Procedure" insert the following: ", with the consent of the grand jury,".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the words "On the demand of the district attorney".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out the period following the word "trial" on line 15 and insert in lieu thereof a semicolon and the following: "The grand jury on the demand of the district attorney whenever criminal causes are being investigated before them must appoint an official stenographic reporter to be sworn and to report the testimony that may be given in such causes in short hand, and to transcribe the same in all cases where an indictment is returned."

AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill after the word "county", insert the following: "*provided, however*, nothing in this act shall apply to official court reporters of any police court of any city and county of the first class."

The roll was called and Senate amendments to Assembly Bill No. 66 were concurred in by the following vote:

AYES—Badham, Baker, Edwin, Ball, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dozier, Emme, Fellom, Fulwider, Graves,

Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, T. A., Noyes, Pedrotti, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Coombs asked for and was granted unanimous consent to take up Senate Bill No. 704, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FOUR.

Senate Bill No 704—An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 704 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dorris, Emme, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Williams asked for and was granted unanimous consent to take up Senate Bill No. 125, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED TWENTY-FIVE

Senate Bill No 125—An act to amend sections 4, 5, 6, 7, 9, 10, 10½, 11 and 13 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 125 finally passed by the following vote:

AYES—Badaracco, Baker, Edwin; Ball, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Dawson, Dorris, Dozier, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, McDowell, McMillan, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Reindollar, Roberts, Rosenshine, Saylor,

Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 56—An act to amend section 3756 of the Political Code, relating to the time at which taxes become delinquent.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 56 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Christian, Cleary Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, McMillan, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—Broughton, Clarke, Dorris, Dozier, Hornblower, Johnston, Mitchell, T. A., Morrison, and Woodbridge—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*d*, relating to cooperative business corporations or associations

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 432 passed by the following vote:

AYES—Badaracco, Baker, Edwin, Ball, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Davis, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Kline, McDowell, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Badham, Christian, Coombs, Dawson, Dozier, Lyman, Mitchell, A G, Pomeroy, Smith, Weller, and Williams—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051*a*, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Lyman, Smith, Morris, Graves and Fox demanded the previous question.

The question being on the passage of Assembly Bill No. 3.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bromley, Carter, Christian, Crittenden, Croter, Davis, Dawson, Dozier, Emme, Foster, Fox, Fulwider, Graves, Hornblower, Kline, Lyman, Mathews, McDowell, McMillan, Mitchell, A G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Smith Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—41

NOES—Bernard, Burns, Clarke, Cleary, Coombs, Donohue, Dorris, Erb, Fellom, Johnston, Miller, Mitchell, T. A., Morrison, Reindollar, Schmidt, Scott, Stow, and West—18.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3 was this day passed.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 999?

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, following line 17, insert:
"For traveling expenses of the state board of equalization such sum or sums as are provided in section three thousand seven hundred two of the Political Code".

AMENDMENT NUMBER TWO.

Immediately following amendment No. 1 insert:
"For investigations and appraisements, state board of equalization, such sum or sums as are provided in chapter four hundred twenty-eight, Statutes of 1921".

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, following line 19, insert:
"For support of orphans such sum or sums as are provided in section two thousand two hundred eighty-three of the Political Code".

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, following line 18, insert:
"For purchase of land California Redwood Park such sum or sums as are provided in chapter six hundred ninety, Statutes of 1917".

AMENDMENT NUMBER FIVE.

On page 10 of the printed bill, following line 29, insert:
"For statistics State Agricultural Society such sum or sums as are provided in chapter five hundred eighty-four, Statutes of 1911".

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, following line 49, insert:
"For support of California Highway Commission all revenues from bond sales under authority of section two, article sixteen of the constitution; all revenues from motor vehicle registration, as provided in chapter one hundred eighty-eight, Statutes of 1915 and amendments thereto; all receipts from the federal government under an act of Congress and authority provided by chapter five hundred thirty-seven, Statutes of 1917".

AMENDMENT NUMBER SEVEN.

Immediately following amendment number 6 insert:
"For highway bond interest and redemption such sum or sums as are provided in chapter three hundred eighty-three, Statutes of 1909; chapter four hundred four, Statutes of 1915; chapter ninety-three, Statutes of 1919".

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, following line 18, insert:
"For investigation of water resources such sum or sums as are provided in chapter seven hundred four, Statutes of 1909".

AMENDMENT NUMBER NINE.

On page 11 of the printed bill, following line 32, insert

"For Sacramento and San Joaquin drainage district number six such sum or sums as are provided in chapter five hundred fifty-six, Statutes of 1919".

AMENDMENT NUMBER TEN.

Immediately following amendment number 9 insert:

"For Los Angeles flood control such sum or sums as are provided in chapter seven hundred forty-nine, Statutes of 1921".

AMENDMENT NUMBER ELEVEN.

Immediately following amendment number 10 insert

"For uses veterans welfare board for purchase of farms and homes such sum or sums as are provided in initiative act approved November 7, 1922".

AMENDMENT NUMBER TWELVE.

On page 11 of the printed bill, following line 50, insert

"For vocational rehabilitation such sum or sums as are provided in chapter seven hundred fifty-eight, Statutes of 1921"

AMENDMENT NUMBER THIRTEEN.

Immediately following amendment No. 12 insert

"For vocational education (Smith-Hughes act) such sum or sums as are provided in chapter seven hundred twenty, Statutes of 1917".

AMENDMENT NUMBER FOURTEEN.

Immediately following amendment No. 13 insert:

"For teachers permanent fund such sum or sums as are provided in chapter six hundred ninety-four, Statutes of 1913".

AMENDMENT NUMBER FIFTEEN

On page 12 of the printed bill, following line 4, insert:

For text books for orphans such sum or sums as are provided in chapter four hundred seventy-two, Statutes of 1907".

AMENDMENT NUMBER SIXTEEN.

Immediately following amendment No. 15 insert:

"For support of elementary schools such sum or sums as are provided in section six of article nine of the constitution".

AMENDMENT NUMBER SEVENTEEN.

Immediately following amendment No. 16 insert

"For support of secondary schools such sum or sums as are provided in section six of article nine of the constitution".

AMENDMENT NUMBER EIGHTEEN.

Immediately following amendment No. 17 insert

"For support of junior colleges such sum or sums as are provided in chapter four hundred seventy, Statutes of 1921".

AMENDMENT NUMBER NINETEEN.

On page 12 of the printed bill, following line 15, insert:

"For university building interest and redemption of bonds such sum or sums as are provided in chapter nine hundred twenty-three, Statutes of 1915".

AMENDMENT NUMBER TWENTY.

On page 14 of the printed bill, following line 12, insert:

"For veterans educational institute such sum or sums as are provided in chapter five hundred seventy-nine, Statutes of 1921".

AMENDMENT NUMBER TWENTY-ONE.

On page 14 of the printed bill, following line 19, insert

"For Sacramento building interest and redemption of bonds such sum or sums as are provided in chapter two hundred thirty-nine, Statutes of 1913".

AMENDMENT NUMBER TWENTY-TWO.

Immediately following amendment No. 21 insert:

"For San Francisco building interest and redemption of bonds such sum or sums as are provided in chapter five hundred forty-one, Statutes of 1913".

AMENDMENT NUMBER TWENTY-THREE.

Immediately following amendment No. 22 insert:

"For interest and sinking fund such sum or sums as are provided in chapter sixty-five, Statutes of 1893".

AMENDMENT NUMBER TWENTY-FOUR.

Immediately following amendment No. 23 insert

"For principal and interest on bond debts of cities and counties, such sum or sums as are provided in chapter three hundred thirty-five, Statutes of 1911".

AMENDMENT NUMBER TWENTY-FIVE.

On page 6 of the printed bill strike out all of lines 20, 21, 22, 23 and 24 and insert in lieu thereof:

"For salaries and support of the state real estate department such sum or sums as are provided in chapter six hundred five, Statutes of 1919, and the amendments thereto, such amounts to be paid from the real estate commissioner's fund created thereby."

AMENDMENT NUMBER TWENTY-SIX.

On page 11 of the printed bill strike out all of lines 28, 29, 30, 31 and 32 and insert in lieu thereof:

"For salaries, support and permanent improvements for the fish and game commission such sum or sums as are provided in chapter two hundred fifty-six, Statutes of 1909 and all amendments thereto, such payments to be made from the fish and game preservation fund created thereby."

AMENDMENT NUMBER TWENTY-SEVEN

On page 15, line 32, of the printed bill, following the words "by this act", strike out the period and insert the following: ", *provided* that the state controller shall at the request of the state director of education set over and transfer from the appropriations for salaries and support for the several teachers colleges and special schools, an amount not exceeding one per cent of such appropriations and the amount so transferred shall be designated as the administrative allotment of the state department of education and shall be available for use by the director of education for the payment of the salaries and support of the general administrative office of the division of normal and special schools during the seventy-fifth and seventy-sixth fiscal years."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3 of the printed bill, beginning with the word "For" strike out all of lines 30 to 37, both inclusive.

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 21, of the printed bill, after the word "state" insert the words "board of".

AMENDMENT NUMBER THIRTY.

On page 5, line 24, of the printed bill, after the word "support" insert the word "state".

AMENDMENT NUMBER THIRTY-ONE

On page 12, line 4 of the printed bill, after the period following the word "dollars" add the following

"For support, salaries, permanent improvements and repairs, southern branch University of California, one million four hundred fifty thousand dollars."

AMENDMENT NUMBER THIRTY-TWO.

On page 7, line 13, of the printed bill, strike out the words "permanent improvements" and insert in lieu thereof the word "repair".

AMENDMENT NUMBER THIRTY-THREE.

On page 16, line 26, of the printed bill, strike out the period and insert in lieu thereof "and property of San Francisco harbor."

AMENDMENT NUMBER THIRTY-FOUR

On page 10, line 11, of the printed bill, strike out the word "forty" and insert the word "fifty-five"

AMENDMENT NUMBER THIRTY-FIVE.

On page 10 of the printed bill, strike out all of line 10 and insert the following: "Forestry twenty-five thousand and eighty dollars."

AMENDMENT NUMBER THIRTY-SIX

On page 7 of the printed bill, after line 14, insert the following

"For purchase of land, Women's Relief Corps Home, five thousand dollars."

The roll was called and Senate amendments to Assembly Bill No 999 were concurred in by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emm., Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar,

Roberts, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.
NOES—Burns, Dozier, Foster, Johnston, and Pomeroy—5.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Donohue, Dorris, Emme, Erb, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Kline, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 refused passage by the following vote:

AYES—Badaracco, Bernard, Broughton, Burns, Carlson, Connolly, Coombs, Crittenden, Croter, Donohue, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnston, Lyons, Mathews, McMillan, Miller, Mitchell, T. A., Morrison, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, West, Woodbridge, and Wright—39.
NOES—Badham, Baker, Edwin, Ball, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Davis, Dawson, Dozier, Duval, Ekswärd, Foster, Graves, Hornblower, Mitchell, A. G., Moore, Morris, Mueller, Pomeroy, Stevenot, Stow, Weller, Williams, and Mr. Speaker—27.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 154 was this day refused passage.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and sixteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 548 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.
NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Morris moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 507 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Graves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1269 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Crittenden moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 534 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. McPherson moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 30 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Cleveland moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 159 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 868 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At eleven o'clock and twenty-one minutes p.m., on motion of Mr Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, May 4, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 4, 1923

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Prendergast, Mr. Jones was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Rock, Mrs. J. F Poulston of Pasadena was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Mr. Joseph M. Argabrite of Ventura was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Mrs. W. P. Cunningham, President of Los Angeles Women's City Club, Mrs. T. C. West of Alameda, Mrs. R. H. Hawley and Mrs. Walter Longbotham of Sacramento were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Dean, Mr. John G. Iliff, Teacher of Economics, Miss Eloise Langmade, Teacher of History, and the following pupils of the Stockton High School were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

Willard Giottonini, Grace Atherton Sue Cotes, Eastman Ernestine, Kitchcock Gosephine, Edith Hatch, Dorothy Cross, Bernice Knutzen, Isabel Anderson, Anna Bernadon, Clara Marinoto, Ida M. Wasgatt, Eva Thiry, Katharine Lubenko, Ina McDonald Frances Brown, Virginia Wright, Roger Webster, Edward Cottle, Erwin Moraign, Earl Lenfestey, Arthur E Devol, Milo L. Hewitt, Reginald P. Richardson, William W. Whitmore, Charles E Holman, Monroe Eaton, G Vernon Harris, Geo. K. Diffenduful Evelyn Hopkins, Katherine Mitchell Leona Bridge, Tom Roberts, Morton B. Levy, John Hodgkins, S. Elizabeth Myalt, Reva Horwitz, Bertie Robison, Marjorie Pease, Thelma West, John Stout, Dorothie Robbins, Florence Sayles, Norine Weinstein, Evelyn Sanginetti, Norma Tschierschky, Ruth Parker, Dorothee Foster, Ethelyn Kitchings, Eleanor Binkley, Elizabeth Foster, Ruth Williams, Georgie Lamb, Taubuer Hamma Nicholas V Mavall, Mary Oren, Clela Hammond, Amy Grunsky, Marjorie Smallfield Sarah Gardner, Helene Stearns, Ruth Smiland, Helen Tanaka, Kimi Hanaoka Wallace Meyers Walter Meyers, Orrin Haynes, Lawrence Meier, Palmer Goldsberry, Herbert Jos. Gunther, Drais Cecil, Beth Doane,

Eddie Libhart, Irene Orsi, Marie Young, Helen Sattleslee, Margaret Gealey, Clara Morris, Mildred Gremaux, Lelah Evans, Madeline Folsom, Anna Osborn, Effie Iliff, Dorothy Yong, Frances Cochella, Lilt Chan, Anna Erle, Bertha Erle, Lena Gotelli, Ida Wisnower, Alice Crane, Marguerethe Dietrich, Helen Waite, Eloise T. Langenade, Clara Lertora, Ruth Bagley, Margaret Macnider, Helen Castile Gilbert, Earl R. Stiles, Rae Lewis, Agnes McGee, Marie Hands, Dorothy Losekann, Bernice Brown, William Woodland, William Kay, Mike Wallin, Margaret Manuel, Maree Musto, Muriel Robertson, Jane Willhard, Frankie Kelly, Marjorie Wodden, Catherine Selan, Margaret Griffin, Elsie Dunn, Robert R. Harry, Henry Coffin, Cyril Oleven, Philip Cavalera, Marion Baird, Marjorie Taylor, Helen Parker, Carolyn M. Kerrick, Bernice M. Sawtell, Graw Waltz, and Marian Mitchell.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Dean, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITION.

The following petition was presented and ordered printed in the Journal:

By Mr. Williams:

PASO ROBLES, May 2, 1923.

DEAR SIR: It is almost impossible to get help to farm, even at $90 per month. No wonder our farmers are going broke so fast. The reason is young, healthy men all quit work on our farms after about three or four days and go to town and beg on street corners twenty-five and fifty cents from each person, telling some absurd hard-luck story, and they make from $8 to $10 per day begging, and laugh about it to us, ruining our other help. A law with three years at San Quentin is the only cure for I. W. W. and such beggars.

And oblige,

C. D HILLMAN, SR.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 981—An act to amend sections 360*a*, 360*b*, and 360*d* of the Political Code, relating to a Department of Finance;

Also, Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California;

Also: Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry against the State of California;

Also: Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California;

Also: Assembly Bill No. 672—An act appropriating money to pay the claim of E. A. Wheeler against the State of California;

Also: Assembly Bill No 673—An act appropriating money to pay the claim of the Clark & Henery Construction Company against the State of California.
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

(Signed out)

WEST, Chairman.
BAKER, EDWIN.
BERNARD.
DORRIS.
COOMBS
BADARACCO

The above reported bills ordered re-referred to Committee on Ways and Means.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1345—An act to amend section 15b of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

BROMLEY, Chairman.
LYMAN.
CARLSON.
GRAVES.
DOZIER
SCOTT.
SPENCE.
DAWSON
CLEVELAND
ANDERSON.
BADHAM
SPALDING
REINDOLLAR.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education,

Also Assembly Bill No. 743—An act to amend section 1608 of the Political Code, relating to the powers and duties of boards of school trustees and boards of education in the matter of managing school property, purchasing of furniture, repairs, employing architects and building school buildings,
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

(Signed out)

BAKER, C. C., Chairman.
McMILLAN.
MOORE
WOODBRIDGE.
MILLER.
ROBERTS.
STEVENOT.
FOSTER.
WHITACRE
CLEVELAND.
SCOTT

The above reported bills ordered on file for second reading.

Also.

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 703—An act to regulate the erection, construction and alteration of schools and to provide penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Senate Bill No. 162—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362*f*, relating to the powers of the State Department of Education.

Also Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers, creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education;

Also: Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties,

Also Assembly Bill No. 106—An act relating to the acquisition by the State of land for redwood parks, authorizing the State Board of Forestry to make a survey and report on all suitable redwood park sites in the State; providing a method for procuring such parks by purchase, donation or condemnation proceedings and prescribing the procedure therefor; providing for assistance by the Attorney General and vesting the State Board of Forestry with jurisdiction and control of such parks after their requisition by the State

Also Assembly Bill No. 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education

Also Assembly Bill No. 927—An act to add a new section to the Political Code to be numbered 1608*a*, relating to school districts

Also Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the

levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children;

Also Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts;

Also Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921;

Also Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout;

Also Assembly Bill No. 365—An act to repeal sections 4041, 4041*b*, 4041*c*, 4041*d*, 4041*e* and 4041*f*, and to add new sections to be numbered 4041 to 4041*z*, inclusive, all relating to the powers and duties of the board of supervisors;

Also Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers;

Also Assembly Bill No. 59—An act to add a new section to the Penal Code to be numbered 653*f*, relating to landlord and tenant;

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 176—An act to prohibit any state board or state commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission;

Also Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15*a*, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled, "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921;

Also Assembly Bill No. 1274—An act to add three new sections to the Penal Code, to be numbered 369*h*, 369*i*, and 369*j*, prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydro-carbon substance in certain *localities and prohibiting the operation and maintenance of any well so located;*

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 50—A resolution to propose to the people of the State of California to amend section 36, article IV of the constitution of said State, relating to State highways, bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*f*, embracing sections 365 to 365*c*, both inclusive, relating to the California Highway Commission;

Also: Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies;

Also: Assembly Bill No. 1356—An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Roberts:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal an act entitled, "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefor," approved April 25, 1911.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the Partnership Law of the State of California uniform with the law of other states.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 129—An act to amend an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of

said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5*a* and 5*b*, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the printed bill, after the period insert the following "State, county, and township officers shall not, in any case, except in proceedings upon habeas corpus, perform any official services unless upon the prepayment of such fees as are prescribed by law, for the performance of such services; *provided*, that the state or any county, city or city and county, or any public officer, or board or body, acting in his, or her, or its official capacity on behalf of the state, or any county, city, or city and county, shall not be required to pay or deposit any fee for the filing of any document or paper, or for the performance of any official service, *provided, further*, that the state, or any county, city, or city and county, or any public officer, or board or body, acting in his or her or its official capacity, on behalf of the state, or county, or city, or city and county, including notaries public, shall not collect, demand, or receive any fee or compensation for recording or indexing any discharge of a soldier, sailor, or marine, of the United States army, navy, or marine corps, or of a nurse who served in the American Red Cross or in the army or navy nurse corps, or for issuing certified copies thereof, or for any service whatever rendered in the matter of a pension claim, application affidavit, voucher, or in the matter of any claim to be presented to the bureau of war risk insurance, under and by virtue of an act of congress of the United States, entitled "An act to amend an act entitled 'An act to authorize the establishment of a bureau of war risk insurance in the treasury department,'" approved October 6, 1917, and acts amendatory thereof, or furnishing a verified copy of the public record of a marriage, death, birth, or divorce, deed of trust, mortgage, or property assessment, or making the search for the same, wherein the same is to be used in a claim for pension, or automatic insurance, or otherwise, under the said act, establishing the said bureau of war risk insurance

Said services shall be rendered on the request of a United States official, a claimant, his or her guardian, or attorney, and for every failure or refusal so to do, such officer shall be liable on his or her official bond

Upon payment by any person of the fees required by law, the officer must perform the services required, and for every failure or refusal so to do, such officer shall be liable on his or her official bond.

SEC 2. Section four thousand two hundred ninety-seven of the Political Code is hereby amended to read as follows:

No fee or compensation of any kind must be charged or received by any officer for duties performed or services rendered in proceedings upon habeas corpus, nor for administering or certifying the oath of office nor filing nor swearing to any claim or demand against any county in this state State, or any county, city, and city and county, or any public officer, including notaries public, or board or body, acting in his or her, or its official capacity, on behalf of the state, or any county, city, or city and county, shall not receive fees or other compensation for services rendered in an affidavit, or application relating to the securing of a pension, or the payment of a pension voucher, or any matter relating thereto."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle;

to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 405—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment against persons convicted of the commission of crime.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike the word "section" from the first line of the title of the printed bill and insert in lieu thereof the word "sections", after the word "ninety-three" in lines 1 and 2 insert the following, "and one thousand two hundred twenty-seven"; strike from lines 2 and 3 the words "pronouncement of judgment" and insert in lieu thereof the word "judgments"

AMENDMENT NUMBER TWO.

Strike from line 19 of the printed bill the word "ninty" and insert in lieu thereof the word "ninety".

AMENDMENT NUMBER THREE

Add a new section to the printed bill reading as follows:

"SEC 2. Section one thousand two hundred twenty-seven of the Penal Code is hereby amended to read as follows:

1227. If for any reason a judgment of death has not been executed, and it remains in force, the court in which the conviction was had shall, on application of the district attorney or may upon its own motion, make and cause to be entered an order appointing a day upon which the judgment shall be executed, which must not be less than sixty days nor more than ninety days from the time of making such order; and within five days thereafter, a certified copy of such order, attested by the clerk, under the seal of the court, shall, for the purpose of execution be transmitted by registered mail to the warden of the state prison having the custody of the defendant; *provided*, that if the defendant be at large a warrant for his apprehension may be issued, and, upon being apprehended, he shall be brought before the court, whereupon the court shall make an order directing the warden of the state prison to whom the sheriff is instructed to deliver the defendant to execute the judgment at a specified time, which shall not be less than sixty days nor more than ninety days from the time of making such order From an order fixing the time for and directing the execution of such judgment, as herein provided, there shall be no appeal."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 1348—An act to amend section 1158 of the Civil Code, relating to recording.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1292—An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by coowners.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure, relating to undertaking on appeal in justice's court.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates.
Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 732—An act to amend section 1195*a* of the Political Code relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.
Bill read second time, and ordered on file for third reading.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.
Bill read second time, and ordered on file for third reading.

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing

for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 775—An act to amend section 1664 of the Code of Civil Procedure, relating to procedure in probate matters—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 775?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the comma following the word "four" and insert in lieu thereof the following: "of the Code of Civil Procedure,".

The roll was called, and Senate amendment to Assembly Bill No. 775 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Christian, Cleary, Coombs, Davis, Dean, Dozier, Eksward, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Lyons, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—42.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses

of officers in counties of the forty-third class—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 407?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of the matter after the word "deputy" in line 7, to and including the word "annum" in line 8 of the said page, and insert in lieu thereof the following "during the months of May, June, July and August of each year, which office is hereby created, at a salary of two hundred dollars per month,".

The roll was called, and Senate amendment to Assembly Bill No 407 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dorris, Dozier, Duval, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Kline, Lyman, Lyons, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 34—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 401?

AMENDMENT NUMBER ONE.

On page 7, line 48, of the printed bill, strike out the word "six" and insert in lieu thereof the word "one".

AMENDMENT NUMBER TWO.

On page 7, line 49, of the printed bill, strike out the word "months" and insert in lieu thereof the word, "year."

AMENDMENT NUMBER THREE.

On page 3, line 11, of the printed bill, strike out all of subdivision "(*f*)".

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, strike out the letter "*g*" in parenthesis, and insert in lieu thereof the letter "*f*".

AMENDMENT NUMBER FIVE.

On page 3, line 16, of the printed bill, strike out all of subdivision "(*h*)".

AMENDMENT NUMBER SIX.

On page 3, line 20, of the printed bill, strike out the letter "*i*" in parenthesis, and insert in lieu thereof the letter "*g*".

AMENDMENT NUMBER SEVEN.

On page 3, line 23, of the printed bill, strike out the letter "*j*" in parenthesis, and insert in lieu thereof the letter "*h*".

AMENDMENT NUMBER EIGHT.

On page 3, line 28, of the printed bill, strike out the letter "*k*" in parenthesis, and insert in lieu thereof the letter "*i*".

The roll was called and Senate amendments to Assembly Bill No. 401 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Cleary, Coombs, Davis, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Kline, Lyman, Lyons, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Morris moved that the vote whereby Assembly Bill No. 507 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Cleary, Connolly, Coombs, Dorris, Duval, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Kline, Lyman, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED SEVEN

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along state highways for the maintenance and preservation of scenic beauties along such highways.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Pomeroy moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "streams".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "streams".

AMENDMENT NUMBER THREE.

On page 1, line 1, following the word "may" insert the words "with the approval of the governor".

Motion carried.

The Speaker appointed Mr. Pomeroy as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 507, with instructions, reports that the instructions of the Assembly have been carried out.

POMEROY, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION TO RECONSIDER.

Mr. Fellom moved that the consideration of Mr. Graves' motion to reconsider the vote whereby Assembly Bill No. 1269 was passed, be continued until the next legislative day.

Motion lost.

RECESS.

At ten o'clock and fifty minutes a.m., the Speaker declared the Assembly at recess for the purpose of allowing Senorita Adelia Palacios, personal representative of President Obregon of Mexico, to address the Assembly.

REASSEMBLED.

At ten o'clock and fifty-six minutes a.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Waestman reading.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Graves moved that the vote whereby Assembly Bill No. 1269 was passed, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, Moore, Noyes, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stow, West, and Woodbridge—47.

NOES—Badham, Ball, Davis, Emme, Foster, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Smith, Weller, Williams, Wright, and Mr. Speaker—17.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED SIXTY-NINE

Assembly Bill No. 1269—An act to provide for the establishment within the unincorporated portions of counties of districts or zones within which the use of property, height of improvements, and required open spaces for light and ventilation of such buildings may be regulated by ordinance; providing for the establishment and maintenance of county planning commissions and prescribing their powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1269 refused passage by the following vote:

AYES—Badham, Davis, Emme, Foster, Lyons, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Smith, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—19.

NOES—Anderson, Baker, C. C., Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Lyman, McDowell, McMillan, Miller, Moore, Morris, Morrison, Noyes, Rock, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, and West—44.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Crittenden moved that the vote whereby Senate Bill No. 534 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emine, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTY-FOUR.

Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Weller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out the following: "part four, title one" and insert in lieu thereof the following: "title one, part four, division first".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out all of lines 3 to 8, inclusive, and insert in lieu thereof the following:

"290*d*. For the purpose of fixing the fee prescribed by section 409 of the Political Code for filing the articles of incorporation of any corporation formed under section 290*b* of this code, the shares of stock of such corporation having no nominal or par value shall be taken to be of the par value of one hundred dollars."

AMENDMENT NUMBER THREE.

On page 4, line 20, of the printed bill, strike out the following: "part four, title one" and insert in lieu thereof the following: "title one, part four, division one".

AMENDMENT NUMBER FOUR.

On page 4, line 21, of the printed bill, before the word "may" insert the following: "or which may hereafter be incorporated under said title".

Motion carried.

The Speaker appointed Mr. Weller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 534, with instructions, reports that the instructions of the Assembly have been carried out.

WELLER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. McPherson moved that the vote whereby Assembly Constitutional Amendment No. 30 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C. Ball, Bernard, Burns, Carter, Christian, Clarke, Cleary, Connolly, Davis, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—59.

NOES—Broughton, Dorris, and Dozier—3.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.

Assembly Constitutional Amendment No. 30 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Scott moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2 of the printed bill strike out lines 6, 7 and 8, and insert in lieu thereof the following:

"Nothing in this act shall be construed to apply to any property the taxation of which is provided for in section fourteen of this article nor to authorize the assessment or taxation of any property now exempt from taxation under this constitution."

Motion carried.

The Speaker appointed Mr. Scott as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Constitutional Amendment No. 30, with instructions, reports that the instructions of the Assembly have been carried out.

SCOTT, Select Committee.

Report of Select Committee of One and amendment adopted.

Assembly Constitutional Amendment No. 30 ordered to reprint, re-engrossment, and on file for adoption.

MOTION.

Mr. Scott moved that the hour of recess be extended.

Motion carried.

SPECIAL ORDER SET.

On motion of Mr. Scott, the consideration of Assembly Constitutional Amendment No. 30 was made a special order for Monday, May 7, 1923, at two o'clock p.m.

RECESS.

At twelve o'clock and three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p m., the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 117—An act to add a new section to the Political Code, to be numbered 4270a, relating to the salary and compensation of the county surveyor of counties of the forty-first class.

Also: Assembly Bill No. 1006—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

(Signed out)

SMITH, Chairman.
NOYES.
JOHNSON.
DAVIS
DOZIER
HEISINGER.
BAKER, C C.
STEVENOT.
PRENDERGAST.
CLEARY.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 975—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Donohue moved that Assembly Bill No 738 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Bill No 738 re-referred to Committee on Ways and Means.

RECONSIDERATION.

In compliance with a notice given on a previous day, Mrs. Woodbridge moved that the vote whereby Assembly Bill No. 159 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Graves, and Kline—2.

NOES—Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Smith, Snyder, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—47.

Assembly Bill No. 159 ordered transmitted to the Senate

MOTION TO RECONSIDER.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 868 was passed, be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 3 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 154 was refused passage be continued until the next legislative day.

Motion carried.

RECESS.

At two o'clock and seventeen minutes p.m., on motion of Mr. Fox the Speaker declared the Assembly at recess for the purpose of allowing Mr. James G. Gibbons, special representative of the United States Veterans' Bureau, to address the Assembly.

REASSEMBLED.

At two o'clock and twenty-four minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

SPECIAL ORDER SET.

On motion of Mr. Williams, the consideration of Assembly Bill No. 148 was made a special order for Wednesday, May 9, 1923, at eleven o'clock a.m.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 502 passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Badham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 636—An act to amend chapter II of title III of part III of the Political Code, embracing sections 1487, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1503, 1505, and 1507, relating to the State normal schools or teachers colleges.

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr Snyder moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

In lines 2 and 3 of the title strike out the words "One thousand four hundred eighty-seven."

AMENDMENT NUMBER TWO

On page 1 of the printed bill strike out all of lines 1 to 11, inclusive.

AMENDMENT NUMBER THREE

On page 1, line 12, of the printed bill, strike out "Sec 2" and insert in lieu thereof "Sec. 1".

AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, strike out the words "and junior" and in line 14 strike out the word "high".

AMENDMENT NUMBER FIVE.

On page 2, line 13, after the word "kindergarten" strike out the comma and insert the word "and".

AMENDMENT NUMBER SIX.

On page 1, line 19, strike out the words "Sec. 3." and insert in lieu thereof the words "Sec. 2."

AMENDMENT NUMBER SEVEN.

On page 3, line 11, strike out the words "Sec. 4." and insert in lieu thereof the words "Sec. 3."

AMENDMENT NUMBER EIGHT.

On page 3, line 13, strike out the words "Sec. 5." and insert in lieu thereof the words "Sec. 4."

AMENDMENT NUMBER NINE.

On page 3, line 15, strike out the words "Sec. 6" and insert in lieu thereof the words, "Sec. 5"

AMENDMENT NUMBER TEN.

On page 3, line 24, strike out the words "Sec. 7." and insert in lieu thereof the words "Sec. 6."

AMENDMENT NUMBER ELEVEN.

On page 3, line 26, strike out the words "Sec. 8" and insert in lieu thereof the words "Sec. 7"

AMENDMENT NUMBER TWELVE

On page 3, line 28, strike out the words "Sec. 9." and insert in lieu thereof the words "Sec. 8"

AMENDMENT NUMBER THIRTEEN

On page 4, line 5, strike out the words "Sec. 10." and insert in lieu thereof the words "Sec. 9."

AMENDMENT NUMBER FOURTEEN.

On page 4, line 7, strike out the words "Sec. 11." and insert in lieu thereof the words "Sec. 10."

Motion carried.

The Speaker appointed Mr. Snyder as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 636, with instructions, reports that the instructions of the Assembly have been carried out.

SNYDER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 211—An act to amend sections 363, 363*a*, 363*e* and 363*h* of the Political Code, relating to the Department of Public Works

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 211 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Burns, Carter, Clarke, Cleary, Cleveland, Crittenden, Dawson, Dean, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58

NOES—Bernard—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 202 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Pedrotti,

Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Burns, Carlson, Cleary, Connolly, Croter, Davis, Dawson, Dorris, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Bernard, Carter, Cleveland, Coombs, Dean, Donohue, Eksward, Fellom, Hornblower, Johnston, McDowell, and Noyes—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Badham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 828 was this day passed.

Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Snyder moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "three" and substitute in lieu thereof the word "two".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out all of lines 7 to 14, inclusive.

AMENDMENT NUMBER THREE.

On page 2, line 32, of the printed bill, after the word "force" strike out the semicolon and all of the remainder of line 32 and also all of lines 1 to 4, inclusive, on page 3.

Motion carried.

The Speaker appointed Mr. Snyder as such Select Committee.

The following report of Select Committe of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 934, with instructions, reports that the instructions of the Assembly have been carried out.

SNYDER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1329 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Cleary, Cleveland, Connolly, Davis, Dawson, Dean, Donohue, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Scott, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDER SET.

On motion of Mr. Hornblower, the consideration of Assembly Bill No. 868 was made a special order for Monday, May 7, 1923, at two o'clock and thirty minutes p.m.

Assembly Bill No. 792—An act to amend section 626*o* of the Penal Code, relating to the shooting from moving boats.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 792 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball; Carlson, Carter, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Johnson, Kline, Mathews, McMillan, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Spence, Stow, Weller, Whitacre, Williams, and Woodbridge—44

NOES—Bernard, Broughton, Clarke, Dean, Fellom, Hawes, Heisinger, Hornblower, Johnston, Morrison, Schmidt, West, Wright, and Mr Speaker—14.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended Assembly Concurrent Resolution No. 12—Relative to adjournment sine die—and respectfully requests your honorable body to concur in said amendment

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 12?

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed resolution, after the word "at" strike out the remainder of the line and insert in lieu thereof the following: "five o'clock p m Friday, May 18, 1923."

The roll was called, and Senate amendment to Assembly Concurrent Resolution No. 12 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Broughton, Carlson, Carter, Clarke, Connolly, Crittenden, Croter, Dawson Dean, Donohue, Eksward, Emme Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline,

Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

The above reported concurrent resolution ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 561 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Kline, Mathews, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Burns, Cleveland, Connolly, Coombs, Hornblower, and Johnston—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8 and 8*a* of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, as amended, all relating to the levy and collection of taxes by and for the use of municipal corporations, public corporations and taxing districts and to the consolidation of certain municipal offices; and to add a new section to be numbered 8*b*, thereto, defining the term "municipal corporation" for the purposes of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote

AYES—Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1159—An act to amend section 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1159 passed by the following vote:

AYES—Badham, Ball, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Reindollar, Roberts, Saylor, Smith, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—46

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1131 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Broughton, Burns, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Reindollar, Roberts, Smith, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1301 passed by the following vote:

AYES—Baker, C. C., Ball, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Lyman, Lyons, Mathews, McMillan, Miller, Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 928—An act to provide for the establishment within counties of county park commissions and for the maintenance, powers and duties thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Pomeroy moved a call of the House.

Motion carried.

Time, four o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fostet, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—55

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Noyes moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, line 20, of the printed bill, after the word "sale" strike out the word "of" and insert the word "to".

AMENDMENT NUMBER TWO.

On page 3, line 38, of the printed bill, after the word "said" insert the word "first".

AMENDMENT NUMBER THREE.

On page 4, line 12, of the printed bill, after the word "fund" insert the words "which fund is hereby created".

AMENDMENT NUMBER FOUR.

On page 4, line 20, of the printed bill, strike out the word "against".

AMENDMENT NUMBER FIVE.

On page 4, line 21, of the printed bill, after the words "six" strike out the balance of section 1 and in lieu thereof insert the following: "and the reclamation board shall contract on a cash basis for additional work included in said project and assessment, but not yet done, and the pay for which funds are not available, and shall meet the payment on said contract or contracts out of said emergency fund hereby created".

AMENDMENT NUMBER SIX.

On page 4, line 15, of the printed bill, after the word "board" insert the words "on said fund".

Motion carried.

The Speaker appointed Mr. Noyes as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1346, with instructions, reports that the instructions of the Assembly have been carried out.

NOYES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Weller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

After the comma following "require" in line 18, on page 2 of the printed bill, insert the following "and whenever the city council or other legislative body of each of the municipalities and the board of supervisors of the county, having jurisdiction over any portion of the territory proposed to be included in an assessment district to be formed under this act, shall by resolution consent to the formation of such assessment district and the commencement of a proceeding under this act for the construction of any public work or improvement.".

Motion carried.

The Speaker appointed Mr. Weller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 640, with instructions, reports that the instructions of the Assembly have been carried out.

WELLER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

MOTION.

Mr. Wright moved that the committee in charge of the Attache Ball be requested to render a statement to this body setting forth the moneys collected, moneys expended, and disposition of unexpended balance, if any.

MOTION TO LAY ON TABLE.

Mr. Hornblower moved that the motion by Mr. Wright be laid on the table.

Motion carried.

MOTION.

Mr. Morris moved that a Committee of Three be appointed to wait upon the committee of attaches handling the Legislative Ball and inquire into the finances regarding the same, and to report back to this body at their pleasure.

MOTION TO LAY ON TABLE.

Mr. Cleveland moved that the motion by Mr. Morris be laid on the table

Motion carried.

MOTION TO RE-REFER.

Mr. Morris moved that Assembly Bill No. 678 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

Motion carried.

Assembly Bill No. 678 re-referred to Committee on Judiciary.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and forty-four minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Pomeroy.

The roll of absentees was called, and Assembly Bill No. 928 refused passage by the following vote:

AYES—Badham, Baker, Edwin; Ball, Carlson, Carter, Croter, Davis, Donohue, Erb, Fellom, Foster, Johnson, Kline, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Morrison, Pedrotti, Pomeroy, Reindollar, Roberts, Schmidt, Scott, Smith, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—33.

NOES—Anderson, Baker, C. C., Bernard, Bromley, Broughton, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier Eksward, Emme, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, McMillan, Morris, Mueller, Noyes, Prendergast, Saylor, Stow, West, and Whitacre—32.

RECESS.

At four o'clock and forty-seven minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 999—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourth day of May, 1923, at one o'clock and thirty minutes p.m

ROBERTS, Chairman.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Also: Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921, prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

MUELLER, Chairman.
FOX.
MITCHELL, A. G.
DAWSON.
CLEVELAND.
McDOWELL.
BURNS.
DORRIS.

The above reported bills ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CONNOLLY, Chairman.
REINDOLLAR.
WRIGHT.
WOODBRIDGE.
McPHERSON.
COOMBS.
McMILLAN.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

(Signed out)

WEST, Chairman.
COOMBS.
DEAN.
DORRIS.
BERNARD.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON MANUFACTURES

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State,

Also, Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes, prohibiting the use of second-hand boxes for packing such pastes, prohibiting the manufacture, production, preparation, compounding,

packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes, vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

ERB, Chairman.

The above reported bills ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1923.

MR SPEAKER Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption—has had the same under consideration, and respectfully reports the same back without recommendation as amended.

(Signed out)

MITCHELL, A G, Chairman.
STEVENOT.
CLARKE.
NOYES.
COOMBS.
BERNARD.

The above reported constitutional amendment ordered on file for adoption.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR SPEAKER: Your Committe on Manufactures, to which was referred Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manural purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ERB, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 12—Relative to adjournment sine die—and reports that the same has been correctly enrolled, and presented the same to the Governor on this 4th day of May, 1923, at five o'clock p.m.

ROBERTS, Chairman.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented: By Mr. Hawes.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state' approved March 10, 1887," approved May 18, 1921

Referred to Committee on Introduction of Bills.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed,

to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended.

Also: Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913.

Also: Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Also: Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended.

Also: Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 466—An act to amend section 4292*a* of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor;

Also: Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 466 read first time, and referred to Committee on County Government.

Senate Bill No. 513 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected here-

under: to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended;

Also: Senate Bill No 457—An act to amend section 460 of the Penal Code relating to the degrees of burglary.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 75 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 457 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Dawson:

WHEREAS, Pursuant to the Standing Rules of this Assembly, the Chairman of the Committee on Ways and Means, Honorable Chester M. Kline, visited the various institutions of the State for the purpose of learning the financial needs of such institutions; and

WHEREAS, Said Honorable Chester M. Kline made such investigation and contracted expenses to the amount of $110 73 as itemized below:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent expenses of the Assembly in favor of the said Honorable Chester M. Kline for the said amount of $110.73, and the State Treasurer is hereby authorized and directed to pay the same.

Railroad fare	$29 68
Hotel and meals	78 85
Telephones and telegrams	2 20
	$110 73

Has has the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
LYONS.
ROCK.
PEDROTTI
MITCHELL, A. G.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Baker, C. C., Baker, Edwin; Ball, Carter, Clarke, Coombs, Crittenden, Dawson, Dean, Dorris, Foster, Graves, Johnson, Johnston, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Noyes, Saylor, Spencé, Weller, Williams, Woodbridge, and Mr Speaker—26.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BAKER, C. C., Chairman.
MILLER.
WOODBRIDGE.
FOSTER.
SCOTT.
HEISINGER.
GRAVES.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 762—An act to amend sections 362*a*, 362*b*, and 362*c* of the Political Code, relating to the Department of Education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MILLER.
WOODBRIDGE.
STEVENOT.
HEISINGER.
WHITACRE.
ROBERTS.
McMILLAN.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Assembly Bill No 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Education, to which was referred Senate Bill No 346—An act to add a new section to the Political Code to be numbered 1608*c*, to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts;

Also Senate Bill No 342—An act to add a new section to the Political Code to be numbered 1610*b*, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR. SPEAKER Your Committee on Elections, to which was referred Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code, to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363 and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties

hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

POMEROY, Chairman.
MITCHELL, A. G.
BROUGHTON.
PRENDERGAST
BALL.
STOW.
SCHMIDT.
CARTER.
EMME.

The above reported bill ordered on file for second reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr Heisinger asked for and was granted unanimous consent to take up Senate Bill No. 438, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED THIRTY-EIGHT.

Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Heisinger moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, after the word "plant", insert the words "fruit, nut or other."

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "engineer", strike out the balance of line and insert in lieu thereof the words, "to plant or direct the planting of such trees."

AMENDMENT NUMBER THREE.

On page 1, after line 6, of the printed bill, insert the following

"SEC. 2. Such trees may be selected, planted and may be cultivated and maintained from year to year by the owner or owners of property abutting on such highway, and fruit or nuts grown on such trees shall be the property of the owner or owners of the abutting land on such highway."

AMENDMENT NUMBER FOUR.

Strike out lines 7 to 16, inclusive, and insert in lieu thereof the following:

"SEC 3. In case the owner or owners of any abutting land fails to plant such trees or maintain them then the engineer shall plant or direct the planting and maintenance thereof, and the cost of such planting shall be assessed to such abutting property owners in proportion to the frontage which each may own along said highway and said assessment shall be collected by the county tax collector in the same manner as other assessments are collected.

SEC. 4 Such sums as are realized from these assessments shall be, when collected, deposited in the general fund of the county and become a part thereof."

Motion carried.

The Speaker appointed Mr. Heisinger as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 438, with instructions, reports that the instructions of the Assembly have been carried out.

HEISINGER, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1298 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Eksward, Foster, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Reindollar, Saylor, Schmidt, Scott, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 547—An act to amend section 1932 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 547 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Foster, Hawes, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—47

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mrs. Dorris asked for and was granted unanimous consent to withdraw Assembly Bill No. 487.

Bill withdrawn and ordered stricken from the file.

REQUEST FOR UNANIMOUS CONSENT.

Mrs. Dorris asked for and was granted unanimous consent to take up Senate Bill No 275, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FIVE.

Senate Bill No. 275—An act declaring and establishing a state highway between Bakersfield and Mojave, in Kern County.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 275 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson,, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Graves, Hawes, Heisinger, Johnston, Kline, Lyman, Lyons, McDowell, McPherson, Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1350—An act to amend section 953*b* of the Code of Civil Procedure, relating to undertakings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1350 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Broughton, Burns, Carter, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Graves Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast Reindollar, Roberts, Saylor, Spence, Weller, Williams, Woodbridge, Wright and Mr Speaker—44

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 433 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Hawes, Heisinger, Johnson, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Weller, Williams, Woodbridge, and Wright—49

NOES—Graves, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359*a*, relating to the time within which

actions must be commenced against directors and stockholders of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 557 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Coombs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 557 was this day passed.

Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1322 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Graves, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1123—An act to amend section 2079 of the Political Code, relating to the national guard of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1123 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Donohue, Dorris, Emme, Foster, Graves, Heisinger, Johnson, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Scott, Spence, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 408 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Hawes, Heisinger, Johnson, Johnston, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Saylor, Schmidt, Spence, Stevenot, Stow, Weller, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 67—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 67 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Heisinger, Johnson, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 131—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 131 finally passed by the following vote:

AYES—Baker, C. C., Bernard, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Hawes, Heisinger, Johnson, Johnston, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Saylor, Schmidt, Spence, Stevenot, Weller, Williams, Woodbridge, and Wright—43.

NOES—Badham, Baker, Edwin, Ball, Bromley, Graves, Pomeroy, Scott, and Mr. Speaker—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 494 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Graves, Hawes, Heisinger, Johnson,

Johnston, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Saylor, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 11—An act to amend section 2210 of the Political Code, relating to the Women's Relief Corps Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 11 finally passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 481—An act to amend section 4245 of the Political Code, relating to the salaries and fees of officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 481 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Graves, Hawes, Johnson, Johnston, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the reestablishment and redefinition of the boundaries of the counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 315 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis,

Dawson, Dean, Donohue, Dorris, Eksward, Emme, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 462 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, Miller, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr Speaker—49.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 539 finally passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 434—An act to amend an act entitled "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the public utilities act and the Railroad Commission of the State of California," approved April 30, 1913, by amending section 1 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 434 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell,

A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Saylor, Schmidt, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—Scott—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records.

Bill read third time.
The question being on the passage of the bill
The roll was called, and Senate Bill No. 580 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Clarke, Cleary, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 36—An act to amend sections 204 and 206 of the Code of Civil Procedure, relating to jury lists.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No 36 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—Dawson, Dozier, Lyons, and Stow—4.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 235—An act to amend section 3751 of the Political Code, relative to tax receipts.

Bill read third time.
The question being on the passage of the bill
The roll was called, and Senate Bill No. 235 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dono-

hue, Dorris, Eksward, Emme, Erb, Foster, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—52.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No 711—An act to amend section 426 of the Code of Civil Procedure, relating to the contents of complaints.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 711 finally passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Graves, Hawes, Heisinger, Johnson, Kline, Lyons, McDowell, McMillan, McPherson, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stevenot, Weller, Woodbridge, Wright, and Mr Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fourteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Wright.

The roll of absentees was called, and the resolution by Mr. Dawson adopted by the following vote:

AYES—Baker, C. C, Baker, Edwin Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb Foster, Heisinger, Johnson, Johnston, Kline, Lyman Lyons, McDowell, McMillan, Miller, Mitchell, A. G, Moore, Noyes, Pedrotti Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Graves—1.

ADJOURNMENT.

At eleven o'clock and nineteen minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m, Saturday, May 5, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, May 5, 1923

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Badham, Ball, Bernard, Clarke Cleary, Coombs, Davis Donohue, Dozier, Emme, Graves Johnson, Miller, Moore, Noyes, Prendergast, Roberts, Scott, Weller, West, Williams, Woodbridge and Mr Speaker—23

CALL OF THE HOUSE.

Mr. Badham moved a call of the House.

Motion carried.

Time, nine o'clock and thirty-four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Ball, Bernard, Clarke, Cleary, Connolly, Coombs, Davis, Donohue, Dozier, Emme, Fulwider, Graves, Johnson, Miller, Moore, Noyes, Prendergast, Roberts, Scott, Weller, West, Williams, Woodbridge, and Mr. Speaker—25

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and six minutes a. m., further proceedings under the call of the House were dispensed with, on motion of Mr. Graves.

The roll of absentees was called, and a quorum declared to be present by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—56.

NOES—None.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Weller, Mr. and Mrs. Peter L. Ferry of Texas, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Weller, Mr and Mrs. Peter L Ferry of Glendale were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr Weller, Mr and Mrs M. J. Brennan of Glendale were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Dean, its further reading was dispensed with

ASSISTANT CLERK WESTMAN READING.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unin-

corporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds,' approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues, lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 367?

AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed bill, strike out the period (.) and insert in lieu thereof the following ", *provided, however*, that nothing herein contained shall be deemed to vest jurisdiction or power in the board of supervisors to do any of the aforementioned work upon any highway, street, avenue, lane, alley, court or place lying wholly or partly within the boundary of any incorporated city until the consent of the legislative body of such incorporated city shall first be obtained for the use for such purposes of the highway, street, avenue, lane, alley, court or place."

The roll was called

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried

Time, ten o'clock and thirteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badaracco, Ball, Bernard, Carter, Clarke, Cleary, Connolly, Coombs, Dean, Donohue, Dorris, Erb, Foster, Graves, Johnson, Johnston, Kline, McMillan, Miller, Mitchell, A. G., Moore, Neyes, Pedrotti, Pomeroy, Roberts, Saylor, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—32

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

Also Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates.

Also: Assembly Bill No 206—An act to amend section 978 of the Code of Civil Procedure relating to undertaking on appeal in justice's court;

Also Assembly Bill No 1292—An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers.

Also: Assembly Bill No 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.

Also: Assembly Bill No 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property;

Also: Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording.

Also Assembly Bill No 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts:

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal

Also Assembly Bill No. 129—An act to amend an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5*a* and 5*b*, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

Also Assembly Bill No 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Also Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code all relating to partnerships, and to make the Partnership Law of the State of California uniform with the law of other states.

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays:

Also Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the Army, Navy or Marine Corps of the United States in time of war, and making an appropriation therefor," approved May 30 1921:

Also Assembly Bill No 509—An act to amend section 4307 of the Political Code, relating to county charges

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONOHUE, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1356—An act to amend section 19*f* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1356 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mrs Woodbridge asked for and was granted unanimous consent to take up Senate Bill No. 333, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED THIRTY-THREE.

Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 333 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Eksward, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan,

Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Stow, Weller, West, Whitacre, Woodbridge, Wright and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Senate Bill No. 401, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED ONE.

Senate Bill No 401—An act to promote reforestation of lands suited to production of forest crops and providing for the assessment and taxation of such lands, specifying the method of classification of such lands for taxation purposes and placing certain discretionary powers in the State Board of Forestry and State Forester.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 401 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Saylor, Scott, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Prendergast asked for and was granted unanimous consent to take up Senate Bill No 526, at this time, without reference to file

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWENTY-SIX.

Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 526 finally passed by the following vote

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Foster, Fulwider, Graves, Heisinger, Johnson, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Pedrotti asked for and was granted unanimous consent to take up Senate Bill No. 41, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FORTY-ONE.

Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and to justice's courts; and relating to the salaries of certain justices of the peace.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 41 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Foster, Fulwider, Graves, Heisinger, Johnson, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15*a*, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled, "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 781 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Burns, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1286 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline,

Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Moore asked for and was granted unanimous consent to take up Senate Bill No. 135, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-FIVE.

Senate Bill No. 135—An act to amend section 4249 of the Political Code, relating to the compensation of officers in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Bernard, Burns, Carter, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mitchell, A. G., asked for and was granted unanimous consent to take up Senate Bill No. 713, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED THIRTEEN.

Senate Bill No. 713—An act to amend section 1294 of the Code of Civil Procedure, relating to the jurisdiction of probate courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 713 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 551 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyons asked for and was granted unanimous consent to take up Senate Bill No. 40, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FORTY.

Senate Bill No. 40.—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, as amended, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, providing for the care and disposition of moneys in their hands, providing for their removal and tenure of office, and providing for additional deputy clerks for said courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 40 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p*, inclusive of the Political Code, and to add a new section to said code to be numbered 4236*q*, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of

said officers and said assistants, deputies, and other employees—report that we have met a like committee of the Senate, consisting of Senators Jones, Boggs, and Dennett, and we report that the Committee on Free Conference have agreed to recommend that the amendments adopted by the Senate on April 23, 1923, be adopted, and the bill be further amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 47, of the printed bill, strike out the words "eight hundred" and insert in lieu thereof "nine hundred twenty".

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER THREE.

On page 3, line 50, of the printed bill, strike out the words "eight hundred" and insert in lieu thereof "nine hundred twenty".

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER FIVE.

On page 4, line 4, of the printed bill, strike out the words "five hundred" and insert in lieu thereof "six hundred twenty".

AMENDMENT NUMBER SIX.

On page 4, line 21, of the printed bill, strike out the words "one thousand nine hundred eighty" and insert in lieu thereof "two thousand one hundred".

AMENDMENT NUMBER SEVEN.

On page 4, line 22, of the printed bill, strike out the words "one thousand nine hundred eighty" and insert in lieu thereof "two thousand one hundred".

AMENDMENT NUMBER EIGHT.

On page 4, line 25, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

AMENDMENT NUMBER NINE.

On page 4, line 27, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

AMENDMENT NUMBER TEN.

On page 4, line 28, of the printed bill, strike out the word "six" and insert in lieu thereof "eight", and strike out the word "eighty".

STEVENOT,
McDOWELL,
MORRIS,
Assembly Committee on Free Conference.

JONES,
BOGGS,
DENNETT,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Saylor, Schmidt, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT

Mr. Graves asked for and was granted unanimous consent to take up Senate Bill No. 405, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIVE.

Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 405 finally passed by the following vote:

AYES—Badham, Baker, C C., Baker, Edwin, Ball, Bernard, Burns, Carter, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, McDowell, McMillan, Miller, Mitchell, A G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Schmidt, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 358 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Saylor, Schmidt, Scott, Spence, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Emme asked for and was granted unanimous consent to take up Senate Bill No. 710, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED TEN.

Senate Bill No. 710—An act to amend section 777 of the Penal Code, relating to the jurisdiction of offenses committed in the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 710 finally passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Carter, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston Kline, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 917 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McMillan, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Saylor, Schmidt, Scott, Spence, Weller, West, Williams, Woodbridge, and Mr. Speaker—44.

NOES—Cleary, Heisinger, and Wright—3.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dozier asked for and was granted unanimous consent to take up Senate Bill No. 392, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED NINETY-TWO.

Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation', approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Donohue, Dorris, Dozier, Eksward, Erb, Fulwider, Graves, Hawes, Johnson, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Foster, and Scott—2.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Saylor, Scott,

Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dean asked for and was granted unanimous consent to take up Senate Bill No. 428, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED TWENTY-EIGHT.

Senate Bill No. 428—An act to provide for probation officers in counties of the eighth class, and fixing their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 428 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dawson asked for and was granted unanimous consent to take up Senate Bill No. 712, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED TWELVE.

Senate Bill No. 712—An act to amend sections 392, 393, 395 and 397 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 712 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Bernard, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Fulwider, Graves, Hawes, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read.

AMENDMENT TO TITLE.

During reading of the title, Mr. Dawson moved to amend the title as follows:

AMENDMENT NUMBER ONE

In line 2 of the title, strike out the comma therein and insert in lieu thereof the word "and".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title after the word "ninety-five" strike out the words "and three hundred ninety-seven".

Amendments adopted.

Bill ordered to reprint, and to Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crittenden asked for and was granted unanimous consent to take up Senate Bill No. 176, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SEVENTY-SIX.

Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 176 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Crater, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, McDowell, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Roberts, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Clarke asked for and was granted unanimous consent to take up Senate Bill No. 633, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER SIX HUNDRED THIRTY-THREE

Senate Bill No 633—An act declaring the existing public highway in Inyo County extending from the northerly end of the present State highway to the boundary line between California and Nevada to be a State highway.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Clarke moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out the words "in Inyo county".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, preceding the word "to", insert the words "in Inyo county".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out the period and in lieu thereof insert the following: ", and placing it under the jurisdiction and control of the state highway commission".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, strike out lines 1 to 8, both inclusive, and in lieu thereof insert the following:

"SECTION 1. The existing public highway, known as the Montgomery highway, connecting with the northerly end of the present state highway, being a point about one-half mile north of the city of Bishop in the county of Inyo, and extending through the town of Laws and thence in a northerly direction through said county of Inyo and through the county of Mono to the boundary line between the State of California and the state of Nevada, is hereby declared to be a state highway and the California state highway commission is hereby authorized and empowered to do such things as shall be necessary to properly supervise, improve and maintain said highway as a state highway."

Motion carried.

The Speaker appointed Mr. Clarke as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 633, with instructions, reports that the instructions of the Assembly have been carried out.

CLARKE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage

REQUEST FOR UNANIMOUS CONSENT.

Mr. Connolly asked for and was granted unanimous consent to take up Senate Joint Resolution No 16, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SIXTEEN.

Senate Joint Resolution No. 16—Relative to the proper care and relief of aged and infirm Indians in the State of California.

Senate Joint Resolution No 16 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 16 finally adopted by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dorris, Eksward, Erb, Foster, Fulwider, Hawes Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Mitchell, A G, Mueller, Noyes, Pomeroy, Roberts, Saylor, Schmidt, Scott, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Senate Joint Resolution No. 16 ordered transmitted to the Senate

SENATE JOINT RESOLUTION No. 16.

Relative to the proper care and relief of aged and infirm Indians in the State of California.

WHEREAS, The Senate of the State of California believes from definite information presented to, and by members of this body, that there is urgent need for directing the attention of the federal government to the fact that many aged and infirm Indians in the State of California are actually suffering from a lack of the necessities of life, a condition which should be remedied in accordance with certain treaties herebefore enacted between the government of the United States and the California Indians; now, therefore be it

Resolved by the Senate and the Assembly, jointly, in biennial session at Sacramento, California, this twenty-sixth day of March, 1923, That we most respectfully urge the authorities intrusted with the federal administration of Indian affairs, to make an immediate investigation, to the end that the conditions complained of, may be adequately remedied, and relief afforded.

Resolved, further, That copies of this resolution be made by the Secretary of the Senate, and transmitted to the President of the United States, the Secretary of the Interior, the Commissioner of Indian Affairs, and to each of the California Senators and Representatives in Congress.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 422 passed by the following vote:

AYES—Badaracco, Baker, Edwin; Ball, Bernard, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dozier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 422 was this day passed.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Bernard asked for and was granted unanimous consent to take up Senate Bill No. 134, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-FOUR.

Senate Bill No. 134—An act to amend section 4265 of the Political Code, relating to salaries, fees and expenses of officers in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 134 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Noyes, Pedrotti, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 787 passed by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball; Bernard, Burns, Carter, Clarke, Cleary, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Fulwider, Graves, Hawes, Heisinger, Johnson, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Mathews asked for and was granted unanimous consent to take up Senate Joint Resolution No. 18, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER EIGHTEEN.

Senate Joint Resolution No. 18—Relative to needy Indians within the State of California.

Senate Joint Resolution No. 18 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 18 finally adopted by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Hawes, Heisinger, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 18 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 18.

Relative to needy Indians within the State of California.

WHEREAS, There are within the borders of the State of California approximately 20,000 Indians on land of little or no value, of whom at least 4000 are without any land or homes, and furthermore, there are about 4000 Indian children of school age of whom 2500 are without adequate or any school facilities, and a considerable number of the Indian population are without necessary food, shelter and medical attendance; and

WHEREAS, The national government through a duly authorized commission in the years 1851 and 1852 negotiated eighteen separate treaties with the Indians of this State and secured the signatures of 401 Indian chiefs and headmen to said treaties, agreed to reserve for them in perpetuity about 7,500,000 acres of land and to pay said Indians approximately $1,800,000 in sundry goods for the other lands they agreed to cede to the United States and to provide them with sufficient educational and agricultural instruction, and the facilities necessary therefor; and

WHEREAS, The national government has failed to fully compensate them for their rights in or to land and to provide for them educationally; and

WHEREAS, The massing of these Indians in thinly populated districts makes provision for them at the expense of their white neighbors, under the prevalent school and pauper laws of the State, an unfair, inequitable and intolerable burden; and

WHEREAS, It has been the general policy of the national government to assume the care and education of the Indians, yet it has not always been practicable or for the best interests of the Indians themselves to remove them to reservations; and

WHEREAS, The general policy of the State and national cooperation as outlined by the Indian Board of Cooperation of California (incorporated) has already been approved by the State Legislature and by congressional and administrative acts; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That our representatives in Congress be and are hereby memorialized to secure provision in the Indian appropriation bill (1) for the purchase of adequate and permanent allotments with necessary improvements for homeless Indians; (2) for providing school buildings and equipment for Indians in public school districts where the Indian population and the necessities warrant it; and (3) for cooperation with county officials in securing proper care for sick and destitute Indians, until the necessity therefor no longer exists; and be it further

Resolved, That our representatives in Congress be, and are hereby, urged to put forth their best and united efforts to secure the enactment by Congress of an adequate bill conferring jurisdiction upon the courts of the United States to hear and to adjudicate all claims, both legal and equitable, which the several tribes or bands of Indians of California may have against the United States Government for lands taken from them without compensation therefor; and be it further

Resolved, That the Governor of the State of California, upon the passage of this resolution, shall forward a copy thereof to the President of the United States, the Vice President of the United States in his capacity as presiding officer of the Senate, the Speaker of the House of Representatives, to each of our Representatives in

Congress, each member of the House and Senate committees on Indian Affairs, the Secretary of the Interior, and the Commissioner of Indian Affairs.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and thirty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Stow.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 367 was concurred in by the following vote:

AYES—Badaracco, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Enme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Schmidt, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 378—An act to amend section 1734*b* of the Political Code, relating to high school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 488—An act to amend sections 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* of the Political Code, relating to agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STOW, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 3 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 154 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Badham moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 828 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Coombs moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 557 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 868 was passed be continued until the next legislative day.

Motion carried.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Mueller:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act declaring that certain avenue or public highway known as "El Cajon avenue" within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego County, California, to be a State highway.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 981—An act to amend sections 360*a*, 360*b*, and 360*d* of the Political Code, relating to a Department of Finance.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, in lines 1 and 2 of the title, strike out the following: "*a*, three hundred sixty *b*, and three hundred sixty *d*", and insert in lieu thereof the letter "*c*".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after the period after the figure "1" in line 1, strike out the entire bill and insert in lieu thereof the following: "Section three hundred sixty *c* of the Political Code is hereby amended to read as follows:

360*c*. The state board of control shall constitute the governing body, or head, of the department of finance, and the chairman of the board of control shall be chairman of said governing body. One member shall be chief of the division of claims and disbursements, one shall be chief of the division of budgets and accounts, and one shall be chief of the division of purchases and custody, as may be designated by the governor. For their services as chiefs of divisions they shall receive no compensation other than that allowed to them by law as members of the board of control. A majority of the members of the governing body of the department shall constitute a quorum for the transaction of any business, for the performance of any duty or for the exercise of any power of the department. Said governing body shall assign to each of the chiefs of divisions such duties as may be necesary to effectively

carry out the purposes of this article. No vacancies in the governing body of the department shall impair the right of the remaining members to exercise all the powers thereof. The governing body of the department may provide for the approval of all claims against the state by one of the members thereof, and the endorsement thereon of such member shall be sufficient. With the approval of the governor the governing body may from time to time waive or re-establish the requirement for the preauditing of contracts for purchase of supplies and materials prescribed by section six hundred eighty-three of the Political Code. Said governing body shall act as a whole in the final determination of the state budget, which shall be prepared by the chief of the division of budgets and accounts. The board shall prescribe forms for the preparation of the budget estimates to be submitted to the governor in accordance with section thirty-four of article four of the constitution and shall prescribe the manner and amounts in which the budget of annual expenditures of each state department or agency shall be prepared and the money appropriated therefor shall be expended.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of lines 3, 4, 5, 6, 7, 8 and 9, and insert in lieu thereof "Four members at large."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1345—An act to amend section 15*b* of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act." approved May 10, 1915, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all language of section 15*b* on page 2 of printed bill, from and including the word "no" in line 17 thereof to and including the word "provided" in line 29 thereof, and in lieu thereof insert the following language

"(*a*) No vehicle shall be operated or moved upon any public highway, which has a total weight, including vehicle and load, in excess of 22,000 (twenty-two thousand) pounds, when such vehicle is equipped with four wheels running on the highway, or having a total weight, including the vehicle and load, in excess of 34,000 (thirty-four thousand pounds, when said vehicle is equipped with six (6) wheels and with three (3) axles and when the front and rear axles are at least ninety-six inches apart, or with eight (8) wheels and with four (4) axles when the second and third axles are at least ninety-six inches apart; and no vehicle or other object or contrivance for moving loads which has a total weight, including any load thereon, in excess of 34,000 (thirty-four thousand) pounds, shall be operated or moved upon any public highway, unless upon stationary rails or track.

(*b*) Anything in this section to the contrary notwithstanding, it shall be lawful to operate until midnight on the thirty-first day of December, one thousand nine hundred twenty-six, any vehicle registered, or in use within this state at the time this act becomes effective which has a total weight including vehicle and load not in excess of twenty-four thousand pounds when such vehicle is equipped with four wheels running on the highway."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 8, of the printed bill, after the word "purposes" insert the following: ", and for the purchase of materials necessary for repairs, alterations, or improving the grounds."

AMENDMENT NUMBER TWO.

On page 1, line 12, beginning with the word "Any" strike out the remainder of the line and all of lines 13 and 14.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 743—An act to amend section 1608 of the Political Code, relating to the powers and duties of boards of school trustees and boards of education in the matter of managing school property, purchasing of furniture, repairs, employing architects and building school buildings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title, beginning with the word "in" strike out the remainder of line 3 and all of lines 4 and 5.

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the word "insolvent" and insert in lieu thereof the word "solvent".

AMENDMENT NUMBER THREE

On page 2, line 10, of the printed bill, beginning with the first word "To" strike out the remainder of the line and all of lines 11 to 15 inclusive and insert in lieu thereof the following "To buy or sell school sites or buildings; to build new school buildings; to make alterations in old buildings; to employ an architect to make plans for new school buildings and for alterations in old school buildings, and to fix and order paid the compensation of any architect so employed; *provided*, that no site or building shall be purchased or sold except upon vote of four-fifths of the governing board of the school districts and with the approval of the county superintendent of schools; *and provided further*, that any contract for the employment of an architect in districts not governed by a city board of education, shall be subject to approval by the county superintendent of schools."

AMENDMENT NUMBER FOUR.

On page 2, after line 33, of the printed bill, insert the following:

"Seventh—Boards of school trustees and city boards of education shall have power and may in their discretion insure the school district against liability for accidents to children going to or returning from school or on the school play grounds or in connection with the school work, such insurance to be written in any solvent insurance company doing business in this state or in any mutual insurance company organized under the laws of this state."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 703—An act to regulate the erection, construction and alteration of schools and to provide penalties for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In the first line of the title of the printed bill, after the word "erection" and before the word "construction", strike out the comma and in lieu thereof insert the word "and".

AMENDMENT NUMBER TWO.

In the first line of the title of the printed bill, after the word "construction" and before the word "of", strike out the words "and alteration".

AMENDMENT NUMBER THREE.

On page 2, line 38, of the printed bill, after the word "and" and before the word "stairways", insert the word "of".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, after the word "stairways" strike out the "period" and in lieu thereof insert the following "but at all times there shall be at least one stairway extending from the topmost story to the ground floor level."

AMENDMENT NUMBER FIVE.

On page 3, line 22, of the printed bill, after the word "masonry" and before the word "studs", strike out the words "or of" and in lieu thereof insert the following: ", except that any such school not exceeding one story in height may have exterior walls constructed of wooden".

AMENDMENT NUMBER SIX.

On page 3, line 25, of the printed bill, after the word "cement" insert the words "or any other cement of equal quality".

AMENDMENT NUMBER SEVEN.

On page 3, line 30, of the printed bill, after the word "thick" at the end of the line, strike out the "period" and in lieu thereof add the following: "or in lieu of such metal lath construction for the weather side of the exterior walls such walls may be sheated solidly with wooden boards not less than thirteen-sixteenths inch thick nailed to each stud and such sheathing entirely covered with at least one layer of heavy waterproofed building paper, then lathed with metal or wire lath and be well plastered not less than three-fourths inch thick.

Every school of fireproof or semifireproof construction, and two stories or more in height, shall have a roof constructed of fireproof materials or such roof shall be covered with fire resistive material.

Schools of not more than one story in height may be constructed as set forth in this act for schools of fireproof or semifireproof construction or such schools may be of wooden construction throughout

For the purpose of determining the number of stories in a school, a basement with a ceiling height that raises the first floor more than six feet above the adjoining ground levels shall be counted a story."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 117—An act to add a new section to the Political Code, to be numbered 4270*a*, relating to the salary and compensation of the county surveyor of counties of the forty-first class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

Strike out lines 1 to 4, both inclusive, of the title of the printed bill, and in lieu thereof insert the following:

"An act to amend section four thousand two hundred sixty-nine of the Political Code relating to salaries, fees and expenses of officers in counties of the fortieth class."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 10, both inclusive, and in lieu thereof insert the following

"SECTION 1. Section four thousand two hundred sixty-nine of the Political Code is hereby amended to read as follows:

4269. In counties of the fortieth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their offices, the following salaries, to wit:

1. County clerk. The county clerk, three thousand dollars per annum, and the said county clerk may appoint one deputy county clerk, which said office of deputy county clerk is hereby created The salary of such deputy county clerk is hereby fixed at one thousand five hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid. *Provided*, that in each year in which a new and complete or supplemental registration of voters is required by law, the county clerk shall appoint as many deputy registration clerks as may be necessary for the convenient registration of voters in the county, which deputy registration clerks shall receive as compensation for their services the sum of ten cents per name for each and every voter registered by them, said compensation to be paid out of the general fund of the county on presentation and filing with the board of supervisors of the county of a duly verified claim therefor, approved by the county clerk; *provided, further*, that the county clerk shall appoint one additional deputy to compile the great register, and for mailing sample ballots, at a compensation not to exceed the sum of four hundred dollars for each such registration

2. Sheriff. The sheriff, four thousand dollars per annum, and actual traveling expenses in the pursuit or arrest of criminals, either in or out of his county and the said sheriff may appoint one under-sheriff, which said office of under-sheriff is hereby created. The salary of such under-sheriff is hereby fixed at one thousand five hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid, and actual traveling expenses in the pursuit or arrest of criminals, either in or out of his county.

3 Recorder The recorder, one thousand five hundred dollars per annum; and the said recorder may appoint one deputy recorder, which said office of deputy recorder is hereby created The salary of such deputy recorder is hereby fixed at one thousand five hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid.

4. Auditor. The auditor, one thousand five hundred dollars per annum.

5. Treasurer. The treasurer, one thousand five hundred dollars per annum; and the said treasurer may appoint one deputy treasurer, which said office of deputy treasurer is hereby created The salary of such deputy treasurer is hereby fixed at one thousand two hundred dollars per annum, such salary to be paid at the same time and in the same manner as the salary of county officers is paid.

6. Tax collector The tax collector, one thousand five hundred dollars per annum, which shall be in full for all services as tax collector and as license collector.

7. Assessor. The assessor, three thousand dollars per annum. The said assessor may appoint one office deputy assessor, which said office of deputy office assessor is

hereby created, who shall serve as such only during five months of each calendar year. Said office deputy assessor shall receive a salary of one hundred dollars per month, payable during the period of said services, at the same time and in the same manner as the salary of county officers is paid. The said assessor may also appoint one additional deputy assessor, who shall be designated as a "field deputy assessor," which said office of "field deputy assessor" is hereby created, who shall serve as such only during five months of each calendar year. Said "field deputy assessor" shall receive a salary of one hundred dollars per month payable during the period of such service, at the same time and in the same manner as the salary of county officers is paid.

8. District attorney. The district attorney, three thousand dollars per annum. Said district attorney may appoint one clerk to the district attorney, which said office of clerk is hereby created. Said clerk to the district attorney shall receive a salary of one hundred dollars per month, payable at the same time and in the same manner as the salary of county officers is paid.

9. Coroner. The coroner, nine hundred dollars per annum, and his actual traveling and other expenses while performing the duties of his office.

10. Public administrator. The public administrator, such fees as are now or may be hereafter allowed by law.

11. Superintendent of schools. The superintendent of schools, two thousand seven hundred dollars per annum, and actual traveling expenses when visiting the schools of his county. Said superintendent of schools may appoint one deputy superintendent of schools, which said office of deputy superintendent of schools is hereby created. Said deputy superintendent of schools shall receive a salary of eighty dollars per month; *provided*, that said deputy superintendent of schools shall only serve and be paid as such during five months in each calendar year.

12. Surveyor. The surveyor one thousand two hundred dollars per annum; and in addition thereto he shall receive his actual traveling and other necessary expenses incurred by him while engaged in work for the county.

13. Justices of the peace and constables. In counties of this class the township officers shall receive the following compensation, to wit:

In townships having a population of five thousand or more, justices of the peace shall receive a monthly salary of one hundred fifty dollars per month; constables in townships of this population shall receive a salary of one hundred dollars per month.

In townships having a population of one thousand five hundred and less than three thousand, the justices of the peace and constables shall each receive a salary of forty-five dollars per month.

In townships having a population of eight hundred and less than one thousand five hundred, the justices of the peace and constables shall each receive a monthly salary of thirty-five dollars per month.

In townships having a population of five hundred and less than eight hundred, the justices of the peace and constables shall each receive a monthly salary of twenty dollars per month.

In townships having a population of less than five hundred, the justices of the peace and constables shall each receive a monthly salary of ten dollars per month.

The above named salaries shall be in full compensation for all services of said justices of the peace and constables in criminal cases; *provided*, that in addition to the salary herein allowed, each constable shall be paid out of the treasury of the county for traveling expenses outside of his township, for service of a warrant of arrest or any other paper in a criminal case, such fees as they are now or may be hereafter allowed by law, for transporting prisoners to the county jail, the actual expenses of such transportation; *and provided, further*, that for the purpose of this subdivision, the population of the several townships shall be ascertained by multiplying the number of registered voters at the general election of nineteen hundred twenty by three.

14. Supervisors. Each member of the board of supervisors, one thousand two hundred dollars per annum, and mileage when acting as road commissioner, twenty-five cents per mile one way; *provided*, the amount of mileage shall not exceed the sum of three hundred dollars in any one year.

15. The county traffic officer, two thousand four hundred dollars per annum. Said county traffic officer shall provide his own motorcycle or other vehicle and gasoline and oil for the purpose of propelling the same and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer whenever said office of county traffic officer is created by law.

16. Jurors. In counties of this class grand jurors and trial jurors in the superior court shall each receive for each day's attendance the sum of three dollars, and mileage to be computed at the rate of twenty cents per mile for each mile actually and necessarily traveled from their residences to the county seat, in going only. Such fees and mileage shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in said county.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments, and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 2, add the following

"4263. In counties of the thirty-fourth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The county clerk, three thousand six hundred dollars per annum, and when a new great register of voters is required by law, to be made he shall receive his actual expenses in making said register and ten cents per name for every name registered, in lieu of the sum of five hundred dollars heretofore received for performing said duties. It is hereby found as a fact that the salary provided for in this subsection does not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbent.

2. The sheriff, four thousand five hundred dollars per annum. In addition to the fees and expenses allowed by law as set forth in section four thousand three hundred *b* of the Political Code, the sheriff shall be allowed his actual and necessary traveling expenses incurred in pursuing criminals and his actual and necessary traveling expenses incurred in the investigation of crimes committed in his jurisdiction.

3. The recorder, three thousand four hundred dollars per annum.

4. The auditor, two thousand dollars per annum, and in lieu of fees heretofore paid him under the provisions of section four thousand ninety-nine *a* of the Political Code he shall receive an additional sum of five hundred dollars per annum as compensation for the extra duties imposed by said section four thousand ninety-nine *a*. It is hereby found as a fact that the salary provided for in this subsection does not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbent.

5. The treasurer, two thousand dollars per annum.

6. The tax collector, one thousand eight hundred dollars per annum.

7. The assessor, three thousand five hundred dollars per annum, and his actual and necessary traveling expenses, when engaged in assessing the property of his county: *provided*, such traveling expenses shall not, in any one year, exceed the sum of three hundred dollars.

8. The district attorney, three thousand six hundred dollars per annum; *provided, however*, that in counties of this class there shall be and there is hereby allowed to the district attorney one clerk which office is hereby created. Said clerk shall receive a salary of one thousand dollars per annum which shall be paid at the same time, in the same manner and out of the same funds as the salary of the district attorney is paid.

9. The coroner, such fees are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, one thousand eight hundred dollars per annum, and actual traveling expenses when visiting the schools of his county. In counties of this class the secretary of the county board of education shall receive the sum of five hundred dollars per annum, said salary to be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the superintendent of schools. The compensation of the secretary of the county board of education of this county hereby provided is in lieu of the fees heretofore allowed under the provisions of section one thousand seven hundred seventy of this code.

It is hereby found as a fact that the salary provided for in this section does not work an increase in compensation and it is intended that the same shall apply immediately to the present incumbent.

12. The county surveyor, one thousand five hundred dollars per annum, he to furnish all necessary instruments; but transportation charges for field work shall be allowed him. He shall not be required to perform county work more than two-thirds of the working days in any month, except on payment of fees now allowed by law.

13. Justices of the peace, the following salaries to be paid each month as county officers are paid, which shall be in full for all services rendered by them as such justices of the peace: In townships having a population of five thousand and more, one hundred dollars; in townships having a population of two thousand five hundred and less than five thousand, sixty-five dollars, in townships having a population of one thousand five hundred and less than two thousand five hundred, forty dollars; in townships having a population of one thousand and less than one thousand five hundred, twenty-five dollars, in townships having a population of less than one thousand, ten dollars. Each justice must pay into the county treasury, once a month, all fees and all fines collected by him. In all townships having a population of less than five thousand, if there be more than one justice, the compensation or salary allowed herein shall be equally divided between them so that the sum total of their compensation shall not exceed the salary allowed herein for a single justice in such townships.

14. Constables the following salaries, which shall be paid monthly as salaries of county officers are paid, and shall be in full for all services rendered by them in criminal cases, to wit: In townships having a population of two thousand five hundred or more, seventy dollars; in townships having a population of one thousand five hundred and less than two thousand five hundred, forty-five dollars; in townships having a population of one thousand and less than one thousand five hundred, thirty dollars, in townships having a population of less than one thousand, fifteen dollars. In addition to the monthly salary allowed herein, each constable may receive and retain for his own use, such fees as are now or may hereafter be allowed by law for all the services performed by him in civil actions. In all townships having a population of less than two thousand five hundred, if there be more than one constable, the compensation herein allowed shall be equally divided between them, so that the sum total of their monthly compensation shall not exceed the salary allowed herein for a single constable in each township. The board of supervisors shall, during each and every year, ascertain and determine the population of the several townships of the county for the purpose of ascertaining the compensation of township officers regulated by this section, in proportion to their duties.

In addition to the fees and expenses allowed by law as set forth in section four thousand three hundred *d* of the Political Code, constables shall be allowed the necessary and actual traveling expenses, incurred by them in the investigation of a felony committed within the township of which they are officers, and the necessary and actual traveling expenses incurred by them in pursuing criminals charged with the commission of a felony.

15. The county traffic officer, one thousand nine hundred eighty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy, which office is hereby created. Such deputy shall be appointed by the county traffic officer and shall receive a salary of one thousand eight hundred dollars per annum, which shall be paid by the county in monthly installments at the same time and in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same for said traffic officer and his deputy and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputy whenever said office of county traffic officer is created by law.

16. Each supervisor, one thousand two hundred dollars per annum, for all services performed by him as supervisor, member of the board of equalization and road commissioner.

17. It is hereby found as a fact that the provisions herein made for expenses of the sheriff and constables of counties of the thirty-fourth class do not work an increase in compensation and it is intended that the same apply immediately to the present incumbents."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1283—An act to amend the title and an act entitled "An act making an appropriation for the survey, location and construction of a highway betwen Susanville in Lassen County and a point on the line between California and Navada, approximately two miles east of Constantia in said county," approved June 1, 1917.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of secondhand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes; vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 762—An act to amend sections 362*a*, 362*b*, and 362*c* of the Political Code, relating to the Department of Education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363 and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

Bill read second time, ordered to engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362*f*, relating to the powers of the State Department of Education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, beginning with the word "When", strike out the entire sentence ending on line 12, and insert in lieu thereof the following reading matter: "When the department fixes the price of any publication, it shall specify the class of persons or institutions that may receive copies of the same free of charge."

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the following reading matter, "city, or", and insert in lieu thereof the word "any".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of

Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the words and numbers "August 1, 1923", and insert in lieu thereof the words and numbers "January 1, 1924".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers.

COMMITTEE AMENDMENT.

During second reading the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 3, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following reading matter "*provided* that elementary school districts not employing a superintendent shall select teachers only from an approved list provided by the county superintendent of schools."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, county of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608*c*, to authorize the governing boards of school

districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610*a*, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At twelve o'clock and forty-seven minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m Monday, May 7, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 7, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cleveland, Messrs. Jim O'Connor, Michael O'Keefe and John M. O'Keefe of Santa Cruz were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Moore, Miss Ruth Scott and Miss Zitka Wilhelm of Sacramento were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Miss Miller, Dr. John Hedley, Superintendent of the Pacific Chinese Mission, and Mrs. Hedley, of San Francisco, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Baker, C. C., Messrs. P. R. Heer and William Wallace of Salinas were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Johnson, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

LOS ANGELES, April 9, 1923.

Honorable Frank Merriam, Assembly Chamber, Sacramento, California

I believe Assembly Bills Nos. 249, 866, 867 and 868 to be extremely dangerous from standpoint of law enforcement and that same should be defeated or at least amended so as to apply only to searches of dwelling houses without search warrant. In present form these bills would seriously interfere with work of police in arresting and convicting many classes of desperate criminals I strongly urge that you use your influence against these bills.

JESSE STEPHENS.

Also:

LOS ANGELES, April 16, 1923.

Honorable Frank F Merriam, Speaker of the Assembly, Sacramento, California.

I wish to respectfully but vigorously protest the passage of any law making the enforcement of our criminal laws more difficult The four companion bills introduced by Mr. Hornblower affecting the enforcement of the Wright Law will largely nullity our efforts and make impossible the conviction of violators of all laws

THOMAS LEE WOOLWINE District Attorney
ASA KEYES, Chief Deputy

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways;

Also Assembly Bill No 934—An act to amend sections 362*a*. 362*b*. 362*c* and 362*d* of the Political Code. relating to the Department of Education,

Also Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors;

And reports that the same have been correctly re-engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees;

Also Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by coowners,

Also Assembly Bill No 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime;

And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to

article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation—and reports that the same has been correctly engrossed

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

SECOND READING OF SENATE BILLS.

Assembly Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out from and including the word "that" in line 4 of page 2, to and including the period following the word "incorporation" in line 18 of page 2, and in lieu thereof insert the following: ", in the case of municipal corporations of the sixth class that in the event that the proposed boundaries of such corporation contain both a center of population subdivided into town or suburban lots, and also an area of land devoted to farming, dairying, agricultural, oil or mineral purposes or other outside acreage, the said board of supervisors shall include within said proposed boundaries in addition to said subdivided area, only such portion of said area of land devoted to the purposes aforesaid or to any thereof or such other outside acreage, as the owners thereof shall have petitioned to have included within the limits of said proposed corporation."

AMENDMENT NUMBER TWO.

Strike out from and including the word "or" in line 33 of page 2, to and including the comma following the word "said" in line 35 of page 2.

AMENDMENT NUMBER THREE.

After the period following the word "incorporated" in line 39 of page 2, insert the following: ", and shall provide for the election of such officers as shall be required in such city of the class to which the same may belong, as hereinafter provided."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 378—An act to amend section 1734*b* of the Political Code, relating to high school districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the word "most".

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the words "from July 1, 1923" and insert in lieu thereof the words "after date of annexation".

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed bill, strike out the following: "(or part of joint elementary school district)".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Senate Bill No. 488—An act to amend sections 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i* and 2322*j* of the Political Code, relating to agriculture.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6, line 44, of the printed bill, strike out the words "six hundred".

AMENDMENT NUMBER TWO.

On page 6, line 51, of the printed bill, strike out the words "two hundred and twenty" and in lieu thereof insert the words "one hundred".

AMENDMENT NUMBER THREE.

On page 7, line 2, of the printed bill, strike out the word "four" and in lieu thereof insert the word "nine".

AMENDMENT NUMBER FOUR.

On page 7, line 3, of the printed bill, strike out the word "sixty" and in lieu thereof insert the word "fifty".

AMENDMENT NUMBER FIVE.

On page 7, line 5, of the printed bill, strike out the word "forty-five" and in lieu thereof insert the word "thirty".

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, strike out lines 6 and 7 and in lieu thereof insert the word "eight".

AMENDMENT NUMBER SEVEN

On page 18 of the printed bill, as amended April 11, 1923, in lines 17 and 18, strike out the words "nine hundred twenty-three" and insert in lieu thereof the following: "eight hundred."

AMENDMENT NUMBER EIGHT

On page 18, line 20, of the printed bill, as amended April 11, 1923, strike out the words "and clerk".

AMENDMENT NUMBER NINE

On page 18, line 24, of the printed bill, as amended April 11, 1923, strike out the words "four inspectors" and insert in lieu thereof the words "one inspector".

AMENDMENT NUMBER TEN.

On page 18, lines 27 and 28, of the printed bill, as amended April 11, 1923, strike out the words "six thousand three", and insert in lieu thereof the word "six".

AMENDMENT NUMBER ELEVEN.

On page 18 of the printed bill, as amended April 11, 1923, strike out lines 29, 30, 31, 32 and 33.

AMENDMENT NUMBER TWELVE.

On page 15, line 16, of the printed bill strike out the words "compensation of five dollars per diem during", also all of lines 17 and 18 and the following words in line 19 "not exceed one thousand five hundred dollars" and insert in lieu thereof the following "salary of two thousand dollars per annum".

AMENDMENT NUMBER THIRTEEN.

On page 15, line 27, of the printed bill, strike out the words "three thousand", also all of line 28, and insert in lieu thereof the following "one thousand five hundred dollars".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 46, of the printed bill, strike out the word "twenty-five" and in lieu thereof insert the word "fifty".

AMENDMENT NUMBER FIFTEEN.

On page 11 of the printed bill, strike out all of line 38 commencing with the semicolon and all of lines 39 to 50, both inclusive, and in lieu thereof insert a period.

AMENDMENT NUMBER SIXTEEN.

On page 12, line 43, of the printed bill, strike out the word "four" and in lieu thereof insert the word "two".

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 2, of the printed bill, strike out the words "five hundred".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 48, of the printed bill, insert after the word "dollars", the word "each".

AMENDMENT NUMBER NINETEEN.

On page 3, line 11, of the printed bill, strike out all of said line and insert in lieu thereof the following "created and the salaries are hereby fixed as follows, to wit ".

AMENDMENT NUMBER TWENTY.

On page 4, line 29, of the printed bill, strike out the word "all" and insert in lieu thereof the word "also".

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 22, of the printed bill, insert after the word "dollars", the word "each".

AMENDMENT NUMBER TWENTY-TWO.

On page 13, line 34, of the printed bill, strike out the words "twenty-three" and insert in lieu thereof the words "twenty-five".

AMENDMENT NUMBER TWENTY-THREE.

On page 19, line 5, of the printed bill, strike out the semicolon after the word "employed" and insert in lieu thereof the following: ", but the aggregate amount which may be expended in any year for such commissioner shall not exceed eighteen hundred dollars,".

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 2, of the printed bill, after the word "of", strike out all of lines 2, 3, 4 and 5 to the semicolon (;) and insert in lieu thereof the words "twenty-one hundred dollars per annum, which shall be in full for all services rendered including traveling expenses".

AMENDMENT NUMBER TWENTY-FIVE

On page 12, line 11, strike out the comma after the word "employed" and insert a period, and strike out the balance of (*a*).

AMENDMENT NUMBER TWENTY-SIX.

On page 12 of the printed bill, as amended April 11, 1923, strike out all of line 35 following the word "missioner", all of lines 36 to 41, both inclusive, and insert in lieu thereof the following "one inspector, to be appointed by said commissioner, which position is hereby created, and whose salary is hereby fixed as follows, to wit:

(*a*) One inspector at a compensation of three dollars and a half per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such inspector shall not exceed two hundred fifty dollars; *provided, further*, that in counties of this class the salaries herein provided for the said commissioner and inspector shall be in full for all services rendered and they shall not be entitled to, nor shall they receive, any further compensation for personal or traveling expenses."

AMENDMENT NUMBER TWENTY-SEVEN

On page 11 of the printed bill, strike out lines 14 to 33, both inclusive, and in lieu thereof insert the following

"25. In the counties of the twenty-fourth class, the commissioner shall receive a salary of twenty-four hundred dollars per annum, which shall be payment in full for all services rendered and expenses incurred in the performance of the duties of horticultural commissioner; *provided*, that in counties of this class there shall be allowed to the commissioner the following inspectors and clerk, to be appointed by the commissioner, which positions are hereby created, and at the salaries as hereby fixed, to wit

(*a*) Three inspectors, at a compensation of four dollars per day each, during such time as actually employed, but the aggregate amount which may be expended for all such inspectors in any one year shall not exceed the sum of two thousand four hundred dollars.

(*b*) One clerk, at a compensation of ten dollars per month, during such time as actually employed, but not to exceed the sum of one hundred twenty dollars per year".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 17 of the printed bill, strike out lines 22 to 35, both inclusive, and in lieu thereof insert the following:

"44. In counties of the forty-third class, the commissioner shall receive a salary of two thousand four hundred dollars per annum, which shall be payment in full for all services rendered and expenses incurred in the performance of the duties of the commissioner; *provided*, that in counties of this class, there shall be allowed to the commissioner the following inspectors and clerk, to be appointed by the commissioner, which positions are hereby created, and at the salaries as hereby fixed, as follows, to wit:

(*a*) Two inspectors, at a compensation of four dollars per day each, during such time as actually employed, but the aggregate amount which may be expended for all such inspectors in any one year shall not exceed the sum of fifteen hundred dollars.

(*b*) The commissioner is also authorized and empowered to appoint one clerk, at a monthly salary of sixty dollars, during such time as actually employed, but not to exceed the sum of seven hundred twenty dollars per year."

AMENDMENT NUMBER TWENTY-NINE

On page 6, line 15, of the printed bill, strike out the words "six hundred".

AMENDMENT NUMBER THIRTY.

On page 6, line 21, of the printed bill, strike out the word "Two" and in lieu thereof insert the word "One".

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 21, of the printed bill, strike out the word "commissioners" and in lieu thereof insert the word "commissioner".

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 22, of the printed bill, strike out the word "four" and insert in lieu thereof the word "one".

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 25, of the printed bill, strike out the word "seventy-five" and in lieu thereof insert the word "fifty".

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 26, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "thirteen".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 27, of the printed bill, strike out the word "sixty-five" and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 28, of the printed bill, after the comma strike out all of lines 28, 29, 30 and 31 and insert in lieu thereof "thirty-five inspectors at a".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 35, of the printed bill, strike out all of line 35 and insert in lieu thereof "sixty-three thousand dollars".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators—report that we have met a like committee of the Senate, consisting of Senators Breed, Murphy and Hart, and we report that the Committee on Free Conference have agreed to recommend the following: That the Assembly concur in the Senate amendments to Assembly Bill No. 250.

ERB,
GRAVES,
BURNS,
Assembly Committee on Free Conference.

BREED,
MURPHY,
HART,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Emme, Foster, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McMillan, Miller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Smith, Spalding, Stevenot, Weller, West, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 853 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Smith, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 53 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dean, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Rosenshine asked for and was granted unanimous consent to withdraw Assembly Bill No. 158.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 509 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Davis, Dawson, Dean, Dozier, Eksward, Emme, Erb, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Weller, West, Whitacre, Woodbridge, and Wright—48.

NOES—Mr. Speaker—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 497 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Cleveland, Davis, Dawson, Dean, Dorris, Dozier, Emme, Erb, Fulwider, Johnson, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1351 passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dorris, Emme, Erb, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—43.

NOES—Badham, Cleveland, Davis, Dawson, Dozier, Lyman, Pomeroy, Smith, and Weller—9.

Title read and approved.

NOTICE OF RECONSIDERATION

Mr. Mitchell, A. G., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1351 was this day passed.

Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the superintendent of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 596 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Dorris, Eksward, Emme, Erb, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Woodbridge, and Wright—50.

NOES—Dawson, Dozier, and Mr. Speaker—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1353 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Broughton, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Erb, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.
NOES—Carter, Dozier, and Graves—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the Partnership Law of the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1312 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Broughton, Cleary, Coombs, Crittenden, Dorris, Dozier, Eksward, Emme, Fulwider, Graves, Hawes, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Smith, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 129—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered *5a* and *5b*, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 129 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G. Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—52

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1021 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Mathews, McDowell, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Snyder, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, and Wright—45.

NOES—Lyman, Smith, and Mr. Speaker—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1348 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Clarke, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Woodbridge, Wright, and Mr. Speaker—47

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1342 passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Eksward, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 821 passed by the following vote:

AYES—Badaracco, Baker, Edwin Ball, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Dozier moved that the vote whereby Assembly Bill No 422 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Cleveland, Donohue, Dozier, Jones, Mueller, Noyes, and Stow—7.

NOES—Anderson Badham, Baker, Edwin Ball, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Coombs, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider Graves, Hawes, Heisinger, Hornblower Johnston, Mathews, McDowell, McMillan McPherson, Miller, Mitchell, A G, Mitchell, T A, Moore, Morrison, Pedrotti, Pomeroy, Roberts Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Woodbridge, and Mr Speaker—49.

Assembly Bill No 422 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 3 was passed.

Assembly Bill No. 3 ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Hornblower moved that the vote whereby Assembly Bill No. 154 was refused passage be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried

Time, eleven o'clock and forty-six minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson Badaracco, Badham Baker Edwin; Bernard Bromley, Broughton, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Emme Erb, Fellom Fulwider, Graves Hawes Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons Mathews, McDowell, McMillan, McPherson, Mitchell A G, Mitchell, T. A, Moore, Morrison, Mueller, Noyes, Pedrotti Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding,

Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker —59.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, in the sum of $551 71 to pay the bills as itemized below, and the State Treasurer be and he is hereby authorized and directed to pay the same

Hall, Luhrs & Co.	$ 5 09
Remington Typewriter Co.—rent April 8th to May 8th	16 00
The Wholesale Typewriter Co.—rent April 8th to May 8th	72 00
Purnell Stationery Co.	6 75
Purnell Stationery Co.	4 00
State Purchasing Dept.—supplies for April	271 64
Western Union Telegraph Co.—message	48
Cascade Towel Supply—towel service March, April and May	175 75
Total	$551 71

Resolution read, ordered printed in the Journal, and referred to Committee on Contingent Expenses.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 7, 1923.

To the Assembly of the State of California.

Assembly Bill No. 999, known as the budget bill, is approved except for certain items hereinafter specifically set forth, which are reduced or eliminated in accordance with the powers conferred on me by the provisions of sections sixteen and thirty-four of article four of the constitution, and which are objected to for the reasons hereinafter mentioned, to wit

1. I object to the item on page 6 under the heading "Preventive" reading as follows "For salaries of employees state board of health, three hundred sixty thousand six hundred sixty-three and 42/100 dollars.", and reduce the amount to three hundred six thousand two hundred ninety-eight dollars, for the reason that the last named amount is ample.

2. I object to the item on page 6 under the heading "Preventive" reading as follows "For support, state board of health, three hundred eight thousand five hundred thirty-six and 58/100 dollars.", and reduce the amount to two hundred forty-eight thousand three hundred thirty-eight dollars, for the reason that the last named amount is ample.

3. I object to the item on page 7 under the heading "Preventive" reading as follows "For salaries of railroad commissioners and employees, six hundred thirty-seven thousand two hundred dollars.", and reduce the amount to five hundred fifty-two thousand two hundred dollars, for the reason that the last named amount is ample. There is an item in the budget of thirty thousand dollars which can be expended for engineers if that be necessary. There are also certain positions which can be eliminated and engineers substituted. I propose to ask the state board of control to make a survey of this department in the interests of economy and efficiency. It is my firm conviction that if we had a few men on the railroad commission like the late John M. Eshleman that department could function with at least one hundred thousand dollars less than the amount herewith allowed.

4. I object to the item on page 8 under the heading "Benevolent" reading as follows: "All funds hereafter received from the government of the United States in aid of said veterans' home, or of the members thereof, either by way of a per capita tax for said members, or otherwise received are made available, and are hereby appropriated to be expended upon the approval of the state board of control for the maintenance, construction and repair of buildings, or for the use and benefit of such members", on the ground that it carries an indefinite appropriation which is unneces-

sary, and is fully covered in the other items of appropriations for the Veterans' Home of California

5. I object to the item on page 11 under the heading "Penal" reading as follows "For salaries and support of officers and employees of the California Industrial Farm for Women, seventy-five thousand dollars.", and reduce the amount to four thousand dollars on the ground that the increase is unnecessary as there are no facilities at the farm for caring for these delinquent women owing to the burning of the building.

6. I object to the item on page 11 under the heading "Penal" reading as follows: "For permanent improvements, California Industrial Farm for Women, one hundred twenty thousand dollars", for the reason that I consider this large expenditure at this time for this purpose unnecessary.

7. I object to the item on page 16 under the heading "Educational" reading as follows "For salaries of officers and employees, Chico State Teachers College, one hundred eighty-nine thousand eight hundred eighty dollars", and reduce the same to one hundred fifty-eight thousand eight hundred eighty dollars, for the reason that the last named amount is ample.

8. I object to the item on page 16 under the heading "Educational" reading as follows "For salaries of officers and employees, Fresno State Teachers College, two hundred seventy-five thousand dollars", and reduce the amount to two hundred sixty-nine thousand two hundred eighty dollars, for the reason that the last named amount is ample.

9. I object to the item on page 16 under the heading "Educational" reading as follows: "For support, Fresno State Teachers College, forty-two thousands dollars", and reduce the amount to twenty-seven thousand dollars, for the reason that the last named amount is ample.

10. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Diego State Teachers College, two hundred fifty-three thousand seven hundred forty dollars", and reduce the amount to two hundred seventeen thousand seven hundred forty dollars, for the reason that the last named amount is ample

11. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Jose State Teachers College, four hundred thousand dollars.", and reduce the amount to three hundred eighty-one thousand seven hundred sixty dollars, for the reason that the last named amount is ample.

12. I object to the item on page 16 under the heading "Educational" reading as follows: "For support, San Jose State Teachers College, sixty thousand dollars", and reduce the amount to forty-two thousand six hundred dollars, for the reason that the last named amount is ample.

13. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, Santa Barbara State Teachers College, one hundred sixty-five thousand seven hundred sixty dollars.", and reduce the amount to one hundred fifty thousand seven hundred sixty dollars, for the reason that the last named amount is ample.

14. I object to the item on page 17 under the heading "Educational" reading as follows "For salaries of officers and employees, San Francisco State Teachers College, three hundred thirteen thousand five hundred dollars", and reduce the amount to two hundred forty-nine thousand six hundred dollars, for the reason that the last named amount is ample.

15. I object to the item on page 17 under the heading "Educational" reading as follows "For support, San Francisco State Teachers College, thirty-nine thousand four hundred fifty dollars.", and reduce the amount to thirty-two thousand three hundred dollars, for the reason that the last named amount is ample.

16. I object to the item on page 17 under the heading "Educational" reading as follows: "For new buildings, San Francisco State Teachers College, one hundred ninety thousand dollars", on the ground that it is not wise at the present time to build any more buildings for this college even if the state had sufficient funds with which to do it.

17. I object to the item on page 7 under the heading "Preventive" reading as follows: "For salaries of industrial accident commissioners and employees, four hundred one thousand nine hundred twenty dollars", and reduce the amount to three hundred eighty-seven thousand nine hundred twenty dollars, for the reason that fourteen thousand dollars was added to the above item in anticipation of work to be done in mining inspection. As the legislature failed to approve the consolidation plan proposed this addition is not now necessary and the amount remaining is ample.

18. I object to the item on page 15 under the heading "Educational" reading as follows "For support, superintendent of public instruction, forty-three thousand three hundred thirty dollars.", and reduce the amount to thirty-eight thousand three hundred thirty dollars, for the reason that the printing fund of thirty thousand dollars provided in the budget is five thousand dollars larger than necessary

19. I object to the item on page 20 in section four, reading as follows "provided, that the state controller shall at the request of the state director of education set over and transfer from the appropriations for salaries and support for the several

teachers colleges and special schools, an amount not exceeding one per cent of such appropriations and the amount so transferred shall be designated as the administrative allotment of the state department of education and shall be available for use by the director of education for the payment of the salaries and support of the *general administrative office of the division of normal and special schools, during the* seventy-fifth and seventy-sixth fiscal years", for the reason that such appropriation is unnecessary and a wilful waste of the money of the taxpayers. The director of education has an ample allowance for running his department if it is put on an economical and businesslike basis.

20. I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees of the California School for Deaf and the California School for the Blind, two hundred fifty-three thousand dollars.", and reduce the amount to two hundred twenty-three thousand three hundred sixty-four dollars, for the reason that the last named amount is ample for the support of this institution which has been more liberally treated by the budget than by any other in the history of California.

21. I object to the item on page 17 under the heading "Educational" reading as follows "For construction and equipment of new buildings for California School *for the Blind, one hundred eighty thousand dollars", and reduce the amount to* ninety thousand dollars, for the reason that it is not expedient to build more than one new building during the next biennial period, even if the state had sufficient funds with which to build more. The lack of buildings for this institution is due to the failure of those responsible to care for it at the last session of the legislature when money was being expended so lavishly.

22. I object to the item on page 17 under the heading "Educational" reading as follows "For salaries of officers and employees, California Polytechnic School, one hundred eighty-six thousand dollars.", and reduce the amount to ninety-six thousand five hundred dollars, for the reasons set forth below.

In my budget message I called attention to the fact that the California Polytechnic School was not properly a state institution, was entirely out of joint with the educational system of the state, and that work was being done there for pupils of high school age which in other parts of the state was being done by the school districts. I also *pointed out that if the state is to go into the business of conducting* polytechnic high schools, it would have to have scores of similar institutions throughout the state at great cost to the taxpayers. I also suggested that this institution should be changed into some other line of work or used for some other state institution.

In my message of April 9th, I again called attention to my recommendation and asked that you give it consideration. In the meantime, it has been suggested that this institution might be used as an agricultural school for the southern part of the state. You have not acted upon this suggestion but have simply increased the allowance, and I do not feel that the state would be justified in spending a quarter of a million dollars on it during the next biennial.

23. I object to the item on page 17 under the heading "Educational" reading as follows "For support, California Polytechnic School, sixty-eight thousand dollars", and have reduced the same to twenty-eight thousand dollars, for the reasons set forth above.

24. I object to the item on page 6 under the heading "Administrative" reading as follows "For traveling expenses of the state board of equalization such sum or sums as are provided in section three thousand seven hundred two of the Political Code," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

25. I object to the items on page 6 under the heading "Administrative" reading as follows "For investigations and appraisements, state board of equalization, such sum or sums as are provided in chapter four hundred twenty-eight, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

26. I object to the item on page 8 under the heading "Preventive" reading as follows: "For salaries and support of the state real estate department such sum or sums as are provided in chapter six hundred five, statutes of one thousand nine hundred nineteen, and the amendments thereto, such amounts to be paid from the real estate commissioner's fund created thereby.", and reduce the same to "For salaries of state real estate commissioner, deputies and employees, one hundred forty-six thousand two hundred forty dollars. For support, state real estate department, eighty-three thousand two hundred forty dollars" for the reason that the last named amounts are ample. The amendment proposed by the legislature might leave the state real estate department without any appropriation at all.

27. I object to the item on page 9 under the heading "Benevolent" reading as follows: "For support of orphans such sum or sums as are provided in section two thousand two hundred eighty-three of the Political Code" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

28. I object to item on page 12 under the heading "Conservation" reading as follows "For purchase of land California redwood park, such sum or sums as are provided in chapter six hundred ninety, statutes of one thousand nine hundred seventeen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

29. I object to the item on page 13 under the heading "Developmental" reading as follows "For statistics state agricultural society, such sum or sums as are provided in chapter five hundred eighty-four, statutes of one thousand nine hundred eleven," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

30. I object to the item on page 13 under the heading "Developmental" reading as follows: "For support of California highway commission all revenues from bond sales under authority of section two, article sixteen of the constitution: all revenues from motor vehicle registration, as provided in chapter one hundred eighty-eight, statutes of one thousand nine hundred fifteen and amendments thereto: all receipts from the federal government under an act of congress and authority provided by chapter five hundred thirty-seven, statutes of one thousand nine hundred seventeen," for the reason that this appropriation is provided for by existing statutes and also is authorized by the provisions of section one of this bill.

31. I object to the item on page 13 under the heading "Developmental" reading as follows: "For highway bond interest and redemption, such sum or sums as are provided in chapter three hundred eighty-three, statutes of one thousand nine hundred nine, chapter four hundred four, statutes of one thousand nine hundred fifteen, chapter ninety-three, statutes of one thousand nine hundred nineteen" for the reason that this appropriation is provided for by existing statutes and also is authorized by the provisions of section one of this bill.

32. I object to item on page 14 under the heading "Developmental" reading as follows. "For investigation of water resources, such sum or sums as are provided in chapter seven hundred four, statutes of one thousand nine hundred nine," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

33. I object to the item on page 14 under the heading "Developmental" reading as follows. "For salaries, support and permanent improvements for the fish and game commission, such sum or sums as are provided in chapter two hundred fifty-six, statutes of one thousand nine hundred nine and all amendments thereto, such payments to be made from the fish and game preservation fund created thereby" and reduce the same to "For salaries of officers and employees of the fish and game commission, four hundred thirty-eight thousand three hundred seventy dollars For support of the fish and game commission, three hundred seventy-one thousand one hundred fifty dollars," for the reason that the last named sums are ample The amendments proposed by the legislature might leave the fish and game commission without any appropriation at all

34. I object to the item on page 14 under the heading "Developmental" reading as follows. "For Sacramento and San Joaquin drainage district number six such sum or sums as are provided in chapter five hundred fifty-six, statutes of one thousand nine hundred nineteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

35. I object to the item on page 14 under the heading "Developmental" reading as follows "For Los Angeles flood control such sum or sums as are provided in chapter seven hundred forty-nine, statutes of one thousand nine hundred twenty-one," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

36 I object to the item on page 14 under the heading "Developmental" reading as follows "For uses veterans' welfare board for purchase of farms and homes such sum or sums as are provided in initiative act approved November seventh, one thousand nine hundred twenty-two," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

37 I object to the item on page 15 under the heading "Educational" reading as follows "For vocational rehabilitation such sum or sums as are provided in chapter seven hundred fifty-eight, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

38. I object to the item on page 15 under the heading "Educational" reading as follows: "For vocational education (Smith-Hughes act) such sum or sums as are provided in chapter seven hundred twenty, statutes of one thousand nine hundred seventeen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

39. I object to the item on page 15 under the heading "Educational" reading as follows: "For teachers permanent fund such sum or sums as are provided in chapter six hundred ninety-four, statutes of one thousand nine hundred thirteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

40. I object to the item on page 15 under the heading "Educational" reading as follows "For textbooks for orphans such sum or sums as are provided in chapter four hundred seventy-two, statutes of one thousand nine hundred seven" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

41. I object to the item on page 15 under the heading "Educational" reading as follows "For support of elementary schools such sum or sums as are provided in section six of article nine of the constitution." for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

42 I object to the item on page 15 under the heading "Educational" reading as follows "For support of secondary schools such sum or sums as are provided in section six of article nine of the constitution" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

43. I object to the item on page 15 under the heading "Educational" reading as follows "For support of junior colleges such sum or sums as are provided in chapter four hundred seventy, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

44. I object to the item on page 15 under the heading "Educational" reading as follows "For university building interest and redemption of bonds such sum or sums as are provided in chapter nine hundred twenty-three, statutes of one thousand nine hundred fifteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

45 I object to item on page 18 under the heading "Educational" reading as follows "For veterans' educational institute, such sum or sums as are provided in chapter five hundred seventy-nine, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

46 I object to item on page 18 under the heading "Miscellaneous" reading as follows "For Sacramento building interest and redemption of bonds, such sum or sums as are provided in chapter two hundred thirty-nine, statutes of one thousand nine hundred thirteen." for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

47 I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For San Francisco building interest and redemption of bonds such sum or sums as are provided in chapter five hundred forty-one, statutes of one thousand nine hundred thirteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

48 I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For interest and sinking fund such sum or sums as are provided in chapter sixty-five, statutes of one thousand eight hundred ninety-three." for the reason that this appropriation is provided for by existing statue and also is authorized by the provisions of section one of this bill

49 I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For principal and interest on bond debts of cities and counties, such sum or sums as are provided in chapter three hundred thirty-five, statutes of one thousand nine hundred eleven" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

ECONOMY IS EFFECTED.

My original budget presented to you totaled $78,974,828 55, and was a redemption of my pledge to the people to give them an economical and efficient administration On April 9, 1923, I made certain recommendations and changes to the budget which made the total $79 425,188 55.

Certain bills were introduced to carry out suggestions by me for combining the board of charities and corrections, building and loan commission, immigration and housing commission and the mining bureau with other departments. These bills were not acted upon favorably by your body and hence it has been necessary for me to make increases covering these departments. With these increases the present total is $79,754,336 55

Your body has increased this total by $1,170,049.68. All of these increases are returned to you without my approval thus saving the taxpayers, who ultimately pay every dollar of tax, *more than one million dollars*

The reductions and eliminations made by me bring the budget total to a figure twelve million dollars less than the $91,865,000 of appropriations of 1921.

Budget	$79,425,188 55
Deductions	255,080 00
	$79,170,108 55
Increases	584,228 00
Total	$79,754,336 55

The increases made in the legislature by my suggestion were:

Charities and corrections	$49,080 00
Building and loan commission	29,160 00
Immigration and housing commission	124,890 00
Mining bureau	359,898 00
Board of forestry	16,200 00
Woman's Relief Corps	5,000 00
	$584,228 00

The deductions made from the budget were

Building and loan commission	$30,000 00
Surveyor general	138,080 00
Mining bureau	68,000 00
Industrial accident commission	14,000 00
Superintendent of public instruction	5,000 00
	$255,080 00

Respectfully submitted.

FRIEND WM RICHARDSON, Governor

SPECIAL ORDER SET.

On motion of Mr. Coombs consideration of the Governor's Message relative to Assembly Bill No 999 was made a special order for Monday, May 7, 1923, at two o'clock and thirty minutes p.m.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At eleven o'clock and fifty-seven minutes a m., further proceedings under the call of the House was dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Assembly Bill No. 154 reconsidered by the folowing vote:

AYES—Badaracco, Baker, C. C., Bernard, Bromley, Broughton, Carlson, Cleary, Connolly, Coombs, Crittenden, Davis, Dean Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T A, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—51.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Clarke, Cleveland, Dawson, Eksward Fulwider, Graves Jones, Lyman, Mitchell, A G., Moore, Pomeroy, Prendergast, Spalding, Weller, Williams, and Mr Speaker—22.

Assembly Bill No. 154 ordered on file for passage.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR SPEAKER Your Committee on Ways and Means, to which was referred Senate Bill No. 132—An act to add a new section to the Political Code, to be numbered 737ee, relating to the salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*ee*, relating to the salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State Prison at San Quentin for the seventy-third and seventy-fourth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide

for the appointment of an additional judge and for his compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, to provide for certain exemptions, to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses, to make an appropriation for the purposes of this act, and to repeal all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the laws of 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 855—An act making an appropriation to pay the claim of Director General of Railroads, United States Railroad Administration, against the State

of California upon a judgment under section 3669*a* of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henery Construction Company against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 672—An act appropriating money to pay the claim of E. A. Wheeler against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

ASSEMBLYMAN KLINE IN THE CHAIR.

At one o'clock and thirty-nine minutes p.m., Hon. Chester M. Kline, member from the seventy-seventh district, was called to the chair.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions

hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

KLINE, Chairman.

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Dean:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Referred to Committee on Introduction of Bills.

THE SPEAKER IN THE CHAIR.

At one o'clock and fifty-one minutes p. m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on May 3 passed as amended, Assembly Bill No. 1107—An act defining the term, lowest responsible bidder—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1107?

AMENDMENT NUMBER ONE.

After the words "An act" in the first line of the title of the printed bill strike out the remainder of the title and insert in lieu thereof the following: "defining the term, lowest responsible bidder."

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, as amended April 26, 1923, after the word "state" insert the following: "relating to the doing of public work".

The roll was called and Senate amendments to Assembly Bill No. 1107 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Eksward, Emme, Erb, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 4, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on April 30 passed as amended, Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers

in counties of the twenty-seventh class—and respectfully requests your honorable body to concur in said amendment

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1137?

AMENDMENT NUMBER ONE

On page 5 of the printed bill, after line 2, insert the following:

"16a. The county traffic officer, two thousand one hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer three deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of one thousand eight hundred dollars per annum which shall be paid by said county in monthly installments at the same time in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said county shall provide motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, for such traffic officer and his said deputies and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

The roll was called, and Senate amendment to Assembly Bill No. 1137 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Broughton, Carlson, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Eksward, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

RECONSIDERATION

In compliance with his notice given on a previous day, Mr. Badham moved that the vote whereby Assembly Bill No. 828 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Bernard, Burns, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Fellom, Graves, Hawes, Hornblower, Johnston, Lyman, Mathews, McDowell, McPherson, Mitchell, T. A., Schmidt, Scott, Weller, and West—32.

NOES—Anderson, Baker, C. C., Broughton, Carlson, Clarke, Davis, Dorris, Erb, Fox, Fulwider, Heisinger, Johnson, Jones, Kline, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Savior, Smith, Spalding, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—34.

Assembly Bill No. 828 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Coombs waived his motion to reconsider the vote whereby Assembly Bill No. 557 was passed.

Assembly Bill No. 557 ordered transmitted to the Senate.

SPECIAL ORDER.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER THIRTY.

Assembly Constitutional Amendment No. 30—A *resolution* to propose to the people of the State of California that the constitution of said

State be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.

Assembly Constitutional Amendment No. 30 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 30 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C. Baker, Edwin, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleary, Connolly, Davis, Dawson, Donohue, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—Broughton, Coombs, Crittenden, Dorris, Dozier, and Heisinger—6.

Title read and approved.

Assembly Constitutional Amendment No. 30 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 30

A resolution to propose to the people of the State of California that the constitution of said state be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its forty-fifth regular session, beginning on the eighth day of January, 1923, two-thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California that a new section be added to article XIII of the constitution of the State of California to be known and designated as section 12½ of article XIII of the constitution of the State of California and to read as follows:

Sec. 12½. The Legislature, subject to section 1 of article IV, shall have power to provide for the assessment, levy and collection of taxes upon all notes, debentures, shares of capital stock, bonds, solvent credits or mortgages, not exempt from taxation under the provisions of this constitution, in a manner, at a rate or rates or in proportion to value different from any other property in this State subject to taxation; taxes imposed by any act of the Legislature adopted pursuant to the powers hereby conferred shall be in lieu of all other property taxes, state, county, municipal or district, upon such property. The Legislature shall provide for an equitable distribution of such taxes to the county, municipality or district in which such property is taxed; *provided*, that the rate or rates of taxation of such securities, and penalties, shall not exceed those assessed or imposed upon other property in this State not exempt from taxation, and that when the same shall have been fixed by the Legislature, they shall not be altered except by vote of two-thirds of all the members elected to each of the two houses voting in favor thereof.

Nothing in this act shall be construed to apply to any property the taxation of which is provided for in section 14 of this article nor to authorize the assessment or taxation of any property now exempt from taxation under this constitution.

SPECIAL ORDER.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED SIXTY-EIGHT.

Assembly Bill No. 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to person from whom it was taken.

Bill read third time.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Heisinger moved that the vote whereby Assembly Bill No. 868 was passed be reconsidered.

ASSEMBLYWOMAN MILLER IN THE CHAIR

At three o'clock and twenty-three minutes p.m., Hon. Eleanor Miller, member from the sixty-seventh district was called to the chair.

The question being on the motion by Mr. Heisinger to reconsider the vote whereby Assembly Bill No 868 was passed.

THE SPEAKER IN THE CHAIR.

At three o'clock and thirty-three minutes p m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on the motion by Mr. Heisinger to reconsider the vote whereby Assembly Bill No. 868 was passed.

The roll was called, and Assembly Bill No. 868 was reconsidered by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Foster, Fox, Graves, Heisinger, Johnson, Jones, Kline, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—42.

NOES—Badaracco, Burns, Carlson, Carter, Christian, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Hornblower, Johnston, Lyman, Mathews, McDowell, McPherson, Morris, Morrison, Noyes, Pedrotti, Rock, Rosenshine, Schmidt, Smith, and West—28.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED SIXTY-EIGHT.

Assembly Bill No. 868—An act to amend section 1540 of the Penal Code, relating to property when to be restored to person from whom it was taken.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, four o'clock and twenty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT

MOTION TO WITHDRAW BILL.

Miss Broughton moved that Senate Bill No. 722 be withdrawn from the Committee on Elections and placed upon the file for passage.

REQUEST FOR ROLL CALL.

On request of Messrs. Stow, Cleary, Moore, Crittenden and Smith, the Speaker ordered a roll call taken on the motion to withdraw.

The question being on the motion to withdraw.

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

AYES—Badaracco, Bail, Bernard, Broughton, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, West, Whitacre, Woodbridge, and Wright—37

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Davis, Dawson, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Kline, Lyman, Lyons, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—37.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson (by request):

WHEREAS, On November 7, 1922, at the general election held throughout the State of California, Hon. G. H. Douglas was elected a member of the Assembly for the forty-fifth session of the Legislature representing the First District, and

WHEREAS, After the convening of said Legislature the said G. H. Douglas while in the performance of his duties as said Assemblyman was stricken with a disease which resulted in his death, and

WHEREAS, Article IV, section 23, of the constitution provides "that members of the Legislature shall receive for their services the sum of one thousand dollars ($1,000) each for each regular session to be paid at such time as may be provided by law, and

WHEREAS, There was due at time of his death and there was still unpaid of the above amount $610,

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the fund for the payment of members of the Assembly for the sum of $610 in favor of Mrs. Anna R. Douglas, widow of the late Hon. G. H. Douglas, and the Treasurer is hereby authorized and directed to pay the same.

Resolution read, ordered printed in the Journal, and referred to Committee on Contingent Expenses.

MOTION TO RE-REFER.

Mr. Foster moved that Assembly Bill No. 1274 be withdrawn from the file, and ordered re-referred to Committee on Oil Industries.

Motion carried.

Assembly Bill No. 1274 re-referred to Committee on Oil Industries.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. McMillan: An act to add a new section to the Political Code to be numbered 1608*a*, relating to school districts.

By Mr. Reindollar: An act to add a new section to the Political Code to be numbered 737*ab* relating to the salaries of superior court judges in and for the county of Contra Costa.

By Mr. Roberts: An act to repeal an act entitled "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefor," approved April 25, 1911.

By Mr. Dean: An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

By Mr. Mueller. An act declaring that certain avenue or public highway known as "El Cajon avenue", within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego County, California, to be State highway.

By Mr. Hawes. An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled "An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State," approved March 10, 1887," approved May 18, 1921.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—67.

NOES—None.

SPECIAL ORDER SET.

On motion of Mr. Mathews, the consideration of the Governor's message relative to Assembly Bill No. 999 was made a special order for Tuesday, May 8, 1923, at eleven o'clock a.m.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and nineteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No. 868 refused passage by the following vote:

AYES—Badaracco, Burns, Carlson, Carter, Christian, Connolly, Coombs, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Hornblower, Johnston, Lyman, Lyons, Mathews, McDowell, McPherson, Morris, Morrison, Pedrotti, Reindollar, Rock, Rosenshine, Schmidt, Smith, Stow, West, and Woodbridge—35.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Foster, Graves, Heisinger, Johnson, Jones, Kline, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Wright, and Mr. Speaker—39.

RECESS.

At five o'clock and twenty-three minutes p.m., on motion of Mr. Morris, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of,

and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the Veterans' Welfare Fund for land settlement under the Veterans' Welfare Bond Act of 1921, prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits.

Also: Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Also: Assembly Bill No. 1283—An act to amend the title and an act entitled "An act making an appropriation for the survey, location and construction of a highway between Susanville in Lassen County and a point on the line between California and Nevada, approximately two miles east of Constantia in said county," approved June 1, 1917.

Also: Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes, prohibiting the use of secondhand boxes for packing such pastes, prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes, vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

Also: Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the Veterans' Farm and Home Building Fund under the Veterans Welfare Bond Act of 1921, prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1366—An act authorizing the use of convict labor on state highways or state roads, providing for the compensation of such convict labor; regulating the handling of such convict labor, providing for payment of compensation to the dependents of such convicts, providing for a forfeiture of such compensation, providing for creation of prisoners recreation and educational fund, providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison, authorizing allowance of extra good time credits for such labor, providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Also: Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets;

Also: Assembly Bill No. 1257—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Also: Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the state or from the county in which he, or they, may be qualified elector or electors, to provide the method or methods of carrying out such provision or provisions, to provide the method of counting and tallying the votes of such qualified elector or electors, to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof.

Also: Assembly Bill No. 743—An act to amend section 1608 of the Political Code, relating to the powers and duties of boards of school trustees and boards of education.

Also: Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

Also: Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Also: Assembly Bill No. 1347—An act to amend section 15b of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof, to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 117—An act to amend section 4269 of the Political Code, relating to salaries, fees and expenses of officers in counties of the fortieth class.

Also: Assembly Bill No. 981—An act to amend section 366b of the Political Code, relating to a Department of Finance.

Also: Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737p, relating to salaries of judges of the superior court in Stanislaus

County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 165—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

KLINE, Chairman

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 937—An act to amend sections 927c and 927l of the Code of Civil Procedure, relating to the small claims court—has had the same under consideration and respectfully reports the same back, and recommends that it do pass

(Signed out)

MORRIS, Chairman.
ROSENSHINE
HORNBLOWER.
McDONALD.
CARLSON.
SMITH.
CRITTENDEN.
FULWIDER.
BROMLEY.
WELLER
SNYDER.
WHITACRE.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 936—An act to amend section 927p of the Code of Civil Procedure, relating to the small claims court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

MORRIS, Chairman.
ROSENSHINE
HORNBLOWER.
McDONALD.
CARLSON.
SMITH
CRITTENDEN.
FULWIDER.
BROMLEY.
WELLER.
SNYDER
WHITACRE.

The above reported bill ordered on file for second reading.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Claims, to which was referred Assembly Bill No. 641—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Also: Assembly Bill No 652—An act appropriating money to pay the claim of Dunn, White & Aiken against the State of California

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

(Signed out)

WEST, Chairman.
BERNARD.
DORRIS.
DEAN.
COOMBS.
BAKER, EDWIN.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1923

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to salaries of county officers in counties of the seventeenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman
NOYES
STEVENOT
CLEARY.
BAKER, C. C.
JOHNSON
McDOWELL
HEISINGER
WHITACRE.
DAVIS.
LYMAN.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041*a*, relating to boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SMITH, Chairman
WHITACRE.
DAVIS.
LYMAN
CROTER.
NOYES.
McDOWELL
JOHNSON.
DOZIER.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to legislative reapportionment—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

(Signed out)

MITCHELL, A. G., Chairman.
CLARKE
STEVENOT
KLINE.
FOX
NOYES
CRITTENDEN.
BERNARD

The above reported Constitutional Amendment ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923

MR SPEAKER: Your Committee on Civil Service, to which was referred Senate Bill No. 455—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

JOHNSON, Chairman
SPALDING.
ERB.
COOMBS
CONNOLLY.
EMME.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No 40.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 315—An act to amend the Political Code by repealing sections 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, inclusive, and to enact new sections thereof to be numbered consecutively 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3348, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, inclusive, relating to the reestablishment and redefinition of the boundaries of the counties of the State of California

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 462—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class;

Also: Senate Bill No. 408—An act providing for the exchange of certain lands of the State and for the management and control of the lands acquired in exchange;

Also: Senate Bill No. 494—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915;

Also: Senate Bill No. 176—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

J A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 526—An act to amend section 4238 of the Political Code, relating to the compensation of officers of counties of the ninth class;

Also: Senate Bill No. 405—An act to amend section 628 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 333—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class;

Also: Senate Bill No. 580—An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of costs, and, upon completion, prepare and file certificates of cost thereof, and providing for the keeping of such plans, specifications and certificates as public records.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the National Guard of the State of California;

Also: Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act;

Also: Assembly Bill No. 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry;

Also: Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913;

Also: Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund;

Also: Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties;

Also: Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended;

Also: Assembly Bill No. 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921;

Also: Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them

situated beyond the limits of such cities and towns, and over streets and avenues leading to the same" which became a law, under constitutional provision, without Governor's approval, March 1, 1897.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

Also: Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also: Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts, for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts, and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½ to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

Also: Assembly Bill No. 317—An act authorizing counties, cities and cities and counties to provide public entertainment and to charge admission therefor.

Also: Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149e and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof.

Also: Assembly Bill No. 1313—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1199—An act to amend sections 1, 4, 7, and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889."

Also: Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose", which became a law, under constitutional provision, without Governor's approval, March 1, 1897.

Also: Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners.

Also: Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California.

Also Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also Senate Bill No. 738—An act to amend section 1175 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment of commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911 and as amended by an act approved June 16 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 296 read first time, and referred to Committee on Public Utilities.

Senate Bill No 738 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Concurrent Resolution No 24 read, and referred to Committee on Municipal Corporations.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Badaracco:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

Referred to Committee on Introduction of Bills.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. McMillan. Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Reindollar: Assembly Bill No. 1370—An act to add a new section to the Political Code, to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Roberts: Assembly Bill No. 1371—An act to repeal an act entitled, "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefore," approved April 25, 1911.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Dean: Assembly Bill No. 1372—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Mueller: Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon Avenue," within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego County, California, to be State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Hawes: Assembly Bill No. 1374—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars of the United States or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled "An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State, approved March 10, 1887," approved May 18, 1921.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyman asked for and was granted unanimous consent to take up Assembly Bill No. 1020, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWENTY.

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal

Bill read third time

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows.

AMENDMENT NUMBER ONE

On page 1, line 12, of the printed bill, strike out the semicolon and insert the following ", unless such time be otherwise extended by a written stipulation by the parties to the action filed with the clerk of the superior court to which the appeal is taken.".

AMENDMENT NUMBER TWO

On page 1, line 13, of the printed bill, strike out the word "act" and in lieu thereof insert the word "section".

Motion carried.

The Speaker appointed Mr. Lyman as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1020, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and thirty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the clerk was directed to call the roll.

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

Coombs, Dawson, Dean, Foster, Graves, Heisinger, Johnson, Lyman, Miller, Moore, Noyes, Spalding, Williams, and Mr. Speaker—14.

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Rosenshine asked for and was granted unanimous consent to take up Senate Bill No. 178, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SEVENTY-EIGHT.

Senate Bill No 178—An act to provide for the leasing by the State of California of salt marsh and tide lands adjoining salt marsh and tide lands sold pursuant to an act approved April 1, 1870, entitled "An act supplementary to and amendatory of an act entitled an act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March 30, 1868," and lying between the boundary line of the lands so sold pursuant to said act and the line of mean low tide of the stream upon which said lands to be leased border.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 178 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Burns, Clarke, Cleary, Connolly, Coombs, Davis Dawson, Dean, Fellom, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman McMillan, Miller, Moore Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—44.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr Lyons moved that the Speaker appoint a select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 5, 6 and 7, of the printed bill, strike out the words "a revolving fund for the payment of or the guarantee of the payment of contracts let for municipal improvements of any kind", and insert in lieu thereof "hereinafter set forth"

AMENDMENT NUMBER TWO.

On page 1, between lines 7 and 8, of the printed bill, insert the following

"SEC 2 Bonds issued under the provisions of this act shall be issued in the manner provided for in an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction and completion thereof," in effect February 25, 1901, and amendments thereto, *provided* that the ordinance calling the election therein provided for, need not contain any statement as to the proposed public improvement, or the estimated cost thereof Such bonds when issued shall be redeemed and paid as provided in the hereinabove mentioned act: *provided, however*, that the legislative body of the municipality may at its discretion determine and fix a date for the earliest maturity of the principal of such bonds not more than five years from the date of the issue of such bonds, but, in such event, the whole amount of such indebtedness must be made payable in equal annual parts in not to exceed forty years from the time of contracting the same

SEC 3 It shall be the duty of the treasurer and the legislative branch of every municipality availing itself of this act to keep the funds arising from the sale of bonds issued under this act separate and distinct from all other municipal funds, in a fund to be known as the "municipal general improvement bond fund" and to use the same for the purposes authorized by this act, and for no other purpose.

SEC 4. The proceeds from the sale of bonds authorized by this act shall be used for the purpose of guaranteeing payments under contracts for the improvement of streets of the municipality and may be invested in bonds or warrants issued under the provisions of any street improvement law of this state or of any law of this state providing for the opening widening or extending of streets and may also be used to deposit in court as a guarantee of the payment of just compensation to the owner of

property to be taken for the opening, widening or extending of any street or streets, in the event such municipality desires to take possession of said property prior to the final judgment in any condemnation suit, in accordance with the provisions of the constitution of this state, upon the return of any such money so deposited in court or otherwise used as a guarantee, or upon the sale of bonds or warrants purchased under the provisions hereof, the amount so repaid or received from the sale of such bonds or warrants together with accrued interest thereon, shall be paid into the said 'general improvement bond fund' and may be reinvested."

AMENDMENT NUMBER THREE

On page 1, line 8, of the printed bill, strike out the figure "2" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER FOUR

In lines 9 and 10 of the printed bill strike out the following "act 4941, et seq., of the general laws of this state," and insert in lieu thereof the following "any law of this state providing for the improvement of streets or the opening, widening or extending of streets."

AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out the word "wararnts" and insert in lieu thereof the word "warrants".

AMENDMENT NUMBER SIX.

On page 1, line 17, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "6".

Motion carried.

The Speaker appointed Mr. Lyons as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1396, with instructions, reports that the instructions of the Assembly have been carried out.

LYONS, Select Committee

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption.

Assembly Constitutional Amendment No. 52 read.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out semicolon and words "or any property" in line 25 thereof, all of lines 26 and 27 on said page and the words "United States Government" and comma after word "Government" on line 1 of page 2 of said printed bill.

AMENDMENT NUMBER TWO

On page 2, line 8, of the printed bill in lieu of period following word "taxation", insert semicolon which shall be followed by the language "*provided*, that property, not exceeding in value in any one county the sum of $50,000.00 (fifty thousand dollars), used exclusively as air-ports or aviation fields under the control of United States Government shall be exempt from taxation while so used and under such control."

Amendments adopted.

Assembly Constitutional Amendment No. 52 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California to amend section 36, article IV of the constitution of said State, relating to State highways, bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority.

Assembly Constitutional Amendment No. 50 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No 50 adopted by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—67.

NOES—None

Title read and approved.

Assembly Constitutional Amendment No. 50 ordered transmitted to the Senate

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 50.

A resolution to propose to the people of the State of California to amend section 36, article IV of the constitution of said State, relating to State highways, bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its forty-fifth session, commencing on the eighth day of January 1923, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, proposes to amend section 36 of article IV of the constitution of the State of California to read as follows

Sec. 36 The Legislature shall have power to establish a system of State highways or to declare any road a State highway, and to pass all laws necessary or proper to construct and maintain the same, and to extend aid for the construction and maintenance in whole or in part of any county highway.

The Legislature may also provide for the formation and government of bridge and highway districts comprised of territory in more than one county, or city and county, for the construction, maintenance and operation of bridges and highways by the district for the raising of funds therefor by the district, and for the charging and collecting of tolls and the application of the funds received therefrom

Districts heretofore formed in pursuance of legislative authority are vested with the powers herein provided

Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 779 passed by the following vote:

AYES—Anderson Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson Dean, Dorris, Fellom, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding,

Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1304 refused passage by the following vote:

AYES—Baker, C. C., Ball, Bernard, Burns, Clarke, Cleary, Coombs, Crittenden, Dean, Emme, Fellom, Foster, Graves, Heisinger, Johnson, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Whitacre, Woodbridge, and Wright—39.

NOES—Anderson, Badham, Baker, Edwin, Bromley, Broughton, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dorris, Eksward, Fox, Fulwider, Johnston, Lyman, Lyons, McPherson, Mitchell, A. G., Pedrotti, Pomeroy, Roberts, Saylor, Smith, Weller, West, Williams, and Mr Speaker—29.

NOTICE OF RECONSIDERATION

Mr. Bromley gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1304 was this day refused passage.

Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 176 refused passage by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Christian, Cleveland, Johnson, Jones, Lyons, Mathews, McPherson, Moore, Mueller, Pomeroy, Roberts, Spalding, Stevenot, Weller, Whitacre, Woodbridge, and Mr. Speaker—20.

NOES—Anderson, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Stow, West, Williams, and Wright—40.

NOTICE OF RECONSIDERATION.

Mr. Davis gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 176 was this day refused passage.

Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Cleveland, Connolly, Coombs, Crittenden, Dean, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363 and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1365 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Eksward, Emme, Fellom, Fulwider, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—54.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1136 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Mueller, Noyes, Prendergast, Rein-

dollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Weller, West, Williams, Woodbridge, and Wright—48

NOES—Cleveland, and Mr Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921, prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1363 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—60

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto; and appropriating the interest received and to be received on said deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1362 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54

NOES—Graves—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1096 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Dean, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman,

Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Remdollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 117—An act to add a new section to the Political Code, to be numbered 4270*a*, relating to the salary and compensation of the county surveyor of counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 117 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1344 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Remdollar, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by coowners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1330 passed by the following vote:

AYES—Anderson, Baker, Edwin, Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Davis, Dean, Dorris, Emme, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Rein-

dollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, Weller, West, Whitacre, Williams, and Woodbridge—48.

NOES—Badham, Dawson, Eksward, Fox, Smith, Snyder, and Mr. Speaker—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure, relating to undertaking on appeal in justice's court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 206 passed by the following vote:

AYES—Anderson, Badham, Baker, C C., Ball, Burns, Carter, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, McDowell, McPherson, Miller, Mitchell, T A, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 405—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment against persons convicted of the commission of crime.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 405 passed by the following vote:

AYES—Badham, Baker, C C., Baker, Edwin, Ball, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Davis, Dawson, Foster, Fulwider, Heisinger, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Scott, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, and Woodbridge—42.

NOES—Bernard, Broughton, Burns, Coombs, Crittenden, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Graves, Hawes, Hornblower, Johnston, Lyman, Mitchell, T. A., Morrison, Pedrotti, Rock, Saylor, Schmidt, Smith, West, Wright, and Mr. Speaker—26.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and twelve minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Morris.

The roll of absentees was called, and Assembly Bill No. 491 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Fellom, Foster, Fox, Fulwider, Graves, Heismger, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T A., Moore, Morris, Mueller, Noyes, Pomeroy, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Whitacre, Williams, Wright, and Mr. Speaker—53.

NOES—Prendergast, and West—2.

Title read and approved.

Bill ordered transmitted to the Senate.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Bromley:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to govern the formation, creation, regulation, supervision and taxation of common law trusts, as the same are therein defined.

Referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. McPherson moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 2, line 26, of the printed bill, strike out the word "and" and strike out all of lines 27, 28, 29, 30, 31, 32 and insert in lieu thereof the following:

"Every applicant before obtaining a license as aviator pilot or aeronaut pilot, for the purpose of engaging in public transport service, shall present himself for examination by specially qualified men, who shall be appointed in various parts of the state by the director of civil aeronautics, and who shall serve without compensation, other than necessary expenses of test, and after passing such test applicant shall receive a certificate of acceptance which shall be produced to the aircraft department before license shall issue to such applicant. Physical examination shall be based upon the following requirements of mental and physical fitness

(*a*) Good family and personal history with particular reference to nervous stability. Absence of any mental, moral or physical defect which will interfere with flying efficiency.

(*b*) Minimum age for pilots shall be nineteen years.

(*c*) Medical examination. The applicant must not suffer from any disease or disability which renders him liable to suddenly become incompetent in the management of aircraft He must possess hearing lungs, kidneys and nervous system capable of withstanding the effects of altitude and prolonged flight

(*d*) Eye examination The applicant must possess a degree of visual acuity compatible with efficient performance of his duties Muscle balance must be good and commensurate with the refraction He must have a good field of vision in each eye and possess normal color perception.

(*e*) Ear examination The middle ear must be healthy. He must possess a degree of auditory acuity compatible with the efficient performance of his duties

(*f*) Nose and throat examination: The applicant must possess free nasal air entry on either side and not suffer from serious acute or chronic affections of the upper respiratory tract

Providing, however, that no applicant, who before the date of the passage of this act has given proof of his flying ability, shall, so long as he retains such ability, be necessarily disqualified because he fails to fulfill all of the above requirements.

And providing, further, that the above examination and certificate of acceptance shall not be necessary in cases where the applicant is not applying for and does not intend to engage in public transport work, but desires only to pilot his own aircraft for pleasure"

AMENDMENT NUMBER TWO.

On page 2, line 39, of the printed bill, strike out the word "eighteen" and insert in lieu thereof the word "nineteen".

AMENDMENT NUMBER THREE.

On page 5, lines 17 and 18, of the printed bill, strike out the words "without further charge" and insert in lieu thereof the words "upon payment of additional fee".

AMENDMENT NUMBER FOUR.

On page 5, line 20, of the printed bill, strike out the words "one thousand" and insert in lieu thereof "fifteen hundred".

AMENDMENT NUMBER FIVE.

On page 8, line 18, of the printed bill, after the period after the word "act" insert the following: "Said director shall be entitled to necessary expenses incurred by him in carrying out the provisions of this act, payable out of monies received under this act, payment to be made upon vouchers allowed and audited by the state controller."

Motion carried.

The Speaker appointed Mr. McPherson as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 552, with instructions, reports that the instructions of the Assembly have been carried out.

McPHERSON, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

Assembly Bill No. 154—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Hawes moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title of the printed bill, as amended April 19, 1923, following the word "act", and all of lines 2 and 3 thereof and insert in lieu thereof the following: "relating to employment where the work is to be performed outside of this state by persons hired within this state, prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof."

AMENDMENT NUMBER TWO.

Strike out all of line 1 of the printed bill, as amended April 19, 1923, following the period after the figure "1" and all of lines 2 to 26, both inclusive, and insert in lieu thereof the following:

"Any person, partnership, company, corporation, association or organization of any kind, directly or through any agent or attorney, who willfully induces, influences, persuades or engages any person to change from this state to any place in any other state, territory or country to work in any branch of labor by issuing or displaying any written or printed statement false in whole or in part, explaining the kind of work or service to be performed and the wages to be paid therefor and the place where such wages will be paid and whether or not board or lodging is to be furnished by the employer, or who furnishes to such person any other written or printed information false in whole or in part, such as the name and address of the person giving the order for help, the place of such employment, the sanitary conditions existing in said place, the housing facilities, the daily or weekly hours of work, and any other term, condition or agreement relating to such employment between such person and such employer, shall be deemed guilty of a misdemeanor and be punishable by a fine not exceeding five hundred dollars or by imprisonment of not more than six months or by both such fine and imprisonment."

Motion carried.

The Speaker appointed Mr. Hawes as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 154, with instructions, reports that the instructions of the Assembly have been carried out.

HAWES, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Pomeroy asked for and was granted unanimous consent to take up Senate Bill No. 74, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER SEVENTY-FOUR

Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title 11*b*, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Pomeroy moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill strike out all of lines 4 to 9 inclusive.

Motion carried.

The Speaker appointed Mr. Pomeroy as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 74, with instructions, reports that the instructions of the Assembly have been carried out.

POMEROY, Select Committee

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crittenden asked for and was granted unanimous consent to take up Senate Bill No. 227, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-SEVEN.

Senate Bill No. 227—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands

adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21 and 24, and repealing sections 7, 16½, 18 and 33.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Crittenden moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

After the word "law" on page 4, line 12, insert the following: "other than an assessment to pay the costs and expenses necessary for the maintenance, repair and operation of its existing works of reclamation and flood control, and the costs and expenses necessary for the completion, maintenance and operation of any project adopted by said board prior to April 1, 1923.".

AMENDMENT NUMBER TWO

On page 14, beginning at line 31, strike out the remainder of the paragraph, "Line 26 to 31 inclusive".

Motion carried.

The Speaker appointed Mr. Crittenden as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Senate Bill No. 227, with instructions, reports that the instructions of the Assembly have been carried out.

CRITTENDEN, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Weller asked for and was granted unanimous consent to take up Senate Bill No. 188, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-EIGHT.

Senate Bill No. 188—An act to authorize the leasing of certain lands belonging to the State of California containing oil deposits and providing for the disposition of the moneys received under said leases, creating a commission to carry out the provisions of this act and making an appropriation for the purposes hereof.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Weller moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill as amended in the Assembly, April 28, 1923, strike out the comma and in lieu thereof insert the word "and".

AMENDMENT NUMBER TWO.

Strike out all of line 5 of the title of the printed bill as amended in the Assembly, April 28, 1923, after the word "act", and all of line 6, and in lieu thereof insert a period.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended in the Assembly, April 28, 1923, strike out lines 17 to 25, both inclusive.

Motion carried.

The Speaker appointed Mr Weller as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No 188, with instructions, reports that the instructions of the Assembly have been carried out.

WELLER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the constitution of the State by repealing section 34 of article IV, and adding two new sections, to be numbered 29 and 34, to article IV of said constitution, relating to the general expenses of the State government—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended

(Signed out)

MITCHELL, A G, Chairman
COOMBS.
CLARKE
NOYES.
MORRIS
STEVENOT
SNYDER
FOX.

The above reported constitutional amendment ordered on file for adoption.

MOTION TO EXPUNGE RECORD.

Mr. Bromley moved that the record of all proceedings relative to the report of the Committee on Introduction of Bills be expunged.

The roll was called, and the record ordered expunged by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bromley, Burns, Carter, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Fox, Graves, Hawes, Heisinger, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Weller, Whitacre, Williams, and Mr. Speaker—46

NOES—None

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage be continued until the next legislative day.

Motion carried.

ADJOURNMENT

At eleven o'clock and forty-four minutes p.m., on motion of Mr. Morris, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 8, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 8, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Connolly, Prof. Samuel C. May of the University of California and Mrs. May were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Connolly, Miss G. Young-Hunter, Miss Ruth Harker, Miss Catherine Clarke, and Miss Elizabeth Matthews, students of the University of California, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Rev. J. P. Cavanagh, and Miss M. Kavanagh of San Francisco were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Eksward, Mr. and Mrs. Frank E. McCormick of San Mateo were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. West, Mr. P. J. Kramer of the Franklin Union School of Sacramento County and the following pupils were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

Myrtle Kloss, Bessie Davis, Elva Nicolaus, Esther Tegen, Geneva Hack, Inez Asbury, Howard King, Carl Johanson, Raymond Ehrhardt, Cæsar Somatis, Leon Black, Irene Spinelli, Ida Harrison, Katherine Ballet, Carl Tegen, Clovis Ruhl, Ardis King, Helen Johnson, Dannie Mohr, Clarke Kloss, Freddie Frey, Elmer Hoerthing, Edith Pederson, Dretta Wilson, Bruce King, Glenn Haynes, Frances Kloss, Louise Rau, Guy Monice, and Solomon Kammerer

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Noyes, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 731—An act providing for the organization, operation, maintenance and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution, and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 8, of the printed bill, after the period insert the following: "The annual salaries of the judges of the superior court of Imperial county are five thousand dollars per annum, one-half of which shall be paid by the state, and the other one-half thereof by the county for which the judges are elected or appointed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading:

Assembly Bill No. 1017—An act to add a new section to the Political Code, to be numbered 737*zzz*, relating to the salaries of superior court judges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title, after the word "Raines", insert the words "as executor,".

AMENDMENT NUMBER TWO.

In line 4 of the printed bill, after the word "Raines", insert the words "as executor,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the Laws of 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 4 strike out the word "eleventh" and insert in lieu thereof the following "Twentieth"

AMENDMENT NUMBER TWO

On line 1 insert after the word "of", "eleven thousand nine hundred and forty-seven".

AMENDMENT NUMBER THREE

On line 14 after the word "of" insert "eleven thousand nine hundred and forty-seven"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henery Construction Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 672—An act making an appropriation to pay the claim of E A. Wheeler against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and state blue book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "distributed" insert the following: "under the direction of the state board of control.".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of", insert the following "sixty-four thousand two hundred twenty-two dollars and sixty-four cents".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the word "dollars".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "six" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, immediately before line 1, insert the following:

"SECTION 1. Section sixty-seven *a* of the Code of Civil Procedure is hereby amended to read as follows:".

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, after the word "be" strike out the word "thirty" and insert in lieu thereof the word "twenty-eight".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "any" strike out the word "sixteen" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FOUR

On page 1, line 16, of the printed bill, after the word "appoint" strike out the word "seven" and insert in lieu thereof the word "five".

AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, after the comma strike out the word "seven" and insert in lieu thereof the word "five".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 937—An act to amend sections 927*e* and 927*l* of the Code of Civil Procedure, relating to the small claims court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 3 to 18, inclusive, and insert in lieu thereof the following

"927*p* In all actions filed under this title, the plaintiff shall pay a fee of one dollar at the time of executing the affidavit provided for in section 927*a*, and no other fee or charge of any kind or nature shall be charged or collected by any officer for any service rendered under this title *provided*, that in those counties where the compensation of justices of the peace consists of fees allowed by law, the justices of the small claims court may charge and collect the same fees which a justice of the peace may charge and collect, and no others."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to salaries of county officers in counties of the seventeenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the words "salaries of county" and in lieu thereof insert the following: "the salaries, fees and expenses of"

AMENDMENT NUMBER TWO

On page 1, line 3, of the printed bill, after the period add the following: "In counties of the seventeenth class the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries fees and expenses, to wit:

1. County clerk, two thousand four hundred dollars per annum, *provided*, that in counties of this class there shall be, and there hereby is, allowed to the county clerk, one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, one deputy who shall receive a salary of one thousand five hundred dollars per annum, and one deputy who shall receive a salary of one thousand two hundred dollars per annum, and in each year in which a new and complete registration of voters is required by law, he shall appoint as many deputy registration clerks as may be necessary for the convenient registration of the voters of the county, which deputy registration clerks shall receive as compensation for their services a sum of ten cents per name for each every voter registered by them, and also one additional deputy to compile the great register, and for mailing sample ballots, at a compensation not to exceed two hundred fifty dollars for each such registration year.

2. Sheriff, three thousand dollars per annum, *provided*, that in counties of this class, there shall be, and hereby is, allowed to the sheriff, one undersheriff, whose salary is hereby fixed in the sum of two thousand four hundred dollars per annum, one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, one deputy, who shall be jailer, who shall receive a salary of one thousand five hundred dollars per annum, one deputy, who shall be court bailiff, who shall receive a salary of one thousand five hundred dollars per annum, one deputy who shall also be chauffeur, who shall receive a salary of one thousand five hundred dollars per annum, and four additional deputies, who shall each receive a salary of one thousand five hundred dollars per annum.

3. Recorder, two thousand four hundred dollars per annum, *provided*, that in counties of this class there shall be, and is hereby allowed the recorder one deputy at a salary of one thousand five hundred dollars per annum, and two deputies for twelve months in each year at one hundred dollars each per month, and as many copyists as may be required who shall receive as compensation the sum of five cents per folio for recording, copying and comparing any instrument or notice, except maps or plats, and for copies of any record or paper, five cents per folio. The salaries of all copyists herein provided for shall be paid by the county in monthly installments at the same time, and in the same manner, and out of the same fund that the salary of the county recorder is paid.

4. Auditor, two thousand four hundred dollars per annum: *provided*, that there is hereby allowed to the auditor one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, one deputy who shall receive a salary of one thousand six hundred twenty dollars per annum, one deputy who shall receive a salary of one thousand five hundred dollars per annum, two deputies for not more than four months in each year, who shall each receive a salary of one hundred ten dollars per month, and four additional deputies for not more than one month in each year, who shall receive a salary of one hundred ten dollars per month each.

5. Treasurer, two thousand four hundred dollars per annum, *provided*, that in counties of this class there shall be and hereby is allowed to the treasurer, the sum of not exceeding eighteen hundred dollars per annum, to be expended for the salary of a deputy.

6. Tax collector, two thousand four hundred dollars per annum: one chief deputy for not more than ten months of each year, who shall receive a salary of one hundred fifty dollars per month, and six deputies for not more than three months of each year, who shall receive a salary of one hundred dollars per month each.

7. Assessor, two thousand four hundred dollars per annum: one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, one stenographer and roll writer, for not more than eight months in each year, who shall receive

a salary of one hundred twelve and fifty hundredths dollars per month; one deputy for writing plat books, for not more than five months in each year, who shall receive a salary of one hundred twenty-five dollars per month; one check deputy for not more than five months in each year, who shall receive a salary of one hundred twenty-five dollars per month; two additional deputies for not more than four months in each year, who shall each receive a salary of one hundred dollars per month, eight field deputies for not more than three months in each year, who shall each receive a salary of one hundred fifty dollars per month two field deputies for not more than three months in each year, who shall each receive a salary of one hundred twenty-five dollars per month; one field deputy for not more than three months in each year, who shall receive a salary of one hundred seventy-five dollars per month; all of said field deputies shall pay their own expenses. It is hereby provided that in counties of this class, the assessor shall receive no fees or compensation for his collection of taxes on personal property or possessory interests.

8. District attorney, three thousand dollars per annum, one chief deputy who shall receive a salary of two thousand four hundred dollars per annum, one deputy who shall receive a salary of one thousand eight hundred dollars per annum one deputy, who shall be designated "criminal investigator" who shall receive a salary of one thousand eight hundred dollars per annum, one stenographer who shall receive a salary of one thousand two hundred dollars per annum; it shall be the duty of this stenographer to report and transcribe, without any additional charge, all preliminary hearings required of him by the district attorney.

9. Coroner, such fees as are now, or may be hereafter, allowed by law

10. Public administrator, such fees as are now, or may be hereafter allowed by law

11. Superintendent of schools, two thousand four hundred dollars per annum, two deputies who shall each receive a salary of two thousand dollars per annum, said salaries to include traveling expenses in connection with the visitation of schools, one deputy who shall receive a salary of one thousand two hundred dollars per annum, *provided*, that in counties of this class the superintendent of schools shall receive no compensation for services as a member of the county board of education, or as ex officio secretary thereof.

12. Surveyor, one thousand five hundred dollars per annum, which shall be in full for all services required of him by the superior court or board of supervisors, or assessor. It shall be his duty on demand of the assessor, to prepare any and all maps, plats or block books for the use of the county assessor.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month, in the same manner and out of the same fund as county officers are paid, and in addition such fees as are now or may hereafter be provided by law: in townships having a population of more than five thousand, one hundred dollars per month, *provided*, that if the county seat shall be situated in a township of this class, one hundred fifty dollars per month in townships having a population of less than five thousand, and more than two thousand, seventy-five dollars per month, in townships having a population of less than two thousand twenty dollars per month It is hereby found as a fact that the salaries provided for in this subdivision do not work an increase in compensation, and the same shall apply immediately to incumbents

Justices of the peace shall be allowed their necessary incidental expenses in such reasonable sums as may be fixed by the board of supervisors, according to the needs of the business of the justice's courts in each township The board of supervisors of such counties shall furnish and supply to the justices of the peace of the various townships in such counties the codes of the state and amendments thereto, and all necessary stationery, legal blanks and forms for the proper and convenient conduct of business.

14. Constables shall receive the following monthly salaries to be paid each month in the same manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them in townships having a population of more than two thousand, seventy-five dollars per month, in townships having a population of less than two thousand, twenty dollars per month Constables shall cooperate at all times with the sheriff, and shall perform any and all duties that he may require of them It is hereby found as a fact, that the salaries provided for in this subdivision do not work an increase in compensation, and the same shall apply immediately to incumbents

15. For the purposes of subdivisions thirteen and fourteen of this section, the population of the several judicial townships shall be ascertained by multiplying the number of registered voters at the last general election by three and one-half.

16. Each supervisor, one thousand two hundred dollars per annum, which shall be in full for all services as supervisor and road commissioner for each year

17. Horticultural commissioner, one thousand eight hundred dollars per annum; *provided*, in counties of this class, said horticultural commissioner may appoint as many inspectors as may be necessary for the performance of his duties, who shall be paid three dollars and fifty cents for each day of eight hours actually engaged in the performance of their duties.

18. County physician, seventy-five dollars per month.

19. County health officer, seventy-five dollars per month; *provided*, that in counties of this class there shall be and hereby is allowed the health officer, two deputies, each of whose salaries shall be one hundred fifty dollars per month, said deputies to pay all their own expenses.

20. Live stock inspector, who shall be ex officio county veterinarian, one thousand eight hundred dollars per annum; *provided*, that in counties of this class the live stock inspector shall devote his entire time to the performance of the duties of the office; *provided, further*, that in counties of this class the live stock inspector shall be and hereby is allowed three deputies who shall each receive as salaries six hundred dollars per annum.

21. County librarian, one thousand six hundred dollars per annum.

22. In counties of this class, grand jurors and trial jurors in criminal cases shall receive as compensation for each day's attendance on the grand jury, the superior court or justice court, the sum of three dollars per day, and for each mile actually and necessarily traveled from their residence in attending court or grand jury, in coming only, the sum of fifteen cents per mile, such mileage to be allowed but once during each session said jurors are required to attend.

"SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes, nor to increase or decrease the compensation paid to or received by any such person under the provisions of such statute, except as otherwise herein expressly provided."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041*a*, relating to boards of supervisors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than one hundred thousand persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 17, of the printed bill, after the word "and" insert the words "may also provide".

AMENDMENT NUMBER TWO

On page 2, line 18, of the printed bill, strike out the word "may" following the word "county" and insert in lieu thereof the word "will".

AMENDMENT NUMBER THREE

On page 2, line 22, of the printed bill, strike out the comma after the word "corporation" and also the comma after the word "association".

AMENDMENT NUMBER FOUR.

On page 2, line 35, of the printed bill, and after the word "removal" insert a comma and strike out the word "to" and insert in lieu thereof the words "and to reinter such bodies in".

AMENDMENT NUMBER FIVE.

On page 4, line 48, of the printed bill, and after the word "made" insert a comma

AMENDMENT NUMBER SIX.

On page 7, line 7, of the printed bill, after the comma following the word "lands" strike out all of the printed matter down to and including the comma following the word "same" in line 12 of said page 7

AMENDMENT NUMBER SEVEN.

On page 8, line 6, of the printed bill, after the word "out" strike out the words "such abandonment of such cemetery lands and".

AMENDMENT NUMBER EIGHT

On page 8, line 16, of the printed bill, and after the word "removed" strike out the word "had" and insert in lieu thereof the word "have"

AMENDMENT NUMBER NINE.

On page 8, line 18, of the printed bill, after the word "bodies" strike out the word "had" and insert in lieu thereof the word "have".

AMENDMENT NUMBER TEN

On page 8, line 22, of the printed bill, strike out the comma following the word "remaining".

AMENDMENT NUMBER ELEVEN.

On page 8, line 28, of the printed bill, after the word "cost" strike out the word "of" and insert in lieu thereof the word "to"

AMENDMENT NUMBER TWELVE

On page 9, line 21, of the printed bill, strike out the word "the" and insert in lieu thereof the word "such", and strike out the word "such" following the word "of" and insert in lieu thereof the word "the"

AMENDMENT NUMBER THIRTEEN.

On page 9, line 37, of the printed bill strike out the comma after the word "columbarium".

AMENDMENT NUMBER FOURTEEN.

On page 9, line 45, of the printed bill, after the word "lands" strike out the words "as a burial place for the human dead"

AMENDMENT NUMBER FIFTEEN.

On page 10, line 14, of the printed bill, and after the word "control" insert the word "of"

AMENDMENT NUMBER SIXTEEN.

On page 1, line 1, of the title, after the words "An act" strike out the remainder of the title, and insert in lieu thereof the following "authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than one hundred thousand persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 132—An act to add a new section to the Political Code to be numbered 737*ee*, relating to the salaries of superior court judges.

Bill read second time, and ordered on file for third reading

Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*ccc*, relating to the salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

Bill read second time, and ordered on file for third reading.

Senate Bill No 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "six" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 455—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Dawson

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the contingent fund of the Assembly in favor of Arthur A.

Ohnimus, Chief Clerk, in the sum of $551.71 to pay the bills as itemized below, and the State Treasurer be and he is hereby authorized and directed to pay the same

Hall, Luhrs & Co	$ 5 00
Remington Typewriter Co., rent April 8 to May 8	16 00
The Wholesale Typewriter Co., rent April 8 to May 8	72 00
Purnell Stationery Co.	6 75
Purnell Stationery Co.	4 00
State Purchasing Dept., supplies for April	271 64
Western Union Telegraph Co., message	48
Cascade Towel Supply, towel service for March, April and May	175 75
Total	$551 71

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
PEDROTTI.
MITCHELL, A. G.
ROCK.
LYONS.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, ten o'clock and two minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the clerk was directed to call the roll.

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

Badham, Baker, C. C. Carter, Clarke, Connolly, Coombs, Davis, Dean, Dozier, Eksward, Emme, Erb, Fellom, Fox, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, Miller, Moore, Noyes, Pedrotti, Prendergast, Reindollar, Saylor, Schmidt, Spalding, Weller, West, Williams, Woodbridge, and Mr. Speaker—34

The Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof, the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District, and for the acquiring of such other properties, the construction of such other improvements and the doing of such things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation protection and reclamation systems through a single district organization, providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water

Company and said levee and drainage districts and for the issuance of bonds for all of the aforesaid purposes, and providing for the payment, funding and refunding of all such indebtedness, providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same and for the payment of bonds and the expense of maintaining the district created hereby, providing also a means for dissolving said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and ten minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Graves.

The roll of absentees was called, and the resolution by Mr. Dawson adopted by the following vote:

AYES—Badham, Baker, C. C., Ball, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Dozier, Ekswand, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kime, Lyman, Lyons, McDowell, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELAIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 588?

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out all of line 7 after the word "month", all of line 8 and the word "county" in line 9.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out line 11, and all of line 12 preceding the word "in".

AMENDMENT NUMBER THREE.

On page 5, line 17, of the printed bill, strike out the period and in lieu thereof insert the following: ", *provided, however*, that each of said justices shall be furnished with an office and necessary supplies by the board of supervisors of said county."

The roll was called, and Senate amendments to Assembly Bill No. 588 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Ball, Carter, Clarke, Connolly, Coombs, Davis, Dean, Dorris, Duval, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kime, Lyman, McDowell, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 409?

AMENDMENT NUMBER ONE

On page 1, line 4, of the printed bill, after the word "office" strike out the words "until his", and on line 5 the words "successor is appointed and qualified" and insert in lieu thereof the following: "at the pleasure of the governor".

The roll was called, and Senate amendment to Assembly Bill No. 409 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Dozier, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1321?

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "all".

AMENDMENT NUMBER TWO.

On page 1, line 7, strike out the word "and" and insert in lieu thereof the word "or".

AMENDMENT NUMBER THREE

On page 1, line 7, strike out the word "other".

The roll was called, and Senate amendments to Assembly Bill No. 1321 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Duval, Erb, Fellom, Fox, Fulwider, Johnson, Jones, Kline, Lyman, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—44.
NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 365—An act to repeal sections 4041, 4041*b*, 4041*c*, 4041*d*, 4041*e* and 4041*f*, and to add new sections to be numbered 4041 to 4041*z*, inclusive, all relating to the powers and duties of the board of supervisors.

Bill read third time.

SPECIAL ORDER SET

On motion of Mr Eksward, the consideration of Assembly Bill No. 365 was made a special order for Wednesday, May 9, 1923, at eleven o'clock a m. to follow the consideration of Assembly Bill No. 148.

SPECIAL ORDER.

The hour of eleven o'clock a m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF GOVERNOR'S MESSAGE RELATIVE TO ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 7, 1923

To the Assembly of the State of California.

Assembly Bill No. 999, known as the budget bill, is approved except for certain items hereinafter specifically set forth, which are reduced or eliminated in accordance with the powers conferred on me by the provisions of section sixteen and thirty-four of article four of the constitution, and which are objected to for the reasons hereinafter mentioned, to wit:

1. I object to the item on page 6 under the heading "Preventive" reading as follows: "For salaries of employees state board of health, three hundred sixty thousand six hundred sixty-three and 42/100 dollars", and reduce the amount to three hundred six thousand two hundred ninety-eight dollars, for the reason that the last named amount is ample.

2. I object to the item on page 6 under the heading "Preventive" reading as follows: "For support, state board of health, three hundred eight thousand five hundred thirty-six and 58/100 dollars.", and reduce the amount to two hundred forty-eight thousand three hundred thirty-eight dollars, for the reason that the last named amount is ample

3 I object to the item on page 7 under the heading "Preventive" reading as follows: "For salaries of railroad commissioners and employees, six hundred thirty-seven thousand two hundred dollars.", and reduce the amount to five hundred fifty-two thousand two hundred dollars, for the reason that the last named amount is ample There is an item in the budget of thirty thousand dollars which can be expended for engineers if that be necessary. There are also certain positions which can be eliminated and engineers substituted. I propose to ask the state board of control to make a survey of this department in the interests of economy and efficiency It is my firm conviction that if we had a few men on the railroad commission like the late John M. Eshleman that department could function with at least one hundred thousand dollars less than the amount herewith allowed

4. I object to the item on page 8 under the heading "Benevolent" reading as follows "All funds hereafter received from the government of the United States in aid of said veterans' home, or of the members thereof, either by way of a per capita tax for said members, or otherwise received are made available, and are hereby appropriated to be expended upon the approval of the state board of control for the maintenance, construction and repair of buildings, or for the use and benefit of such members" on the ground that it carries an indefinite appropriation which is unnecessary, and is fully covered in the other items of appropriations for the Veterans' Home of California.

5 I object to the item on page 11 under the heading "Penal" reading as follows "For salaries and support of officers and employees of the California Industrial Farm for Women, seventy-five thousand dollars.", and reduce the amount to four thousand dollars on the ground that the increase is unnecessary as there are no facilities at the farm for caring for these delinquent women owing to the burning of the building.

6 I object to the item on page 11 under the heading "Penal" reading as follows: "For permanent improvements, California Industrial Farm for Women, one hundred twenty thousand dollars", for the reason that I consider this large expenditure at this time for this purpose unnecessary.

7. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, Chico State Teachers College, one hundred eighty-nine thousand eight hundred eighty dollars", and reduce the same to one hundred fifty-eight thousand eight hundred eighty dollars, for the reason that the last named amount is ample.

8 I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, Fresno State Teachers College two hundred seventy-five thousand dollars.", and reduce the amount to two hundred sixty-nine thousand two hundred eighty dollars, for the reason that the last named amount is ample.

9. I object to the item on page 16 under the heading "Educational" reading as follows: "For support, Fresno State Teachers College, forty-two thousand dollars.", and reduce the amount to twenty-seven thousand dollars, for the reason that the last named amount is ample.

10. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Diego State Teachers College, two hundred fifty-three thousand seven hundred forty dollars.", and reduce the amount to two hundred seventeen thousand seven hundred forty dollars, for the reason that the last named amount is ample.

11. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Jose State Teachers College, four hundred thousand dollars.", and reduce the amount to three hundred eighty-one thousand seven hundred sixty dollars, for the reason that the last named amount is ample.

12. I object to the item on page 16 under the heading "Educational" reading as follows: "For support, San Jose State Teachers College, sixty thousand dollars.", and reduce the amount to forty-two thousand six hundred dollars, for the reason that the last named amount is ample.

13. I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, Santa Barbara State Teachers College, one hundred sixty-five thousand seven hundred sixty dollars.", and reduce the amount to one hundred fifty thousand seven hundred sixty dollars, for the reason that the last named amount is ample.

14. I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Francisco State Teachers College, three hundred thirteen thousand five hundred dollars.", and reduce the amount to two hundred forty-nine thousand six hundred dollars, for the reason that the last named amount is ample.

15. I object to the item on page 17 under the heading "Educational" reading as follows: "For support, San Francisco State Teachers College, thirty-nine thousand four hundred fifty dollars.", and reduce the amount to thirty-two thousand three hundred dollars, for the reason that the last named amount is ample.

16. I object to the item on page 17 under the heading "Educational" reading as follows: "For new buildings, San Francisco State Teachers College, one hundred ninety thousand dollars.", on the ground that it is not wise at the present time to build any more buildings for this college even if the state had sufficient funds with which to do it.

17. I object to the item on page 7 under the heading "Preventive" reading as follows: "For salaries of industrial accident commissioners and employees, four hundred one thousand nine hundred twenty dollars.", and reduce the amount to three hundred eighty-seven thousand nine hundred twenty dollars, for the reason that fourteen thousand dollars was added to the above item in anticipation of work to be done in mining inspection. As the legislature failed to approve the consolidation plan proposed this addition is not now necessary and the amount remaining is ample.

18. I object to the item on page 15 under the heading "Educational" reading as follows: "For support, superintendent of public instruction, forty-three thousand three hundred thirty dollars.", and reduce the amount to thirty-eight thousand three hundred thirty dollars, for the reason that the printing fund of thirty thousand dollars provided in the budget is five thousand dollars larger than necessary.

19. I object to the item on page 20 in section four, reading as follows: "provided, that the state controller shall at the request of the state director of education set over and transfer from the appropriations for salaries and support for the several teachers colleges and special schools, an amount not exceeding one per cent of such appropriations and the amount so transferred shall be designated as the administrative allotment of the state department of education and shall be available for use by the director of education for the payment of the salaries and support of the general administrative office of the division of normal and special schools, during the seventy-fifth and seventy-sixth fiscal years.", for the reason that such appropriation is unnecessary and a wilful waste of the money of the taxpayers. The director of education has an ample allowance for running his department if it is put on an economical and businesslike basis.

20. I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees of the California School for Deaf and the California School for the Blind, two hundred fifty-three thousand dollars.", and reduce the amount to two hundred twenty-three thousand three hundred sixty-four dollars, for the reason that the last named amount is ample for the support of this institution which has been more liberally treated by the budget than by any other in the history of California.

21. I object to the item on page 17 under the heading "Educational" reading as follows: "For construction and equipment of new buildings for California School for the Blind, one hundred eighty thousand dollars.", and reduce the amount to ninety thousand dollars, for the reason that it is not expedient to build more than one new building during the next biennial period, even if the state had sufficient

funds with which to build more. The lack of buildings for this institution is due to the failure of those responsible to care for it at the last session of the legislature when money was being expended so lavishly.

22. I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees, California Polytechnic School, one hundred eighty-six thousand dollars", and reduce the amount to ninety-six thousand five hundred dollars, for the reasons set forth below.

In my budget message I called attention to the fact that the California Polytechnic School was not properly a state institution, was entirely out of joint with the educational system of the state, and that work was being done there for pupils of high school age which in other parts of the state was being done by the school districts. I also pointed out that if the state is to go into the business of conducting polytechnic high schools, it would have to have scores of similar institutions throughout the state at great cost to the taxpayers. I also suggested that this institution should be changed into some other line of work or used for some other state institution.

In my message of April 9th, I again called attention to my recommendation and asked that you give it consideration. In the meantime, it has been suggested that this institution might be used as an agricultural school for the southern part of the state. You have not acted upon this suggestion but have simply increased the allowance, and I do not feel that the state would be justified in spending a quarter of a million dollars on it during the next biennial.

23. I object to the item on page 17 under the heading "Educational" reading as follows: "For support, California Polytechnic School, sixty-eight thousand dollars", and have reduced the same to twenty-eight thousand dollars, for the reasons set forth above.

24. I object to the item on page 6 under the heading "Administrative" reading as follows: "For traveling expenses of the state board of equalization such sum or sums as are provided in section three thousand seven hundred two of the Political Code," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

25. I object to the items on page 6 under the heading "Administrative" reading as follows: "For investigations and appraisements, state board of equalization, such sum or sums as are provided in chapter four hundred twenty-eight, statutes of one thousand nine hundred twenty-one," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

26. I object to the item on page 8 under the heading "Preventive" reading as follows: "For salaries and support of the state real estate department such sum or sums as are provided in chapter six hundred five, statutes of one thousand nine hundred nineteen, and the amendments thereto, such amounts to be paid from the real estate commissioner's fund created thereby", and reduce the same to "For salaries of state real estate commissioner, deputies and employees, one hundred forty-six thousand two hundred forty dollars. For support, state real estate department, eighty-three thousand two hundred forty dollars" for the reason that the last named amounts are ample. The amendment proposed by the legislature might leave the state real estate department without any appropriation at all.

27. I object to the item on page 9 under the heading "Benevolent" reading as follows: "For support of orphans such sum or sums as are provided in section two thousand two hundred eighty-three of the Political Code," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

28. I object to item on page 12 under the heading "Conservation" reading as follows: "For purchase of land California redwood park, such sum or sums as are provided in chapter six hundred ninety, statutes of one thousand nine hundred seventeen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

29. I object to the item on page 13 under the heading "Developmental" reading as follows: "For statistics state agricultural society, such sum or sums as are provided in chapter five hundred eighty-four, statutes of one thousand nine hundred eleven," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

30. I object to the item on page 13 under the heading "Developmental" reading as follows: "For support of California highway commission all revenues from bond sales under authority of section two, article sixteen of the constitution, all revenues from motor vehicle registration, as provided in chapter one hundred eighty-eight, statutes of one thousand nine hundred fifteen and amendments thereto; all receipts from the federal government under an act of congress and authority provided by chapter five hundred thirty-seven, statutes of one thousand nine hundred seventeen," for the reason that this appropriation is provided for by existing statutes and also is authorized by the provisions of section one of this bill.

31. I object to the item on page 13 under the heading "Developmental" reading as follows: "For highway bond interest and redemption, such sum or sums as are provided in chapter three hundred eighty-three, statutes of one thousand nine hundred nine, chapter four hundred four, statutes of one thousand nine hundred fifteen;

chapter ninety-three, statutes of one thousand nine hundred nineteen," for the reason that this appropriation is provided for by existing statutes and also is authorized by the provisions of section one of this bill.

32. I object to item on page 14 under the heading "Developmental" reading as follows "For investigation of water resources such sum or sums as are provided in chapter seven hundred four, statutes of one thousand nine hundred nine" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

33. I object to the item on page 14 under the heading "Developmental" reading as follows "For salaries, support and permanent improvements for the fish and game commission, such sum or sums as are provided in chapter two hundred fifty-six, statutes of one thousand nine hundred nine and all amendments thereto, such payments to be made from the fish and game preservation fund created thereby," and reduce the same to "For salaries of officers and employees of the fish and game commission, four hundred thirty-eight thousand three hundred seventy dollars. For support of the fish and game commission, three hundred seventy-one thousand one hundred fifty dollars," for the reason that the last named sums are ample The amendments proposed by the legislature might leave the fish and game commission without any appropriation at all

34. I object to the item on page 14 under the heading "Developmental" reading as follows "For Sacramento and San Joaquin drainage district number six such sum or sums as are provided in chapter five hundred fifty-six, statutes of one thousand nine hundred nineteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

35. I object to the item on page 14 under the heading "Developmental" reading as follows "For Los Angeles flood control such sum or sums as are provided in chapter seven hundred forty-nine, statutes of one thousand nine hundred twenty-one," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

36 I object to the item on page 14 under the heading "Developmental" reading as follows "For uses veterans' welfare board for purchase of farms and homes such sum or sums as are provided in initiative act approved November seventh, one thousand nine hundred twenty-two" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

37. I object to the item on page 15 under the heading "Educational" reading as follows: "For vocational rehabilitation such sum or sums as are provided in chapter seven hundred fifty-eight, statutes of one thousand nine hundred twenty-one," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

38 I object to the item on page 15 under the heading "Educational" reading as follows "For vocational education (Smith-Hughes act) such sum or sums as are provided in chapter seven hundred twenty statutes of one thousand nine hundred seventeen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

39 I object to the item on page 15 under the heading "Educational" reading as follows "For teachers permanent fund such sum or sums as are provided in chapter six hundred ninety-four, statutes of one thousand nine hundred thirteen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

40. I object to the item on page 15 under the heading "Educational" reading as follows: "For textbooks for orphans such sum or sums as are provided in chapter four hundred seventy-two, statutes of one thousand nine hundred seven," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

41. I object to the item on page 15 under the heading "Educational" reading as follows "For support of elementary schools such sum or sums as are provided in section six of article nine of the constitution" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

42. I object to the item on page 15 under the heading "Educational" reading as follows "For support of secondary schools such sum or sums as are provided in section six of article nine of the constitution" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

43. I object to the item on page 15 under the heading "Educational" reading as follows "For support of junior colleges such sum or sums as are provided in chapter four hundred seventy, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

44. I object to the item on page 15 under the heading "Educational" reading as follows "For university building interest and redemption of bonds such sum or sums as are provided in chapter nine hundred twenty-three, statutes of one thousand nine hundred fifteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

45. I object to item on page 18 under the heading "Educational" reading as follows "For veterans' educational institute, such sum or sums as are provided in chapter five hundred seventy-nine, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

46. I object to item on page 18 under the heading "Miscellaneous" reading as follows "For Sacramento building interest and redemption of bonds, such sum or sums as are provided in chapter two hundred thirty-nine statutes of one thousand nine hundred thirteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

47. I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For San Francisco building interest and redemption of bonds, such sum or sums as are provided in chapter five hundred forty-one, statutes of one thousand nine hundred thirteen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

48. I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For interest and sinking fund, such sum or sums as are provided in chapter sixty-five, statutes of one thousand eight hundred ninety-three" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

49. I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For principal and interest on bond debts of cities and counties, such sum or sums as are provided in chapter three hundred thirty-five, statutes of one thousand nine hundred eleven" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

ECONOMY IS EFFECTED

My original budget presented to you totaled $78,974,828 55, and was a redemption of my pledge to the people to give them an economical and efficient administration. On April 9, 1923, I made certain recommendations and changes to the budget which made the total $79,425,188 55.

Certain bills were introduced to carry out suggestions by me for combining the board of charities and corrections, building and loan commission, immigration and housing commission, and the mining bureau with other departments These bills were not acted upon favorably by your body and hence it has been necessary for me to make increases covering these departments. With these increases the present total is $79,754,336.55.

Your body has increased this total by $1,170,649.68 All of these increases are returned to you without my approval, thus saving the taxpayers who ultimately pay every dollar of tax, more than one million dollars

The reductions and eliminations made by me bring the budget total to a figure twelve million dollars less than the $91,865,000 of appropriations of 1921

Budget	$79,425,188 55
Deductions	255,080 00
	$79,170,108 55
Increases	584,228 00
Total	$79,754,336 55

The increases made in the legislature by my suggestion were:

Charities and corrections	$49,080 00
Building and loan commission	29,160 00
Immigration and housing commission	124,890 00
Mining bureau	359,898 00
Board of forestry	16,200 00
Woman's Relief Corps	5,000 00
	$584,228 00

The deductions made from the budget were.

Building and loan commission	$30,000 00
Surveyor general	138,080 00
Mining bureau	68,000 00
Industrial accident commission	14,000 00
Superintendent of public instruction	5,000 00
	$255,080 00

Respectfully submitted

FRIEND WM RICHARDSON, Governor.

The question being put. Shall Item No 1 become a law notwithstanding the veto of the Governor?

ITEM NUMBER ONE

I object to the item on page 6 under the heading "Preventive" reading as follows: "For salaries of employees state board of health, three hundred sixty thousand six

hundred sixty-three and 42/100 dollars", and reduce the amount to three hundred six thousand two hundred ninety-eight dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—30

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—43.

The question being put: Shall Item No. 2 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWO.

I object to the item on page 6 under the heading "Preventive" reading as follows "For support, State Board of Health, three hundred eight thousand five hundred thirty-six and 58/100 dollars.", and reduce the amount to two hundred forty-eight thousand three hundred thirty-eight dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—30

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—43

The question being put: Shall Item No. 3 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THREE

I object to the item on page 7 under the heading "Preventive" reading as follows "For salaries of railroad commissioners and employees, six hundred thirty-seven thousand two hundred dollars", and reduce the amount to five hundred fifty-two thousand two hundred dollars for the reason that the last named amount is ample. There is an item in the budget of thirty thousand dollars which can be expended for engineers if that be necessary. There are also certain positions which can be eliminated and engineers substituted. I propose to ask the State Board of Control to make a survey of this department in the interests of economy and efficiency. It is my firm conviction that if we had a few men on the railroad commission like the late John M. Eshleman that department could function with at least one hundred thousand dollars less than the amount herewith allowed.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—38

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—38

The question being put: Shall Item No. 4 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FOUR.

I object to the item on page 8 under the heading "Benevolent" reading as follows: "All funds hereafter received from the government of the United States in aid of said veterans' home, or of the members thereof, either by way of a per capita tax for said members or otherwise received are made available, and are hereby appropriated to be expended upon the approval of the State Board of Control for the maintenance, construction and repair of buildings, or for the use and benefit of such members.", on the ground that it carries an indefinite appropriation which is unnecessary and is fully covered in the other items of appropriations for the Veterans' Home of California.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—33.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—43.

The question being put: Shall Item No. 5 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FIVE.

I object to the item on page 11 under the heading "Penal" reading as follows: "For salaries and support of officers and employees of the California Industrial Farm for Women, seventy-five thousand dollars.", and reduce the amount to four thousand dollars on the ground that the increase is unnecessary as there are no facilities at the farm for caring for these delinquent women owing to the burning of the building.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Anderson, Baker, C. C., Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—42.

NOES—Badaracco, Badham, Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Dawson, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Hornblower, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Prendergast, Rock, Snyder, Stow, Weller, and Mr. Speaker—33.

The question being put: Shall Item No. 6 become a law notwithstanding the veto of the Governor?

ITEM NUMBER SIX.

I object to the item on page 11 under the heading "Penal" reading as follows: "For permanent improvements, California Industrial Farm for Women, one hundred twenty thousand dollars", for the reason that I consider this large expenditure at this time for this purpose unnecessary.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Anderson, Baker, C. C., Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—42.

NOES—Badaracco, Badham, Baker, Edwin, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Dawson, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Hornblower, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Prendergast, Rock, Snyder, Stow, Weller, and Mr. Speaker—33.

The question being put: Shall Item No. 7 become a law notwithstanding the veto of the Governor?

ITEM NUMBER SEVEN.

I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, Chico State Teachers College, one hundred eighty-nine thousand eight hundred eighty dollars", and reduce the same to one hundred fifty-eight thousand eight hundred eighty dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 8 become a law notwithstanding the veto of the Governor?

ITEM NUMBER EIGHT.

I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, Fresno State Teachers College, two hundred seventy-five thousand dollars", and reduce the amount to two hundred sixty-nine thousand two hundred eighty dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 9 become a law notwithstanding the veto of the Governor?

ITEM NUMBER NINE.

I object to the item on page 16 under the heading "Educational" reading as follows: "For support, Fresno State Teachers College, forty-two thousands dollars", and reduce the amount to twenty-seven thousand dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 10 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TEN.

I object to the item on page 16 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Diego State Teachers College, two hundred fifty-three thousand seven hundred forty dollars.", and reduce the amount to two

hundred seventeen thousand seven hundred forty dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 11 become a law notwithstanding the veto of the Governor?

ITEM NUMBER ELEVEN.

I object to the item on page 16 under the heading "Educational" reading as follows: "*For salaries of officers and employees, San Jose State Teachers College, four hundred thousand dollars.*", and reduce the amount to three hundred eighty-one *thousand seven hundred sixty dollars, for the reason that the last named amount is* ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 12 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWELVE.

I object to the item on page 16 under the heading "Educational" reading as follows: "For support, San Jose State Teachers College, sixty thousand dollars.", and reduce the amount to forty-two thousand six hundred dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 13 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTEEN.

I object to the item on page 16 under the heading "Educational" reading as follows: "*For salaries of officers and employees, Santa Barbara State Teachers College, one hundred sixty-five thousand seven hundred sixty dollars*", and reduce the amount to one hundred fifty thousand seven hundred sixty dollars, *for the reason that* the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge and Wright—31

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 14 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FOURTEEN.

I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees, San Francisco State Teachers College, three hundred thirteen thousand five hundred dollars,", and reduce the amount to two hundred forty-nine thousand six hundred dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45.

The question being put: Shall Item No. 15 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FIFTEEN.

I object to the item on page 17 under the heading "Educational" reading as follows: "For support, San Francisco State Teachers College, thirty-nine thousand four hundred fifty dollars", and reduce the amount to thirty-two thousand three hundred dollars, for the reason that the last named amount is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45

The question being put: Shall Item No. 16 become a law notwithstanding the veto of the Governor?

ITEM NUMBER SIXTEEN

I object to the item on page 17 under the heading "Educational" reading as follows: "For new buildings, San Francisco State Teachers College, one hundred ninety thousand dollars", on the ground that it is not wise at the present time to build any more buildings for this college even if the state had sufficient funds with which to do it.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Broughton, Burns, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Erb, Fellom, Hawes, Hornblower, Jones, Lyman, Mathews, McDowell, Miller,

Mitchell, T. A., Morris, Morrison, Mueller, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Spence, Stevenot, Whitacre, Woodbridge, and Wright—34

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Smith, Snyder, Spalding, Stow, Weller, West, Williams, and Mr. Speaker—41.

The question being put: Shall Item No. 17 become a law notwithstanding the veto of the Governor?

ITEM NUMBER SEVENTEEN.

I object to the item on page 7 under the heading "Preventive" reading as follows: "For salaries of industrial accident commissioners and employees, four hundred one thousand nine hundred twenty dollars.", and reduce the amount to three hundred eighty-seven thousand nine hundred twenty dollars, for the reason that fourteen thousand dollars was added to the above item in anticipation of work to be done in mining inspection. As the legislature failed to approve the consolidation plan proposed this addition is not now necessary and the amount remaining is ample.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—34

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bromley, Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—36

The question being put: Shall Item No. 18 become a law notwithstanding the veto of the Governor?

ITEM NUMBER EIGHTEEN.

I object to the item on page 15 under the heading "Educational" reading as follows: "For support, superintendent of public instruction, forty-three thousand three hundred thirty dollars.", and reduce the amount to thirty-eight thousand three hundred thirty dollars, for the reason that the printing fund of thirty thousand dollars provided in the budget is five thousand dollars larger than necessary.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, Williams, and Mr. Speaker—45

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p. m. of this day.

REASSEMBLED

At one o'clock and thirty minutes p. m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

(Signed out)

MORRIS, Chairman.
HORNBLOWER.
ROSENSHINE.
McDOWELL.
BAKER, C. C.
CRITTENDEN.
WELLER.
SMITH.
SNYDER.
WHITACRE.
MUELLER.
MITCHELL, A. G.
SPENCE.
BROMLEY.
CHRISTIAN.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 457—An act to amend section 460 of the Penal Code relating to the degrees of burglary—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 429—An act to amend an act entitled 'An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911,' approved May 18, 1919, by adding thereto a new section to be numbered section 4;

Also: Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public;

Also: Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors;

Also: Senate Bill No. 728—An act to amend section 676 of the Code of Civil Procedure, relating to sessions of the superior court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 948—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighth day of May, 1923, at eleven o'clock a.m.

ROBERTS, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wright asked for and was granted unanimous consent to take up Senate Bill No. 83 at this time, without reference to file, for the purpose of amending

CONSIDERATION OF SENATE BILL NUMBER EIGHTY-THREE.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board, authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation, providing for the levy and collection of assessments; and providing for the issuance and payment of bonds

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Wright moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4, lines 40 and 41, strike out the words "Story road" and insert in lieu thereof the words "Stone avenue"

AMENDMENT NUMBER TWO

On page 4, line 42, strike out the words "Story road" and insert in lieu thereof the words "Stone avenue".

Motion carried.

The Speaker appointed Mr. Wright as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 83, with instructions, reports that the instructions of the Assembly have been carried out.

WRIGHT, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911 directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Bill read third time

Urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1346 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE RELATIVE TO ASSEMBLY BILL NUMBER NINE HUNDRED NINETY-NINE—(RESUMED).

The question being put: Shall Item No. 19 become a law nothwithstanding the veto of the Governor?

ITEM NUMBER NINETEEN

I object to the item on page 20 in section four, reading as follows: "provided, that the State controller shall at the request of the State director of education set over and transfer from the appropriations for salaries and support for the several teachers colleges and special schools, an amount not exceeding one per cent of such appropriations and the amount so transferred shall be designated as the administrative allotment of the State Department of Education and shall be available for use by the director of education for the payment of the salaries and support of the general administrative office of the division of normal and special schools, during the seventy-fifth and seventy-sixth fiscal years", for the reason that such appropriation is unnecessary and a wilful waste of the money of the taxpayers. The director of education has an ample allowance for running his department if it is put on an economical and businesslike basis.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Mathews, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre and Woodbridge—28

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Dozier, Ekswaid, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Lyons, Mitchell, A. G., Morris, Noyes, Pedrotti, Rock, Scott, Smith, Snyder, Weller, Williams, and Mr. Speaker—34

The question being put: Shall Item No. 20 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY.

I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees of the California School for Deaf and the California School for the Blind, two hundred fifty-three thousand dollars.", and reduce the amount to two hundred twenty-three thousand three hundred sixty-four dollars, for the reason that the last named amount is ample for the support of this institution which has been more liberally treated by the budget than by any other in the history of California.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Cleary, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Jones, Lyman, McMillan, Miller, Mitchell, T. A., Morrison, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Dozier, Ekswaid, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Scott, Snyder, Spalding, Weller, Williams, and Mr. Speaker—31

The question being put: Shall Item No. 21 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-ONE.

I object to the item on page 17 under the heading "Educational" reading as follows: "For construction and equipment of new buildings for California School for the Blind, one hundred eighty thousand dollars", and reduce the amount to ninety thousand dollars, for the reason that it is not expedient to build more than one new building during the next biennial period, even if the state had sufficient funds with to build more. The lack of buildings for this institution is due to the failure of those responsible to care for it at the last session of the legislature when money was being expended so lavishly.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Cleary, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Jones, Lyman, McMillan, Miller, Mitchell, T. A., Morrison, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—31

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Dozier, Ekswaid, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Scott, Snyder, Spalding, Weller, Williams, and Mr. Speaker—31

The question being put: Shall Item No. 22 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-TWO.

I object to the item on page 17 under the heading "Educational" reading as follows: "For salaries of officers and employees, California Polytechnic School, one hundred eighty-six thousand dollars", and reduce the amount to ninety-six thousand five hundred dollars, for the reason set forth below.

In my budget message I called attention to the fact that the California Polytechnic School was not properly a state institution, was entirely out of joint with the educational system of the state, and that work was being done there for pupils of high school age which in other parts of the state was being done by the school districts. I also pointed out that if the state is to go into the business of conducting

polytechnic high schools, it would have to have scores of similar institutions throughout the state at great cost to the taxpayers. I also suggested that this institution should be changed into some other line of work or used for some other state institution.

In my message of April 9th, I again called attention to my recommendation and asked that you give it consideration. In the meantime, it has been suggested that this institution might be used as an agricultural school for the southern part of the state. You have not acted upon this suggestion but have simply increased the allowance, and I do not feel that the state would be justified in spending a quarter of a million dollars on it during the next biennial.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnston, Kline, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—33.

The question being put: Shall Item No. 23 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-THREE.

I object to the item on page 17 under the heading "Educational" reading as follows: "For support, California Polytechnic School, sixty-eight thousand dollars.", and have reduced the same to twenty-eight thousand dollars, for the reasons set forth above.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, West, Whitacre, Woodbridge, and Wright—31.

NOES—Anderson, Badham, Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnston, Kline, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—33.

The question being put: Shall Item No. 24 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-FOUR.

I object to the item on page 6 under the heading "Administrative" reading as follows: "For traveling expenses of the state board of equalization such sum or sums as are provided in section three thousand seven hundred two of the Political Code." for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—30.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Smith, Snyder, Spalding, Stow, and Mr. Speaker—33

The question being put: Shall Item No. 25 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-FIVE.

I object to the items on page 6 under the heading "Administrative," reading as follows "For investigations and appraisements, state board of equalization, such sum or sums as are provided in chapter four hundred twenty-eight, statutes of one thousand nine hundred twenty-one." for the reason that this appropriation is provided

for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—30.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Connolly Davis, Dawson, Donohue Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Smith, Snyder, Spalding, Stow, and Mr Speaker—33.

The question being put: Shall Item No. 26 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-SIX.

I object to the item on page 8 under the heading "Preventive" reading as follows: "For salaries and support of the state real estate department such sum or sums as are provided in chapter six hundred five, statutes of one thousand nine hundred nineteen, and the amendments thereto, such amounts to be paid from the real estate commissioner's fund created thereby.", and reduce the same to "For salaries of state real estate commissioner, deputies and employees, one hundred forty-six thousand two hundred forty dollars. For support, state real estate department, eighty-three thousand two hundred forty dollars." For the reason that the last named amounts are ample. The amendment proposed by the legislature might leave the state real estate department without any appropriation at all.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—30.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley Burns Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Morris, Pedrotti, Rock, Smith, Snyder, Spalding, Stow, and Mr. Speaker—33.

The question being put: Shall Item No. 27 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-SEVEN.

I object to the item on page 9 under the heading "Benevolent" reading as follows: "For support of orphans such sum or sums as are provided in section two thousand two hundred eighty-three of the Political Code." for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Dorris Emme Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Prendergast, Reindollar, Rosenshine Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A G., Moore, Morris, Pedrotti Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 28 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-EIGHT.

I object to item on page 12 under the heading "Conservation" reading as follows "For purchase of land California redwood park, such sum or sums as are provided in chapter six hundred ninety, statutes of one thousand nine hundred seventeen" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 29 become a law notwithstanding the veto of the Governor?

ITEM NUMBER TWENTY-NINE.

I object to the item on page 13 under the heading "Developmental" reading as follows: "For statistics state agricultural society, such sum or sums as are provided in chapter five hundred eighty-four, statutes of one thousand nine hundred eleven" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 30 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY.

I object to the item on page 13 under the heading "Developmental" reading as follows: "For support of California highway commission all revenues from bond sales under authority of section two, article sixteen of the constitution; all revenues from motor vehicle registration, as provided in chapter one hundred eighty-eight, statutes of one thousand nine hundred fifteen and amendments thereto, all receipts from the federal government under an act of congress and authority provided by chapter five hundred thirty-seven, statutes of one thousand nine hundred seventeen" for the reason that this appropriation is provided for by existing statutes and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 31 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-ONE.

I object to the item on page 13 under the heading "Developmental" reading as follows: "For highway bond interest and redemption, such sum or sums as are provided in chapter three hundred eighty-three, statutes of one thousand nine hundred nine; chapter four hundred four, statutes of one thousand nine hundred fifteen, chapter ninety-three, statutes of one thousand nine hundred nineteen," for the reason that this appropriation is provided for by existing statutes and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, and Mr. Speaker—34

The question being put: Shall Item No. 32 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-TWO.

I object to item on page 14 under the heading "Developmental" reading as follows "For investigation of water resources, such sum or sums as are provided in chapter seven hundred four, statutes of one thousand nine hundred nine" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson, Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Rock, Scott, Smith, Snyder, Spalding, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 33 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-THREE.

I object to the item on page 14 under the heading "Developmental" reading as follows "For salaries, support and permanent improvements for the fish and game commission such sum or sums as are provided in chapter two hundred fifty-six, statutes of one thousand nine hundred nine and all amendments thereto, such payments to be made from the fish and game preservation fund created thereby" and reduce the same to "For salaries of officers and employees of the fish and game commission, four hundred thirty-eight thousand three hundred seventy dollars For support of the fish and game commission, three hundred seventy-one thousand one hundred fifty dollars" for the reason that the last named sums are ample The amendments proposed by the legislature might leave the fish and game commission without any appropriation at all

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Broughton, Carlson Cleary, Crittenden, Dean, Dorris, Emme, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T A Morrison, Mueller, Prendergast, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—29

NOES—Anderson Badham, Baker, Edwin, Ball, Bromley, Burns, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Kline, McPherson, Mitchell, A. G., Morris, Noyes, Pedrotti, Pomeroy, Roberts, Scott, Smith, Snyder, Spalding, Weller, and Mr Speaker—34.

The question being put: Shall Item No. 34 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-FOUR

I object to the item on page 14 under the heading "Developmental" reading as follows "For Sacramento and San Joaquin drainage district number six such sum or sums as are provided in chapter five hundred fifty-six, statutes of one thousand nine hundred nineteen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin; Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 35 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-FIVE

I object to the item on page 14 under the heading "Developmental" reading as follows: "For Los Angeles flood control such sum or sums as are provided in chapter seven hundred forty-nine, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr Speaker—34.

The question being put: Shall Item No. 36 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-SIX

I object to the item on page 14 under the heading "Developmental" reading as follows: "For uses veterans' welfare board for purchase of farms and homes such sum or sums as are provided in initiative act approved November seventh, one thousand nine hundred twenty-two," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin; Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr Speaker—34.

The question being put: Shall Item No. 37 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-SEVEN.

I object to the item on page 15 under the heading "Educational" reading as follows "For vocational rehabilitation such sum or sums as are provided in chapter seven hundred fifty-eight, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller,

Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 38 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-EIGHT.

I object to the item on page 15 under the heading "Educational" reading as follows: "For vocational education (Smith-Hughes act) such sum or sums as are provided in chapter seven hundred twenty, statutes of one thousand nine hundred seventeen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin; Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 39 become a law notwithstanding the veto of the Governor?

ITEM NUMBER THIRTY-NINE.

I object to the item on page 15 under the heading "Educational" reading as follows: "For teachers permanent fund such sum or sums as are provided in chapter six hundred ninety-four, statutes of one thousand nine hundred thirteen", for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 40 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY.

I object to the item on page 15 under the heading "Educational" reading as follows: "For textbooks for orphans such sum or sums as are provided in chapter four hundred seventy-two, statutes of one thousand nine hundred seven", for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 41 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-ONE.

I object to the item on page 15 under the heading "Educational" reading as follows "For support of elementary schools such sum or sums as are provided in section six of article nine of the constitution.", for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin; Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder Stow, Weller, and Mr Speaker—34.

The question being put: Shall Item No. 42 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-TWO

I object to the item on page 15 under the heading "Educational" reading as follows: "For support of secondary schools such sum or sums as are provided in section six of article nine of the constitution," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor Schmidt, Spence, Stevenot, West Woodbridge and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 43 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-THREE

I object to the item on page 15 under the heading "Educational" reading as follows. "For support of junior colleges such sum or sums as are provided in chapter four hundred seventy, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 44 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-FOUR

I object to the item on page 15 under the heading "Educational" reading as follows "For university building interest and redemption of bonds such sum or sums

as are provided in chapter nine hundred twenty-three, statutes of one thousand nine hundred fifteen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 45 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-FIVE

I object to item on page 18 under the heading "Educational" reading as follows "For veterans' educational institute, such sum or sums as are provided in chapter five hundred seventy-nine, statutes of one thousand nine hundred twenty-one" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34

The question being put: Shall Item No. 46 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-SIX.

I object to item on page 18 under the heading "Miscellaneous" reading as follows "For Sacramento building interest and redemption of bonds, such sum or sums as are provided in chapter two hundred thirty-nine, statutes of one thousand nine hundred thirteen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34

The question being put: Shall Item No. 47 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-SEVEN.

I object to the item on page 18 under the heading "Miscellaneous" reading as follows "For San Francisco building interest and redemption of bonds, such sum or sums as are provided in chapter five hundred forty-one, statutes of one thousand nine hundred thirteen," for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 48 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-EIGHT.

I object to the item on page 18 under the heading "Miscellaneous" reading as follows: "For interest and sinking fund, such sum or sums as are provided in chapter sixty-five, statutes of one thousand eight hundred ninety-three" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill.

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27

NOES—Anderson, Badham, Baker, Edwin, Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr. Speaker—34.

The question being put: Shall Item No. 49 become a law notwithstanding the veto of the Governor?

ITEM NUMBER FORTY-NINE.

I object to the item on page 18 under the heading "Miscellaneous" reading as follows: "For principal and interest on bond debts of cities and counties, such sum or sums as are provided in chapter three hundred thirty-five, statutes of one thousand nine hundred eleven" for the reason that this appropriation is provided for by existing statute and also is authorized by the provisions of section one of this bill

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Bernard, Carlson, Cleary, Dorris, Emme, Fellom, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Woodbridge, and Wright—27.

NOES—Anderson, Badham, Baker, Edwin; Ball, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, and Mr Speaker—34

EXPLANATIONS OF VOTE.

The following explanations of vote were received, and ordered printed in the Journal:

Mr. Speaker and Members of the Assembly.

In explanation of my vote of protest on this returned budget bill, I desire to say that there is apparently no hope to override the Governor's veto of certain important appropriations. During the election campaign the Governor's slogan was for efficiency and economy, which we all endorse. Now all we hear is economy on the theory of saving the State taxpayers' money. These taxpayers are the corporations and they alone will be helped, and I will be surprised if two years hence an effort is not made to lower their rate of taxation. To my mind, many strokes of the Governor's pen in slashing the budget is equivalent to a sword thrust at the heart of our humanitarian, educational and progressive institutions. The people of California are with the Governor upon the platform of efficiency and economy if no humani-

tarian, educational or progressive institution shall be impaired, but they will not permanently allow their institutions throttled or starved.

S. L. HEISINGER.

I am voting against sustaining the Governor's veto because I believe the elimination of many of the items such as the Board of Health increase will throw additional burdens back upon the local taxpayers instead of being borne by the public utility corporations as they should. The reduction in the Railroad Commission will prevent the adequate regulation of rates to consumers, and the reduction in school appropriations and other progressive, humanitarian institutions will retard the progress of the State. And I am voting against sustaining the veto on the recurring appropriations and fixed charges because by specific reference there is a safe, definite way of providing for them and it is not going to cost the State one cent more, but in leaving them out great harm and hardships may arise, such as keeping the orphan aid tied up for months until the courts interpret Constitutional Amendment No. 12, while thousands of children suffer in need.

ESTO B. BROUGHTON.

I support the Governor's veto for the reason I am willing to trust his judgment in all of the important matters affected by the budget bill. He has undoubtedly given each institution careful investigation as to its present needs, its economical and efficient maintenance and future growth.

The Governor of California in previous offices of trust—as State Printer and State Treasurer—displayed marked ability in enforcing economy and at the same time a high degree of efficiency that is still operating to save to the State millions of dollars annually. Therefore he is to be trusted now in enforcing his greater State program.

We may trust him to see that every State function or institution shall be properly maintained and financed from reserve funds at his command, and we have the further assurance that the reign of "squandermania" in nearly all of the State departments is at an end. The State's affairs will be conducted henceforth on business lines. Arguments upon this floor and various roll calls offer sufficient evidence to convince the average citizen that there is a well organized political bloc to manufacture political capital in future campaigns against the Governor and certain members of the present Legislature who refuse to take orders from political bosses who have had their hands in the public treasury in recent years. These politicians would jeopardize every public interest in order to further their nefarious political schemes. But we rely upon the common sense of the average citizen to sift the false from the true, and recognize the great service the Governor is endeavoring to render the State. You can not fool the people.

CHAS. A. FOSTER.

The Governor's Message of May 7, 1923, reduces the items of the budget bill, which were raised in the Assembly and Senate, and also eliminates specific reference to all recurring appropriations, statutory and constitutional.

I believe that the budget bill as amended and passed by the Legislature represented the minimum amount upon which the various boards, commissions and agencies of the State can operate efficiently.

The increases were made after a full and complete hearing—lasting some three weeks—before the Senate and Assembly, at which time the various officers of the State presented the needs of their respective institutions, and the amendments were passed on the information obtained at these hearings.

I have therefore voted against what I consider a crippling of these various State functions.

In voting last November for Proposition No. 12 I believe the people of California wished to know exactly what it cost to run the State government and that all expenditures of whatever nature should be included in the budget bill, so that it is a budget in truth, as well as in name. I therefore have voted to put into the budget bill the entire expense of operating the State government in all its various activities.

P. G. WEST.

ANNOUNCEMENT.

The following announcement was offered by Mr. Fulwider, and ordered printed in the Journal:

SANTA ROSA INVITES YOU
TO ATTEND THE
LUTHER BURBANK GOLDEN JUBILEE
AND SONOMA COUNTY PRUNE FESTIVAL
TO BE HELD IN SANTA ROSA, CALIFORNIA
MAY SEVENTEENTH TO TWENTIETH
INCLUSIVE
JAMES H. GRAY
DIRECTOR GENERAL

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1345—An act to amend section 15*b* of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr Lyman moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill as amended May 5, 1923, strike out the letter "*b*" following the word "fifteen".

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, as amended May 5, 1923, strike out the letter "*b*" following the word "fifteen".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill as amended May 5, 1923, strike out lines 17 to 39, both inclusive, and insert in lieu thereof the following

"SEC. 15. (*a*) Other than on vehicles actually engaged at the time in construction or repair work on public highways, no tire on any motor or other vehicle operated on or over any public highway or bridge shall have on its periphery any block, stud, flange, cleat, ridge, bead or any other protuberance of metal or wood which projects beyond the tread or traction surface of the tire, but this section shall not be so construed as to prohibit the use of tire chains of reasonable proportions on motor vehicles when required for safety because of snow, ice or other conditions tending to cause such motor vehicle to slide or skid; *provided, however* that traction engines or tractors the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain, known as a movable track, may be operated upon the public highways with transverse corrugations upon the periphery of said movable tracks, on condition that a permit shall first have been obtained as hereinafter in this section provided

(*b*) No vehicle shall be operated or moved upon any public highway, which has a total weight, including vehicle and load, in excess of 22,000 (twenty-two thousand) pounds, when such vehicle is equipped with four wheels running on the highway, or having a total weight, including the vehicle and load, in excess of 34,000 (thirty-four thousand) pounds, when said vehicle is equipped with six (6) wheels and with three (3) axles and when the front and rear axles are at least ninety-six inches apart, or with eight (8) wheels and with four (4) axles when the second and third axles are at least ninety-six inches apart, and no vehicle or other object or contrivance for moving loads which has a total weight, including any load thereon, in excess of 34,000 (thirty-four thousand) pounds, shall be operated or moved upon any public highway, unless upon stationary rails or track

Anything in this section to the contrary notwithstanding, it shall be lawful to operate until midnight on the thirty-first day of December, one thousand nine hundred twenty-six any vehicle registered, or in use within this state at the time this act becomes effective which has a total weight including vehicle and load not in excess of twenty-four thousand pounds manufacturer's rated capacity of vehicle and load when such vehicle is equipped with four wheels running on the highway.

(c) No motor or other vehicle or other object, or contrivance for moving loads, except as hereinafter otherwise provided, shall be operated or moved upon or over any public highway or bridge, the weight including the load of which resting upon the surface of said highway or bridge exceeds seven hundred pounds upon any inch of the channel base width of tire when said vehicle is equipped with tires made of other material than metal and no motor or other vehicle, object, or contrivance for moving loads shall be operated or moved upon or over any public highway or bridge the weight including the load of which resting upon the surface of said highway or bridge exceeds five hundred pounds upon any inch of width of tire, roller, wheel, or other object supported on the surface thereof when such tires or the rolling surface of such rollers, wheels, or other objects are made in whole or in part of metal, without first obtaining a permit as hereinafter in this section provided, *provided, however*, that traction engines or tractors the propulsive power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain, known as a movable track, shall not be subject to the foregoing limitations upon permissible weights per inch of width of tire if the portions of the movable tracks in contact with the surface of the highway present plane surfaces, *and provided, further*, that cities heretofore or hereafter organized under freeholders' charters may permit or prohibit the increase, beyond the maximum weight per inch of width of tire hereinabove prescribed, of the weight of loads carried within the limits of such cities in or upon metal-tired vehicles drawn by muscular power, but where any such city has not by proper and suitable ordinance or other regulation permitted or prohibited such increase of maximum weight of loads, the regulations and limitations prescribed by this act shall not apply.

No solid rubber tire shall be used on any motor or other vehicle or contrivance for moving loads over any public highway or bridge unless such tire has rubber on its entire traction surface at least one inch thick above the edge of the flange.

Authority of local bodies to regulate weight limits declared. The legislative body of any county or city shall have power by ordinance to permit the operation and moving of vehicles and loads upon public highways and streets under their respective jurisdictions other than upon state highways of a maximum gross weight in excess of the maximum gross weight of vehicles and loads specified in section eighty-five of this act but shall have no power to require lighter loads than specified in this act on any improved public highway as such highway is defined herein, except as in this section otherwise provided.

The state highway commission shall also whenever in its judgment after an engineering investigation, any state highway will with safety to itself sustain vehicles and loads weighing more than the maximum weight limit set forth in section eighty-five of this act, have power to so declare and to fix a weight limit for such highway greater than the maximum weight limit specified in said section, and it shall thereafter be lawful to operate or move vehicles and loads of a gross weight upon such state highways so designated by the state highway commission equal to but not in excess of the maximum weight limit fixed by said highway commission.

This act is intended to and shall be construed as permitting, authorizing and declaring that it shall be lawful, subject to other provisions of this act, to operate and move upon state highways and improved county highways as defined in this section vehicles whose total weight including loads do not exceed the weight limit set forth in section eighty-five of this act.

Boards of supervisors in their respective counties may reduce the permissible weight of vehicles and loads operated or moved upon unimproved county highways or upon bridges and may temporarily reduce the permissible weight limit of vehicles and loads operated or moved upon improved county highways in their respective counties when such improved county highways are temporarily affected by rain, snow, or ice, or other climatic conditions, provided signs indicating the maximum gross weight allowed shall be erected at each end of that portion of any said county highway upon which the permissible gross weight is reduced as herein provided.

*For the purposes of this act an improved highway is hereby defined to be a high*way paved with cement concrete, or asphaltic concrete, or a highway having a hard surface and distinct roadway not less than four inches thick made up of a water bound macadam or a mixture of rock, sand, or gravel bound together by an artificial binder other than natural soil.

(d) No motor vehicle shall be operated or driven over any public highway or bridge drawing or having attached thereto more than two trailers, *provided*, that all four-wheel trailers excepting light camping trailers shall be equipped with suitable brakes.

(e) Anything to the contrary herein notwithstanding, upon application in writing to the state department of engineering, said department of engineering in its discretion may issue a special permit to the owner or operator of any vehicle allowing heavier or wider loads than hereinabove in this section or elsewhere in this act

permitted to be moved or carried over and on the public highways and bridges, or allowing more than two trailers to be drawn by a motor vehicle and may also issue such special permit to increase the permissible weights per inch of width of tire and may also permit the use of corrugations on the periphery of the movable tracks of traction engines or tractors propelled not by wheels resting upon the ground but by flexible bands or chains. Such permits shall be in writing and they may limit the time of use and operation over the particular highways and bridges which may be traversed and may contain such special conditions and provisions and require such undertaking or other security as the said department of engineering shall deem to be necessary to protect the public highways and bridges from injury, or provide indemnity for any injury resulting from such operation. All such special permits shall be carried in the vehicles to which they refer and shall upon demand be open to the inspection of any peace officer, any authorized agent of the department of engineering or of the motor vehicle department, or any officer or employee charged with the care or protection of the public highways. It shall be unlawful for any person to violate, or to cause or permit to be violated, the limitations or conditions of such special permits and any such violation shall be deemed for all purposes to be a violation of the provisions of this act.

(f) Anything to the contrary in this act notwithstanding, the owner and the operator, driver or mover of any vehicle, object or contrivance over a public highway or bridge, shall be jointly and severally responsible for all damages which said highway or bridge may sustain as the result of so operating or driving or moving such vehicle and the amount of such damages may be recovered in an action at law by the authorities in control of such highway or bridge."

Motion carried.

The Speaker appointed Mr. Lyman as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1345, with instructions, reports that the instructions of the Assembly have been carried out.

LYMAN, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce bill was presented:

By Mr. Weller:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Referred to Committee on Introduction of Bills.

RE-REFERENCE OF BILL.

On motion of Mr. Foster, Assembly Bill No. 933 was recalled from the Committee on Motor Vehicles, and re-referred to Committee on Live Stock and Dairies.

MOTION TO EXPUNGE RECORD.

Mr. Fellom moved that the record of all proceedings relative to his motion to withdraw Assembly Bill No. 89 from the Committee on Judiciary be expunged.

The roll was called, and the record ordered expunged by the following vote.

AYES—Anderson, Ball, Bernard, Bromley, Broughton, Carlson, Cleary, Connolly, Coombs, Crittenden, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55

NOES—Badaracco, Badham, Baker, Edwin, Carter, Christian, Cleveland, Davis, Dozier, Eksward, Fulwider, Graves, and Weller—12.

MOTION TO WITHDRAW BILL.

Mr. Fellom moved that Assembly Bill No. 89 be withdrawn from the Committee on Judiciary and placed upon the file for passage.

The question being on the motion to withdraw.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Fellom moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Morris, Fellom, Smith, Badaracco and Carlson, the Speaker ordered a roll call taken on the motion for the call of the House.

The question being on the motion for the call of the House.

The roll was called, and the motion for the call of the House lost by the following vote:

AYES—Bernard, Broughton, Carlson, Coombs, Crittenden, Donohue, Emme, Erb, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McDowell, McMillan, Miller, Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Whitacre, Williams, Woodbridge, and Wright—34.

NOES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Carter, Christian, Cleary, Cleveland, Connolly, Davis, Dawson, Dozier, Eksward, Fulwider, Graves, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Smith, Snyder, Stow, Weller, West, and Mr. Speaker—35

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 89 from the Committee on Judiciary lost by the following vote.

AYES—Ball, Bernard, Broughton, Carlson, Connolly, Coombs, Crittenden, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McMillan, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, West, Woodbridge, and Wright—36.

NOES—Anderson, Badaracco, Badham, Baker, Edwin; Bromley, Carter, Christian, Cleary, Cleveland, Davis, Dawson, Dozier, Eksward, Fulwider, Graves, Hawes, Hornblower, Kline, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Smith, Snyder, Stow, Weller, Whitacre Williams, and Mr Speaker—35.

RE-REFERENCE OF BILL.

On motion of Mr. Coombs, Assembly Constitutional Amendment No. 58 was recalled from the Committee on Revenue and Taxation and re-referred to Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 640 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Cleary, Coombs, Crittenden, Davis, Dawson, Donohue, Eksward, Emme, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Pedrotti, Pomeroy, Prendergast, Remdollar, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Weller, Williams, Woodbridge, and Mr Speaker—48

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 106—An act relating to the acquisition by the State of land for redwood parks: authorizing the State Board of Forestry to make a survey and report on all suitable redwood park sites in the State; providing a method for procuring such parks by purchase, donation or condemnation proceedings and prescribing the procedure therefor; providing for assistance by the Attorney General and vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Christian, Moore, Spalding, Connolly and Donohue demanded the previous question.

The question being put: Shall the main question be now put?

Motion lost

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 106 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Badaracco, Burns, Connolly, Coombs, Donohue, Johnston, Mitchell, A. G., Morris, and Rock—9.

Title read.

During reading of the title, Mr. Rosenshine moved to amend the title as follows:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 9, both inclusive, of the title of the printed bill and in lieu thereof insert the following

"An act relating to the acquisition by the state of forest land for park purposes; authorizing the state board of forestry to make a survey and report on all suitable forest park sites in the state; providing a method for procuring such parks by

purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor, reserving certain rights to the owners of land adjacent to the lands so acquired, providing for the naming of such parks; providing for assistance by the attorney general, vesting the state board of forestry with jurisdiction and control of such parks after their acquisition by the state and of any funds provided for the purchase or maintenance thereof, providing for the expenses of said board in carrying out the purposes of this act, and prescribing the procedure for carrying out the provisions of this act."

Amendment adopted.

Bill ordered to reprint, and to Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The titles of said bills are as follows:

By Mr. Bromley: An act to govern the formation, creation, regulation, supervision and taxation of common law trust, as the same are therein defined.

By Mr. Badaracco: An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

By Mr. Weller: An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Donohue, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Bromley: Assembly Bill No. 1375—An act to govern the formation, creation, regulation, supervision and taxation of common law trusts, as the same are therein defined.

Bill read first time, and referred to Committee on Corporations.

By Mr. Badaracco: Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California, located in the city and county of San Francisco, upon certain trusts and conditions.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Weller: Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Elections

RECESS.

At four o'clock and fifty-one minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p m. of this day.

REASSEMBLED.

At eight o'clock p.m, the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal;

Also Assembly Bill No 636—An act to amend chapter II of title III of part III of the Political Code, embracing sections 1487, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1503, 1505, and 1507, relating to the State normal schools or teachers colleges,

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 1017—An act to add a new section to the Political Code, to be numbered 737*zzz*, relating to the salaries of superior court judges,

Also Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation;

Also Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals;

Also Assembly Bill No 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D Robbins;

Also Assembly Bill No 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California,

Also: Assembly Bill No 855—An act making an appropriation to pay the claim of Director General of Railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code;

Also Assembly Bill No. 937—An act to amend sections 927c and 927l of the Code of Civil Procedure, relating to the small claims court,
And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henery Construction Company against the State of California,

Also Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A. Wheeler against the State of California,

Also Assembly Bill No 654—An act to add a new section to the Political Code to be numbered section 4041a relating to boards of supervisors,

Also: Assembly Bill No 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation against the State of California;

Also Assembly Bill No 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry against the State of California;

Also Assembly Bill No 669—An act appropriating money to pay the claim of J C. Tario, Jr, against the State of California,

Also Assembly Bill No 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California;
And reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER Your Committee on Fish and Game, to which was referred Assembly Bill No 794—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also Assembly Bill No 466—An act creating a game reserve in Los Angeles County,
Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No 1044—An act providing for the establishment of a whole time health department in counties of the fifth class; defining a whole time health department; to enable the State Board of Health to contract with any person or corporation and such county for the establishment, support and maintenance of such whole time health department, and to appropriate money for that purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

(Signed out)

SMITH, Chairman
CLEARY,
JOHNSON,
BAKER, C C
HEISINGER
McDOWELL
STEVENOT,
PRENDERGAST
WHITACRE,
DAVIS
DOZIER

The above reported bill ordered re-referred to Committee on Ways and Means.

ON REVENUE AND TAXATION

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes—has had

the same under consideration, and respectfully reports the same back, and recommends that it do pass

COOMBS, Chairman

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations to which was referred Assembly Bill No. 1372—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DONOHUE, Chairman
CARLSON.
BADHAM
ANDERSON.
SCHMIDT
LYONS.
SMITH.
POMEROY.
PEDROTTI

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO May 7, 1923.

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

KLINE, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER Your Committee on Ways and Means to which was referred Assembly Bill No 369—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes

Also: Assembly Bill No 1086—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921;

Also: Assembly Bill No 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers' College of Fresno;

Also Assembly Bill No. 1069—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County,

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor,

Also Assembly Bill No 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento to provide for the appointment of an additional judge and for his compensation

Also Assembly Bill No 1339—An act making an appropriation to defray the expenses of legislative printing for the forty-fifth session of the Legislature of the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district;

Also: Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737b, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith;

Also: Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 737zz, relating to the salaries of superior court judges;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON REVISION AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Revision and Printing, to which was referred Assembly Bill No. 1367—An act to amend section 3766 of the Political Code relating to the publication of delinquent tax list—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

ROCK, Chairman.
FELLOM.
ROBERTS.
FOSTER.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1129—An act creating the office of county engineer; providing for the appointment to such office, manner of removal, qualifications, compensation and duties, transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the boards of supervisors, also authorizing the boards of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act; to provide said county engineer with an office and necessary assistants, abolishing the office of county surveyor and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

CHRISTIAN, Vice Chairman.
JOHNSON.
PRENDERGAST.
DAVIS.
BAKER, C. C.
NOYES.
DOZIER.
WHITACRE.
CLEARY.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California;

Also: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California;

Also; Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville;

Also: Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles;

Also: Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and dramage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also: Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 564?

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the word "exceeding", strike out the word "three", and insert in lieu thereof the word "two".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-one minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the clerk was directed to call the roll.

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

Bernard, Broughton, Carter, Cleary, Crittenden, Dorris, Emme, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Jones, Lyons, Saylor, Schmidt, Spalding, Weller, West, Whitacre, Williams, and Mr. Speaker—23.

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles national forest, and to make an appropriation therefor,

Also: Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 738c, relating to the salary of superior judges in counties of the forty-sixth class,

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California,

Also Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California.
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman

The above reported bills ordered on file for second reading.

ON SOLDIERS AND SAILORS AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1374—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," approved May 18, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

MUELLER, Chairman
FOX.
SPENCE
MITCHELL, A. G.
SCHMIDT
BURNS.
DORRIS
CHRISTIAN.

The above reported bill ordered on file for second reading

ON HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923

MR SPEAKER Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1180—An act to authorize and provide for the formation of hospital districts in one or more of the counties and cities and counties within the State of California, to create a commission and provide for the appointment of commissioners to manage, control and represent the district, and to do and perform its duties and exercise its privileges to provide funds therefor by direct taxes upon the taxable property of the district, or by the issuance of bonds to be paid by the district and chargeable upon the property thereof to provide for the payment of the interest on said bonds for the redemption or refunding thereof, to provide for an election for the purpose of creating said bond issue to provide for the issuance and sale of bonds by the commission, the payment of all expenses to be incurred; the charging of fees for services in said hospital, the disposition of the moneys received, and the apportionment of the surplus moneys received by the commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CLARKE, Chairman.

The above reported bill ordered on file for second reading

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 9—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 8 of article IX thereof, relating to the use of public money for sectarian schools and sectarian teachings—has had the same under consideration, and respectfully reports the same back, without recommendation.

(Signed out)

MITCHELL, A. G., Chairman.
SNYDER.
KLINE.
BERNARD.
NOYES.
CLARKE.

The above reported constitutional amendment ordered on file for adoption.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
LYMAN.
CHRISTIAN.
BAKER, C. C.
JOHNSON.
WHITACRE.
DAVIS.
NOYES.
McDOWELL.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SMITH, Chairman.
DAVIS.
JOHNSON.
LYMAN.
CLEARY.
CHRISTIAN.
BAKER, C. C.
HEISINGER.
McDOWELL.
NOYES.
PRENDERGAST.
WHITACRE.
STEVENOT.
DOZIER.

The above reported bill ordered on file for second reading.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The above reported concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Also. Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Also: Assembly Bill No 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Also: Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts;

Also: Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32b, relating to the creation of an irrigation district bond security fund;

Also: Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms;

Also: Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 712—An act to amend sections 392, 393 and 395 of the Code of Civil Procedure, all relating to the place of trial of civil actions.

Also: Senate Bill No. 41—An act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace and justice's courts, and relating to the salaries of certain justices of the peace.

Also: Senate Bill No. 40—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts, and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, and to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof," which became a law under the provisions of the constitution of the State of California, without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by amending section 6 thereof, as amended by act approved June 3, 1921, providing for a clerk and deputy clerks for police courts in cities of the first and one-half class, fixing their compensation, providing for their duties and responsibilities, and providing for the care and disposition of moneys in their hands, and their removal and tenure of office, by providing for additional deputy clerks for said courts.

Also: Senate Bill No. 539—An act to amend section 296 of the Civil Code, relating to filing of articles of incorporation by the Secretary of State.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 560—An act to amend section 791 of the Political Code, relating to notaries public.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 560 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 603—An act to amend sections 1, 2, 3, 5, 7, 15, 17, 21¾, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,"

approved May 28, 1917, as amended, and to add four new sections to be numbered 14*a*, 14*b*, 21*a*, 22*a* and 29*a*:

Also Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance.

Also Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 603 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 697 read first time, and referred to Committee on Ways and Means.

Senate Bill No 507 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor, also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created.

Also Senate Bill No 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act:

Also Senate Bill No 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees fines and forfeitures collected hereunder: to provide for the organization, powers and duties and for the maintenance of the DIVISION of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor: to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act:

Also Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

J. A BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary.

Senate Bill No. 721 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 733 read first time, and referred to Committee on Agriculture.

Senate Bill No. 743 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 744 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 127 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 25—Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May 1923

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Current Resolution No. 25 read, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32*a*, relating to the issuing of funding or refunding bonds of such districts—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 568?

AMENDMENT NUMBER ONE

On page 1, line 24, of the amended printed bill, after the comma after the word "district" insert the following "subject to the approval of the California Bond Certification Commission,".

The roll was called, and Senate amendment to Assembly Bill No. 568 was concurred in by the following vote:

AYES—Badaracco, Bernard, Broughton, Carter Christian, Clarke Cleary, Connolly, Coombs, Crittenden, Crofer, Dorris, Dozier, Emme, Erb, Fester, Fox, Fulwider Graves, Heisinger, Hornblower Johnson, Johnston, Jones, Lyman, Lyons, Miller, Mitchell, A G, Moore, Mueller, Noyes Prendergast, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr Speaker—43.
NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 388—An act to add a new section to the Political Code, to be numbered 1764*e*, relating to powers and duties of high school boards—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 388?

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the word "may" and insert in lieu thereof the word "must".

The roll was called, and Senate amendment to Assembly Bill No. 388 was concurred in by the following vote:

AYES—Badaracco, Badham, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dorris, Dozier, Emme, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 789 passed by the following vote:

AYES—Badaracco, Badham, Bernard, Bromley, Broughton, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Donohue, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Kline, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—53.

NOES—Jones, and Lyman—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 746 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Scott,

Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 743—An act to amend section 1608 of the Political Code, relating to the powers and duties of boards of school trustees and boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 743 refused passage by the following vote:

AYES—Anderson, Badaracco, Burns, Clarke, Eksward, Emme, Graves, Hawes, Jones, Lyman, Mathews, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Remdollar, Schmidt, Spalding, Stow, Whitacre, and Williams—25.

NOES—Badham, Bernard, Bromley, Broughton, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Lyons, McMillan, McPherson, Mitchell, A. G., Pomeroy, Saylor, Scott, Snyder, Stevenot, Weller, West, Wright, and Mr. Speaker—34.

NOTICE OF RECONSIDERATION.

Mr. Fellom gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 743 was this day refused passage.

Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor, providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1366 passed by the following vote:

AYES—Badham, Ball, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Crofer, Davis, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1359—An act regulating the manufacture and packing of alimentary pastes; prohibiting the use of secondhand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes;

vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1359 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1357—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1357 passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Burns, Christian, Cleary, Coombs, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

WITHDRAWAL OF BILL.

Mr. Morris asked for and was granted unanimous consent to withdraw Assembly Bill No. 271.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 922 passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Crofer, Dawson, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Johnson, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—49.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Dawson asked for and was granted unanimous consent to withdraw Assembly Bill No. 371.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 351 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Duval, Emme, Erb, Fellom, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 569 passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Davis, Donohue, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—52.

NOES—Bromley, Christian, Dawson, Dozier, Eksward, Foster, and Graves—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Erb gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 569 was this day passed.

WITHDRAWAL OF BILL.

Mr Lyman asked for and was granted unanimous consent to withdraw Assembly Bill No. 528

Bill withdrawn and ordered stricken from the file.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to legislative reapportionment

Assembly Constitutional Amendment No. 55 read.

COMMITTEE AMENDMENT.

During reading of the constitutional amendment, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, after the word "class and comma" strike out all matter including line 25, and insert in lieu thereof the following "five senatorial districts; counties of the third class, four senatorial districts, counties of the fourth class, two senatorial districts, the remaining counties of the state shall be apportioned into twenty-one senatorial districts in such a manner that each senatorial district shall contain not less than one county nor more than five adjoining counties; *provided further*, in the formation of assembly districts, the state shall be divided into assembly districts as follows, counties of the first class shall contain eighteen assembly districts, counties of the second class, twelve assembly districts; counties of the third class, eight assembly districts, counties of the fourth and fifth classes, each three assembly districts; the remaining counties shall be apportioned into twenty-eight assembly districts in such a manner that each assembly district shall contain not less than one county nor more than four adjoining counties."

Amendment adopted.

Assembly Constitutional Amendment No 55 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9*a*, relative to taxation.

Assembly Constitutional Amendment No. 57 read.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 10, of the printed bill, after the word "year" insert the following: "where the same is not secured by real estate".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out all of line 10 following the word "the", all of line 11 preceding the word "for", and insert in lieu thereof the following "tax rate levied upon real property".

Amendments adopted.

Assembly Constitutional Amendment No. 57 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled, "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1045 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A.,

Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER. Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Dawson:

WHEREAS, On November 7, 1922, at the general election held throughout the State of California, Hon. G. H. Douglas was elected a member of the Assembly for the forty-fifth session of the Legislature representing the First District; and

WHEREAS, After the convening of said Legislature the said G. H. Douglas while in the performance of his duties as said Assemblyman was stricken with a disease which resulted in his death; and

WHEREAS, Article IV, section 23, of the constitution provides "that members of the Legislature shall receive for their services the sum of one thousand dollars ($1,000) each for each regular session to be paid at such time as may be provided by law; and

WHEREAS, There was due at time of his death and there was still unpaid of the above amount $610;

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the fund for the payment of members of the Assembly for the sum of $610 in favor of Mrs. Anna R. Douglas, widow of the late Hon. G. H. Douglas, and the Treasurer is hereby authorized and directed to pay the same.

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
MITCHELL, A. G.
PEDROTTI.
LYONS.
ROCK.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Ball, Bromley, Burns, Carter, Clarke, Cleary, Coombs, Davis, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on April 30 passed as amended, Assembly Bill No. 1334—An act authorizing and directing the California Highway Commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo County, and to construct the same at a location or locations to be selected by said commission; declaring and establishing the same as a State highway or State highways, authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways, authorizing the California Highway Commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California

Highway Commission, which fund is hereby created—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1334?

AMENDMENT NUMBER ONE.

Strike out all of lines 1 to 13, both inclusive, of the title of the printed bill as amended April 20, 1923, and in lieu thereof insert the following:

"An act authorizing and directing the California highway commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo county, and to construct the same at a location or locations to be selected by said commission, declaring and establishing the same as a state highway or state highways; authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways, authorizing the California highway commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California highway commission in the general fund of the California highway commission, which fund is hereby created."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended April 20, 1923, strike out all of line 1 following the period, all of lines 2 to 8, both inclusive, and insert in lieu thereof the following:

"The California highway commission is hereby authorized and directed to lay out and construct a highway or highways from the county line separating the city and county of San Francisco from the county of San Mateo, in, to and through the county of San Mateo, at such location or locations as the said California highway commission may select. The said highway or highways thus laid out and constructed are hereby declared and established as a state highway or state highways."

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill as amended April 20, 1923, before the comma preceding the word "and" insert the words "or highways".

AMENDMENT NUMBER FIVE.

On page 2, line 4, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER SEVEN.

On page 2, line 7, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER EIGHT.

On page 2, line 12, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER NINE.

On page 2, line 13, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways run or".

AMENDMENT NUMBER TEN.

On page 2, line 17, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER ELEVEN.

On page 2, lines 20 and 21, of the printed bill as amended April 20, 1923, after the words "said highway" insert the words "or highways".

AMENDMENT NUMBER TWELVE.

On page 2, line 29, of the printed bill as amended April 20, 1923, after the word "highway" insert the words "or highways".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 33, of the printed bill, as amended April 20, 1923, after the word "highway" insert the words "or highways"

AMENDMENT NUMBER FOURTEEN.

On page 2, line 42, of the printed bill, as amended April 20, 1923, after the comma following the word "highway" insert the following: "or highways, as laid out, located and constructed in the manner herein prescribed.".

The roll was called, and Senate amendments to Assembly Bill No. 1334 were concurred in by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dorris, Enme, Fellem, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue Humboldt Avenue, B, C D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 744?

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the period and in lieu thereof insert a semicolon

AMENDMENT NUMBER THREE

On page 1, line 22, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER SEVEN.

On page 2, line 12, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER EIGHT.

On page 2 line 25, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER NINE.

On page 2, line 27, of the printed bill, strike out the period and in lieu thereof insert a semicolon.

AMENDMENT NUMBER TEN.

On page 2, line 32, of the printed bill, after the word "abandon" insert the word "all".

AMENDMENT NUMBER ELEVEN.

On page 1, line 5, of the printed bill, strike out after the word "Sausalito" the semicolon (;) and add the following "and being as laid out and delineated upon map number one of salt marsh and tide lands situate in the county of Marin, State of

California, prepared by order of the board of tide land commissioners under the authority and in accordance with the provisions of an act entitled "An act supplementary to, and amendatory of an act, entitled An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight", approved April 1st, 1870, copy of which map is on file in the office of the surveyor general of the State of California, and also on file in the office of the county recorder of Marin county, California.".

The roll was called, and Senate amendments to Assembly Bill No. 744 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Burns, Christian, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and forty-eight minutes p.m., further procedings under the call of the House were dispensed with, on motion of Mr. Badham.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 564 was concurred in by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—51.

NOES—None.

The above reported bill ordered to enrollment.

ASSISTANT CLERK WAESTMAN READING.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1274—An act to regulate, restrict or prohibit the drilling or use of oil wells in or near land devoted to or selected for the use of churches, schools, hospitals or cemeteries, declaring such wells to be public nuisances and providing for the abatement of the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

FOSTER, Chairman.
DAWSON
BAKER, EDWIN.
LYONS.
DUVAL
BADHAM.
ANDERSON.

The above reported bill ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1058—An act to amend section 360b of the Political Code, relating to Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

FULWIDER, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 443—An act to repeal section 366d of the Political Code, relating to the boards of directors, managers and trustees of the several State hospitals and the Sonoma State Home:

Also: Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency, regulating the disposition of such moneys, providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof, and repealing all acts and parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULWIDER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 608—An act to create the office of State Narcotic Director, to prescribe the powers and duties of such director; to make an appropriation to carry out the purpose hereof and to repeal all acts and parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Medical and Dental Laws.

FULWIDER, Chairman.

The above reported bill ordered re-referred to Committee on Medical and Dental Laws.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new article, to be numbered XXIV, relating to the operation of public utilities,

Also Assembly Constitutional Amendment No 41—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 12 of article XIII thereof, relating to poll tax;

Also Assembly Constitutional Amendment No 58—A resolution to propose to the people of the State of California an amendment to the constitution of the State by repealing section 34 of article IV, and adding two new sections, to be numbered 29 and 34, to article IV of said constitution, relating to the general expenses of the State government;

Has had the same under consideration, and respectfully reports the same back without recommendation

(Signed out)

MITCHELL, A. G., Chairman.
FOX.
SNYDER
STEVENOT.
CLARKE
CRITTENDEN.

The above reported constitutional amendments ordered on file for adoption.

ON OIL INDUSTRIES

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER Your Committee on Oil Industries, to which was referred Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California—has had the

same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FOSTER, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923

Also: Senate Concurrent Resolution No. 25—Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May, 1923.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

(Signed out)

DONOHUE, Chairman.
BADHAM.
LYONS.
PEDROTTI.
ANDERSON.
JONES.
EMME.
POMEROY.

The above reported concurrent resolutions ordered on file for adoption.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act" approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FOSTER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1*a* and 10*a* to, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers, fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act" approved June 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FOSTER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon Avenue," within the corporate city limits of East San Diego, from Boundary Street to Euclid Avenue, in San Diego County, California, to be a State highway—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CONNOLLY, Chairman.
MUELLER.
STEVENOT.
WRIGHT.
McMILLAN.
REINDOLLAR.
SCOTT.
FELLOM.
HEISINGER.
CLARKE.

The above reported bill ordered on file for second reading.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 176 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Mitchell, A. G., moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1351 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1304 was refused passage be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At eleven o'clock and two minutes p.m., on motion of Mr. Badham, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, May 9, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 9, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Fox, Hon. Wm. H. Waste, Associate Justice of the Supreme Court, and a former member of the Assembly, and Hon. Louis W. Meyers, Associate Justice of the Supreme Court, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Hon. M. F. Tarpey of Fresno was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Cleary, Dr. and Mrs. E. W. Cleary of Burlingame were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Cleary, his mother, Mrs. Frank Cleary of Lindsay was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Fox, Mr. C. D. Maloney of Berkeley was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Stevenot, Mr. P. F. Pache of Angels Camp was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Stevenot, Mr. A. J. Gianelli of Murphys was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Crittenden, Mrs. A. D. Hartwell and Miss Ida Rinn, teachers, and the following students of the Lodi High School were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

A. Dayton, M. Declusin, H. Gillette, M. Hale, A. Kobes, R. Asay, H. Blewett, E. Hurd, L. Hutchins, K. O'Neil, R. Bechthold, E. Bender, B. Gray, M. Hodgson, L. Irey, H. Maley, H. Mason, I. McCoy, C. Obert, C. Quessenberry, C. Rende, H. Schutte, Harlan Smith, G. Walling, Helen Lange, H. Struebbe, A. Thomas, E. Archer, L. Loucie, A. Werner, A. Eklund, A. Hatch, H. Holden, G. Snyder, M. Wall, D. Welch, R. Merrill, E. Beckman, C. Christensen, R. Culbertson, F. Hickok, R. Johnson, I. Kenefirk, V. Ledbetter, S. Poser, C. Reiner, D. Thompson, V. Wardrobe, A. Thompson, B. Closson, I. Warren, B. Dolion, R. D. Lee, R. Arthur, A. Malkens, O. Campbell, C. Folindorf, R. Gruessendorf, C. Lowe, G. Oliver, N. Auve, F. Snyder, G. Hobne, M. Nesbit, M. Becker, C. Bull, D. Dyer, C. Moore, J. Stumpf, A. Beverle, C. Montgomery, W. Spieckerson, and H. Towne.

Through the courtesy of Mr. Cleveland, Mr. Tilford Dozier, son of Assemblyman Dozier, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Croter, Mrs. A. H. Flickinger and Miss Muriel Flickinger of Sacramento were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mrs. Woodbridge, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property

within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado river, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board; authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6, line 28, of the printed bill, strike out the word "westerly" and insert in lieu thereof the word "easterly".

AMENDMENT NUMBER TWO.

On page 8, line 35, of the printed bill, after the word "section" add the word "corner".

AMENDMENT NUMBER TWO *a*

On page 9, line 45, of the printed bill, strike out the word "five" and substitute in lieu thereof the word "seven".

AMENDMENT NUMBER TWO *b*

On page 9, line 48, of the printed bill, strike out the word "five" and substitute in lieu thereof the word "seven".

AMENDMENT NUMBER TWO *c*.

On page 11 of the printed bill strike out lines 5, 6, 7, and 8 and substitute in lieu thereof the following "on the ballot, informing the voter of his right to vote for seven persons either by stamping a cross opposite any seven of the names appearing on the ballot, or by writing in other names, but that he shall not vote for more than seven altogether."

AMENDMENT NUMBER TWO *d*

On page 11, line 32, of the printed bill, strike out word "five" and substitute word "seven" in lieu thereof.

AMENDMENT NUMBER TWO *c*.

On page 11 of the printed bill strike out lines 35 and 36 and substitute in lieu thereof the following "tial to qualify any person for such office, but a majority of the trustees must be residents of the district."

AMENDMENT NUMBER THREE.

On page 15, line 51, of the printed bill, after the word "time" add the following. "The compensation of trustees, however, shall not exceed ten dollars per diem."

AMENDMENT NUMBER THREE *a*

On page 16 of the printed bill strike out lines 9 to 15, inclusive, and substitute in lieu thereof the following "At their first meeting the trustees shall so classify themselves as that three of the members shall hold office until the next general election in September, 1924 and two shall hold office until the annual election of 1925, and two until the annual election of 1926. As the successors of the retiring trustees are elected each year such successors shall hold office for the term of three years."

AMENDMENT NUMBER THREE *b*.

On page 16, line 18, of the printed bill, strike out word "three" and substitute therefor the word "four".

AMENDMENT NUMBER FOUR.

On page 29, line 7, of the printed bill, add after word "project": "When a determination has been made by the board, of the properties to be acquired and the construction work to be performed, and the estimated amount thereof for which the board proposes to issue bonds, the board shall thereupon submit a copy of said estimate and report to the commission authorized by law to approve bonds of irrigation districts, for certification as legal investments for savings banks, and for other purposes specified in the act creating said commission. Said commission shall forthwith examine said report and any data in its possession or in the possession of the district and shall make such additional surveys and examinations at the expense of the district as it may deem proper or practicable, and as soon as practicable thereafter shall make to the board of trustees of said district a report which shall contain such matters as in the judgment of said commission may be desirable, *provided*, that it may state generally the conclusions of said commission regarding the general characteristics of the property and the project, the cost of the proposed work, water rights and other property necessary for a complete and satisfactory project, the proper dates of maturity for the bonds proposed to be issued, and whether in its opinion it is advisable to proceed with the proposed bond issue. If the estimate of the amount of said bond issue shall have included any amount for the payment of interest on said bonds for such issue, as provided in section 15 of this act, and such estimate for the payment of interest or any part thereof is approved by the commission in said report, it shall be lawful for the board of trustees, to use for the payment of interest on any bonds of such issue, so much of the proceeds of the sale of said bonds as may have been approved for that purpose in said report of the commission.

And likewise, whatever amount may be included in the estimate for upkeep and maintenance expense, if approved by the commission may be lawfully used by the trustees and applied in the upkeep and maintenance of its levees, water system and reclamation works."

AMENDMENT NUMBER FIVE.

Add a new section to be known as "Section 16*a*."

"SEC 16*a* Report to Board of Trustees. If after such examination and investigation the said commission shall deem it advisable that the said plans be modified, or that the amount of the bonds proposed to be issued be changed, or that certain conditions should be prescribed to insure the success of the project, or that in its opinion it is not advisable to proceed with the proposed bond issue, it shall so state in its report to the board of trustees. After receiving said report, or if no report is received within thirty days after the submission of said estimate and engineer's report to said commission, said board of trustees, if it shall determine and shall declare by resolution that the proposed plan of works or some modified plan recommended by said commission is satisfactory and that the said project or said modified plan is feasible shall make an order determining the amount of bonds that should be issued in order to raise the money necessary therefor, *and provided further* that if this district shall issue bonds to carry out any plans approved by said commission as herein provided it shall be unlawful for said district to make any material change in said plans thereafter without the consent of said commission."

AMENDMENT NUMBER SIX.

Strike out Sec. 17, and in lieu thereof insert:

"SEC 17. Provisions for making bonds legal investments for trust funds, etc Whenever the board of trustees shall by resolution declare that it deems it desirable that any contemplated or outstanding bonds of said district, including any bonds authorzied but not sold, shall be made available for the purposes provided for in section seven of an act of the legislature of the State of California entitled "An act relating to bonds of irrigation districts, providing under what circumstances such

bonds shall be legal investments for funds of banks, insurance companies, and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, as amended, the said board of trustees shall thereupon file a certified copy of such resolution with the commission created by, and provided for in, said act, which commission, and the state controller in connection therewith, are hereby given the same power and authority in respect of the investigation and certification of bonds issued under this act as is given to them in respect of the investigation and certification of irrigation district bonds by said act, as amended, except as the same may be limited by, or inconsistent with, any provision of this act, and bonds of said district which have been so investigated and certified and declared to be legal investments for the purposes stated in said act approved June 13, 1913, as amended, may be lawfully purchased or received in pledge for loans by savings banks, trust companies, insurance companies, guardians, executors, administrators, and special administrators, or by any public officer or officers of this state or of any county, city, or city and county, or other municipal or corporate body within this state having or holding funds which they are allowed by law to invest or loan; *provided, however* that where said commission has passed upon one issue of bonds of said district, all subsequent issues of said district shall be submitted to said commission as in the said act provided."

AMENDMENT NUMBER SIX *a*.

On page 32, line 49, of the printed bill, strike out the words "irrigation district bond commission" and substitute in lieu thereof the following "bond certification commission".

AMENDMENT NUMBER SIX *b*

On page 40, line 17, of the printed bill, strike out the word "three" and substitute in lieu thereof the word "four".

AMENDMENT NUMBER SEVEN.

On page 45, line 51, of the printed bill, strike out the word "refunding" and insert in lieu thereof the word "funding".

AMENDMENT NUMBER EIGHT.

On page 46, line 52, of the printed bill, after the word "property" add the following, "and the improvements thereon".

AMENDMENT NUMBER NINE.

Add a new section to be known as "section 59*a*".

"SEC. 59*a*. Recall of Trustees. Any member of the board of trustees of the district may be removed or recalled at any time by the electors; *provided* he has held his office at least six months. The procedure to effect such removal or recall shall be as follows "A petition demanding the election of the successor to the trustee sought to be removed shall be filed with the secretary of the board of trustees of the district, which petition shall be signed by at least one hundred owners of real property within the district assessed for taxation on the last preceding equalized assessment roll; *provided* that such petition shall include the holders of title or evidence of title of not less than twenty per cent in value within the district. In determining the value of any land within the district for the purpose of determining the sufficiency of such petition, the last equalized assessment roll of the county within which the lands within the district is situated, shall be conclusive evidence of such facts for such purpose. Said petition shall contain a statement of the grounds on which removal or recall is sought which statement is intended solely for the information of the voters. Any insufficiency of form or substance in such statement shall in no wise affect the validity of the election and the proceedings held thereunder. The signatures to the petition need not be appended to one paper. Following each signature there shall be a description of the real property owned by the signer and the assessed value thereof on the last equalized assessment roll. Each separate petition shall have attached thereto an affidavit made by one of the signers of the petition and sworn to before an officer competent to administer oaths, stating that the affiant circulated that particular petition and saw written the signatures appended thereto; and that according to the best information and belief of the affiant each is a genuine signature of the person whose name purports to be thereunto subscribed and of a qualified voter of the district. Within ten days from the date of filing such petition the secretary of the board shall examine and from the records of registration ascertain whether or not said petition is signed by the requisite number of qualified voters; and he shall attach to said petition his certificate showing the result of such examination. If by said certificate the petition is shown to be insufficient, it may be supplemented within ten days from the date of such certificate by the filing of additional papers, duplicates of the original petition, except as to the names signed. The secretary shall within ten days after such supplementing papers are filed make like examination of the supplementing petition, and if the certificates shall show that

all the names to such petitions, including the supplemental papers, are still insufficient, no action shall be taken thereon; but the petition shall remain on file as a public record; and the failure to secure sufficient names shall not be held prejudicial to the filing later of an entirely new petition to the same effect. If the petition shall be found to be sufficient, the secretary shall submit the same to the board of trustees without delay, whereupon the board shall forthwith cause a special election to be held within not less than thirty-five nor more than forty days after the date of the order calling such election, to determine whether the voters may recall such trustee; *provided* that if a regular election of trustees of this district is to occur within sixty days from the date of the order calling for such election the board may in its discretion postpone the holding of such election to such regular election, or submit such recall election at such regular election of trustees occurring not less than thirty-five days after such order. If a vacancy occur in said office after the recall petition is filed, the election shall nevertheless proceed as in this section provided.

One petition is sufficient to propose a removal and election of one or more trustees. One election is competent for the removal and election of one or more trustees. Nominations for the office of trustees at such recall election shall be made in the manner prescribed in sections four and nine of this act. If the board of trustees refuses to call an election upon the presentation of the petition as above provided, and any property owner within the district claims that such petition is sufficient, such person may apply to the superior court of the county of Riverside for a writ of mandate to compel the calling of such election. The proceedings upon said petition shall be governed as far as applicable by the proceedings of the general law governing such proceedings and the same shall be heard at the earliest practicable time. If proof is furnished to the satisfaction of said court that the requirements of the foregoing provisions with reference to the said petition have been complied with, a writ of mandate shall be issued compelling the calling and holding of the election.

Upon the calling of such election there shall be printed on the recall ballot as to the trustee whose recall is to be voted on thereat the following question: "Shall (name of person against whom the recall petition is filed) be recalled from the office of trustee?" Following which question shall be the words "Yes" and "No", on separate lines with a blank space, at the right of each in which the voter shall indicate by stamping a cross (X) his vote for or against such recall. On such ballots under each such question there shall be printed names of those persons who have been nominated as candidates to succeed the person recalled in case he shall be removed from office by such recall election, but no vote shall be counted for any candidate for said office unless the voter also votes on said question of the recall of the person sought to be recalled from said office. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office. If a majority of all votes cast on said question of the recall of any incumbent from office shall be "No" said incumbent shall continue in said office. If the majority of votes cast on said question of recall shall be "Yes" said incumbent shall thereupon be deemed removed from said office upon the qualification of his successor. The election shall be conducted, canvass of all votes for candidates for said office shall be made and the result declared in like manner as in this act provided for regular elections of trustees within this district. If the vote at any such recall election shall recall the trustee then the candidate who has received the highest number of votes for the office shall thereby be declared elected for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after having been elected, the office shall be deemed vacant and shall be filled according to the provisions of this act governing the filling of vacancies. If the vote at any such recall election shall not recall the officer, no further petition for the recall for such officer shall be filed before the expiration of six months from the date of said first recall election."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

After the period in line 17, page 2, of the printed bill add a new paragraph to read as follows:

"Every person, who, in fish and game district seven "A", between the thirty-first day of July and the thirty-first day of March of the following year, takes, catches, kills, or has in his possession any trout or salmon is guilty of a misdemeanor."

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, strike out the words "seven "A".

AMENDMENT NUMBER THREE.

On page 2, line 30, of the printed bill, strike out the words "February fifteenth" and insert in lieu thereof the words "January thirty-first".

AMENDMENT NUMBER FOUR.

On page 3, line 4, of the printed bill, strike out the words "seven "A".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 466—An act creating a game reserve in Los Angeles County.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 1 of the title, and insert in lieu thereof the following:

"An act to amend section twenty-four of an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out all of lines 1, 2 and 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 24 of an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts', approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, is hereby amended to read as follows:

Sec. 24. Fish and game district four "B" shall consist of and include a part of the westerly portion of the Angeles National Forest lying within the counties of San Bernardino and Los Angeles and more particularly described as follows, to wit: Sections six to ten, inclusive, sections fifteen to twenty-two, inclusive, and sections twenty-seven to thirty-two, inclusive, of township two north, range seven west; sections six, seven, eighteen, nineteen, thirty and thirty-one of township three north, range seven west; section 31 of township four north, range seven west; sections one to twenty-two, inclusive, and those portions of sections twenty-three and twenty-four within the Angeles National Forest, all in township one north, range eight west; all of township two north, range eight west; sections one to five, inclusive, and all of sections seven to thirty-six, inclusive, of township three north, range eight west; sections 32 to 36, inclusive, township four north, range eight west; sections one to twenty-four, inclusive, the west half of section twenty-five and all of sections twenty-six, twenty-seven, and twenty-eight in township one north, range nine west; all of township two north, range nine west; sections seven to thirty-six, inclusive, in township three north, range nine west; sections one to eighteen, inclusive, those portions of sections nineteen, twenty, twenty-one and twenty-two within the Angeles National Forest and all of sections twenty-three and twenty-four of township one north, range ten west; all of township two north, range ten west; sections seven to thirty-six, inclusive, of township three north, range ten west; all of sections one to fourteen, inclusive, and those portions of sections fifteen, sixteen, seventeen, eighteen,

twenty-two, twenty-three and twenty-four within the Angeles National Forest in township one north, range eleven west, all of township two north, range eleven west, that portion of section two lying south and west of a line drawn from the northwest corner to the southeast corner of said section, all of sections three to thirty-six, inclusive, in township three north, range eleven west, all of sections one and two and those portions of sections three, four, five, six, eleven, twelve and thirteen within the Angeles National Forest in township one north, range twelve west, all of township two north, range twelve west, all of sections one to five, inclusive, those portions of sections six and seven lying south and east of a line drawn from the northeast corner of section six to the southwest corner of section seven and all of sections eight to thirty-six, inclusive, in township three north, range twelve west, all of sections one to seventeen, inclusive, those portions of sections eighteen, twenty, twenty-one and twenty-two within the Angeles National Forest, all of sections twenty-three to twenty-six, inclusive, and those portions of sections twenty-seven, thirty-five and thirty-six within the Angeles National Forest in township two north, range thirteen west, all of sections thirteen to thirty-six, inclusive, in township three north, range thirteen west, sections one, two and three and those portions of sections ten, eleven, twelve and thirteen within the Angeles National Forest in township two north, range fourteen west. All townships and ranges mentioned herein being referred to San Bernardino base line and meridian."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 418—An act to repeal section 3897*a* of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1372—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 6 of the title of the printed bill, strike out the period and insert in lieu thereof a comma and the following "and making an appropriation therefor".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 18, add the following paragraph

"SEC. 5 Out of any moneys in the state treasury not otherwise appropriated the sum of four thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated to be expended in accordance with law in carying out the purposes of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 309—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 5, both inclusive, of the title of the printed bill, and in lieu thereof insert the following:

"An act authorizing the state board of charities and corrections to investigate and report at the forty-sixth session of the legislature concerning the adoption of an old age pension law and making an appropriation therefor."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 24, both inclusive, and strike out pages 2, 3, 4, 5, 6 and 7, and in lieu thereof insert the following:

"SECTION 1. It shall be the duty of the state board of charities and corrections to investigate and consider the various systems of old age pensions which are now in operation or may be proposed in other states of the United States or in foreign countries and to make a full and complete report of its findings and all data so obtained, properly tabulated, to the legislature at its next regular session. Said board shall also report statistics showing the probable expense to the state of any system that it may recommend for adoption. Said board is hereby authorized and empowered to do all things necessary in accordance with law for the purpose of making such investigation and report.

SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of two thousand five hundred dollars, or so much thereof as in the judgment of said board may be necessary for the purpose of carrying out the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1006—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "years", insert the following "and ninety days".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the words "interest fund," insert the following, "*provided*, also that this act shall in no manner affect acts appropriating money for the use of the veterans welfare board".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "fifty" and in lieu thereof insert the word "thirty-five".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the word "used" and in lieu thereof insert the following "expended in accordance with law".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five".

AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen national volcanic park and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 9 following the period and all of line 10 and in lieu thereof insert the following "At the general election to be held in November, A. D. one thousand nine hundred twenty-four, a judge of the superior court of said county shall be elected in said".

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the word "court" insert the word "now or hereafter".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "seventy-five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1019—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1129—An act creating the office of county engineer; providing for the appointment to such office, manner of removal, qualifications, compensation and duties; transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the boards of supervisors; also authorizing the boards of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act; to provide said county engineer with an office and necessary assistants; abolishing the office of county surveyor and repealing all acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Strike out lines 1 to 12, both inclusive, of the title of the printed bill and in lieu thereof insert the following

"An act to add a new article to chapter eight of title two of part four of the Political Code, to be numbered article one and embracing sections four thousand two hundred fourteen to four thousand two hundred twenty *f* both inclusive, relating to the county engineer and to repeal all acts conflict"

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, after the period add the following "The Political Code is hereby amended by adding a new article to chapter eight of title two of part four of the Political Code, to be numbered article one, embracing sections four thousand two hundred fourteen to four thousand two hundred twenty *f*, and to read as follows:

4214. The board of supervisors shall appoint a county engineer, who shall be a competent civil engineer and a licensed land surveyor, such county engineer shall, under the general direction and supervision of the board of supervisors, have complete direction and control over all of the construction, improvement maintenance and repair of county roads, highways and bridges. The salary of the county engineer shall be as provided for by law

4214*a* The county engineer shall hold his employment for the term of four years from the date of his appointment, *provided*, that he may be removed at any time by the board of supervisors for inefficiency, neglect of duty, malfeasance or misconduct in office, or other good cause shown, upon written charges to be filed with and heard by the board of supervisors and sustained by a three-fifths vote of said board after a hearing as herein provided Said board is hereby vested with the power to administer oaths, compel the attendance of witnesses and the production of books, papers and testimony. A copy of such charges shall be personally served upon said county engineer and he shall be given not less than ten days time in which to file a written answer to the charges, and if it appears to the satisfaction of such board that the charges have been substantiated, the said board shall so notify said county engineer by mail, and such notice shall specifically state the findings and judgment of said board, and the board of supervisors of such county must thereupon forthwith remove such county engineer from office and shall immediately appoint his successor in the manner provided in section two of this act.

4214*b*. Whenever in any statute or law reference is made to the county surveyor such reference shall be construed to mean and refer to the county engineer and the county engineer shall, from and after the first day of January, 1927, have and exercise all the powers and duties and exercise all the functions which are now by law conferred or imposed upon the county surveyor.

4215 The county engineer shall

(*a*) Make, or cause to be made, all surveys maps, plans, specifications and estimates necessary or required for the construction, improvement, maintenance and repair of the county roads, highways and bridges

(*b*) Examine and inspect or cause to be examined and inspected the work performed on such roads, highways and bridges, and report to the board of supervisors whether or not the work has been done in accordance with the plans and specifications and contracts therefor.

(*c*) Approve and certify to the progress, estimates and allowances for work performed under all contracts for the construction, improvement, maintenance, or repair of county roads, highways and bridges.

(*d*) Inspect, or cause to be inspected, all county roads highways and bridges within the county, and keep such roads, highways and bridges clear from obstructions, and when authorized by the board of supervisors he may employ all men, teams and equipment necessary to keep such roads in good repair when the same is not let by contract, and report to the board of supervisors with respect to such inspection and such work from time to time as said board shall require and certify to the correctness of all pay rolls for work done by day labor or force account on county roads, highways and bridges

(*e*) Have control and management under the general supervision of the board of supervisors of all county rock quarries, oil pits and depots, gravel pits and all materials, property, implements, instruments, tools, machinery and other appurtenances necessary for the construction, improvement, maintenance and repair of county roads, highways and bridges, and shall be the custodian of the plans therefor

(*f*) He shall not be interested either directly or indirectly in any contracts within his jurisdiction, nor shall he be interested in the purchase of materials, supplies or equipment of any kind used in connection with the performance of his duties under the provisions of this act.

(*g*) Prepare annually a budget showing in detail the needs of the county for construction, improvement, maintenance or repair of county roads, highways and bridges for the ensuing year, and submit the same to the county auditor and board of supervisors at least sixty days prior to the date of the meeting at which the board of supervisors is required to fix the county tax rate and levy the county taxes

(*h*) Make a written report to the board of supervisors at their first regular meeting of each month, and in it he shall state the amount and character of work done, during the preceding month, the progress of any contracts under way, approximate cost of the work and matters pertaining to the public roads, highways, streets and bridges or other public works, which, in his judgment, shall be brought to their attention. This report shall contain the recommendation of acceptance or rejection of any public work completed, and all official announcements or statements which the engineer is required to make to the board The size and form of these reports shall be uniform and upon blanks supplied by the state engineer and a copy shall

be filed, one in the office of the board of supervisors and another in the office of the county engineer

(*i*) On or before the first day of July of each year, file with the board of supervisors a complete report of the work of the preceding year, which report shall be in the form required and contain the information desired and requested by the state engineer and upon blank forms supplied by him. A copy of said report shall also be filed in the office of the board of supervisors.

(*j*) Perform such other duties pertaining to the construction, improvement, maintenance or repair of county roads, highways and bridges as the board of supervisors may prescribe.

4216. The county engineer must make any survey that may be required by order of court or of the board of supervisors, or upon application of any person, keep a correct and fair record of all surveys made by him, number them in the order made, and preserve a copy of the field-notes and calculations of each survey, and indorse thereon its proper number, a copy of the same, and a fair and accurate plat, together with a certificate of survey, must, upon application, be furnished by him to any person, upon payment of the fees allowed by law.

4217. Any person owning or claiming lands which are divided by county lines, and wishing to have the same surveyed, may apply to the county engineer of any county in which any part of such land is situated, and on such application being made, the county engineer must make the survey, which is as valid as though the lands were situated entirely within the county.

4218. When land, the title of which is in dispute before any court is divided by a county line, the court making an order of survey may direct the order to the county engineer of any county in which any part of the land is situated. In all surveys the courses must be expressed according to the true meridian, and the variation of the magnetic meridian from the true meridian must be expressed on the plat, with the date of the survey.

4219. The county engineer must, when required, aid and assist the surveyor general in making surveys within the county. When the county engineer is interested in any land the title to which is in dispute, and a survey thereof is necessary, the court must direct the survey to be made by some disinterested person, and the person so appointed is for that purpose authorized to administer and certify oaths. He must return such survey, verified by his affidavit annexed thereto, and receive for his services the same fees as the county engineer would be entitled to for similar service.

4220. The county engineer shall copy, plat, or trace all maps filed for record in the office of the recorder of the county for which he shall be elected, and shall be ex officio deputy recorder for said county for such purposes, at the cost of the party filing the same for record, *provided, however*, that all maps and plats filed by a licensed land-surveyor, and such other maps and plats as are filed and are thereby made a record, are exempt from the provisions of this section. The county engineer shall plat, trace, blue-print, or otherwise make all county, township, road, district, and all other maps, and all assessors' block-books, for the county of which he is county engineer, *provided*, that in counties where the office of assessor has not prior to the taking effect of this title been provided with such maps and block-books and the county engineer neglects and refuses to make the same, the board of supervisors may contract with other competent person or persons for the making thereof, and may provide for the payment therefor from the funds of the county. All such maps which are platted, traced, blue-printed, or otherwise made as aforesaid, shall be filed in the county engineer's office, together with all data obtained by the county engineer from other sources, and the same thereafter shall become the property of the county.

4220*a*. Each county engineer, immediately after making any survey, except surveys of city or town lots, must make out a copy of the field-notes and plat, and transmit the same to the surveyor general, indicating plainly upon the plat at what point of any line any river or stream or county line is touched or crossed. He must communicate to the surveyor general such information concerning surveys made by him, and other matters connected with the duties of his office, as may be required.

4220*b*. In all surveys the courses must be expressed according to the true meridian and the variation of the magnetic meridian from the true meridian must be expressed on the plat with the date of the survey.

4220*c*. The county engineer shall make requisition upon the board of supervisors for the purchase of all tools, implements, machinery, materials and supplies required to carry out the intent of this act, and said requisition shall state plainly the estimated cost of the article or articles to be purchased. He shall approve all claims for the same before such claims are audited and passed by the board of supervisors. He shall be the custodian and be responsible for all equipment under his control. All such property shall be stored and protected from the weather when not in use. An inventory of all property in his custody shall be made annually and kept on file in the office of the county engineer.

4220*d*. Upon the completion of work done for the county on its roads, highways, streets, bridges and aqueducts, or in connection with the same, the county engineer must examine the same and if completed in accordance with the specifications thereof, he must submit to the board of supervisors a certificate over his

signature and official seal to the effect that such work by the contractors thereof has been completed in accordance with the specifications thereof and recommending its acceptance. The board shall thereupon audit the same and direct its payment out of the proper fund or funds.

4220c. Whenever the state department of engineering has authority to sell equipment, materials or supplies for road building, repairs or maintenance and a saving may be made to a county by purchasing from said department, the board of supervisors upon the recommendation of the county engineer may purchase such equipment, materials or supplies from the State.

4220f. Nothing contained in this article shall be held, deemed or construed to prevent members of boards of supervisors from visiting and inspecting work in progress within the county or from receiving for such services the mileage now allowed by law.

SEC 2. Article one of chapter eight of title two of part four of the Political Code, embracing sections four thousand two hundred fourteen, four thousand two hundred fifteen, four thousand two hundred sixteen, four thousand two hundred seventeen, four thousand two hundred eighteen, four thousand two hundred nineteen, four thousand two hundred twenty and four thousand two hundred twenty-one, and all acts in conflict with the provisions of this act are hereby repealed.

SEC. 3. The provisions of this act shall not go into effect until January 1, 1927."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 738*c*, relating to the salary of superior judges in counties of the forty-sixth class.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1374—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," approved May 18, 1921.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1180—An act to authorize and provide for the formation of hospital districts in one or more of the counties and cities and counties within the State of California; to create a commission and provide for the appointment of commissioners to manage, control and represent the district, and to do and perform its duties and exercise its privileges; to provide funds therefor by direct taxes upon the taxable property of the district, or by the issuance of bonds to be paid by the district and chargeable upon the property thereof; to provide for the payment of the interest on said bonds for the redemption or refunding thereof; to provide for an election for the purpose of creating said bond issue, to provide for the issuance and sale of bonds by the commission; the payment of all expenses to be incurred; the charging of fees for services in said hospital, the disposition of the moneys received, and the apportionment of the surplus moneys received by the commission.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out the entire title and amend to read as follows

"An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "SECTION 1." add the following

"Whenever ten per cent of the registered electors residing within the boundaries of any proposed hospital district in any county or city and county of the state shall desire the formation of a hospital district within the county, they may present to the board of supervisors of such county a petition, in writing, signed by them, stating the name of the proposed district and setting forth the boundaries thereof, and praying that an election be held as provided by this act. Each of the petitioners must be a resident and freeholder within the proposed district

SEC. 2. When such petition is presented as above provided, the board of supervisors must instruct the county clerk or registrar of voters to examine the petition and ascertain whether or not said petition contains the requisite number of qualified signatures, and the county clerk or registrar of voters shall have thirty days in which to make said examination. If the petition presented contains the required number of signatures, the board of supervisors must, within thirty days thereafter, order that an election be held as provided by this act The order must fix the day of such election, which must be within sixty days from the date of the order, and must show the *boundaries of the proposed district, and must state that at such elections persons to* fill the offices provided by this act, viz five members of the hospital board, will be voted for This order shall be entered in the minutes of the board, and shall be conclusive evidence of the due presentation of a proper petition and of the fact that each of the petitioners was at the time of the signature and presentation of such petition, a resident and free holder within the proposed district

SEC 3 A copy of such order, shall be posted for four successive weeks prior to the election, in three public places within the proposed district, and shall be published for four successive weeks prior to the election in some newspaper published in the proposed district if there be one, and if not in some newspaper published in the county. It shall be sufficient if the order be published once a week.

SEC 4 The board of supervisors, at least fifteen days prior to the election, shall select one, and may select two or more, polling places within the proposed district, and make all suitable arrangements for the holding of such election They must appoint one inspector and two judges of election in each polling place, who shall constitute the officers of said election if none are so appointed, or if those appointed are not present at the time of the opening of the polls the electors present may appoint them and they shall conduct the election. The ballots shall contain the words, "For a hospital district," or "Against a hospital district," as the case may be, and also the names of the persons to be voted for at said election At such election there shall be elected five persons for members of the hospital board Such election and all subsequent elections in said district, shall be conducted as nearly as practicable in accordance with the general election laws of the state, except that the provisions of said laws as to the form of ballots and the making of nominations shall not apply Every qualified elector resident within the proposed district for the period requisite to enable him to vote at a general election, shall be entitled to vote at the election above provided for If a majority of votes cast at such elections shall be in favor of a hospital district, the board of supervisors shall make and cause to be entered in the minutes of said board such an order that a hospital district of the name and with the boundaries in the petition setting forth such boundaries has been duly established and said order shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided for by this act or by law, and of the existence and validity of the hospital district If a majority of the votes cast shall be against a hospital district, the board shall by order entered in its minutes, so declare; *no other proceedings shall be taken in relation thereto until the expiration of one* year from the date of the presentation of the petition to said board.

SEC. 5. Every hospital district formed under the provisions of this act shall have the power to have and use a common seal, alterable at the pleasure of the hospital board, to sue and be sued by its name to construct and maintain such hospitals as in the judgment of the hospital board shall be necessary or proper, and for this purpose to acquire by purchase, gift, devise condemnation proceedings, or *otherwise, such real and personal property either within or without the limits of the* district, as in the judgment of the hospital board shall be necessary or proper, and to pay for and hold the same, to make and accept any and all contracts, deeds, releases, and documents of any kind which, in the judgment of the hospital board, shall be necessary or proper to the exercise of any of the powers of the district, and to direct the payment of all lawful claims, and demands against it, to issue bonds as here and after provided and to assess, levy and to collect taxes to pay the principal and interest of the same and the cost of building such hospital as may be constructed subsequent to the issuance of said bonds, or any lawful claims against said district and the running expenses of the district, to employ all necessary nurses, medical and clerical assistance and fix their fees and compensation, to call hold, and conduct all elections necessary or proper after the formation of the district to prescribe, by order, the time, mode and manner of assessing, levying, and collecting

taxes for hospital purposes, except as otherwise provided herein; and generally to do and perform any and all acts necessary or proper to the complete exercise and effect of any of its powers, or the purpose for which it was formed. The board shall enact and reenact, from time to time, such rules and regulations as may be necessary for the proper government and conduct of the hospital, including a schedule of charges to be paid by inmates thereof. The board shall admit residents of the hospital district upon payment of said charges and may admit at their discretion non-residents of the district upon the payment of the charges prescribed by the board. A person shall be deemed to be a resident of the district who has been a bona fide resident therein for a period of at least six months prior to application or entrance to said hospital.

The hospital board may, if they desire, refuse to admit to the hospital persons afflicted with contagious or infectious disease.

SEC. 5a. In order to assist the hospital board and other hospital officers in carrying out their duties, it shall be the duty of the county assessor of the county in which the hospital is located to allow the members of the hospital board or other officers or employees of the hospital to have access at any time to the assessment rolls, statements rendered by the taxpayers, plat books and all other books and records in reference to the assessment of property within the county, and the county assessor shall permit copies of all such records to be made for the use of the hospital.

SEC. 6. The officers of the district shall be a secretary, and five members of the hospital board.

SEC. 7. It shall be the duty of the county assessor to make out, before the first Monday in July of each year, a list of all the tangible real and personal property within the district. Such list shall contain a brief and general description of the property, an assessment of the value thereof, the name or names of the owner or owners, and such other matters as may be ordered by the hospital board and such matters as shall be necessary to make such list conform to the provisions of the general laws of the State of California. The land shall be assessed separately from the improvements thereon. No mistake in the name of the owner of any of the real or personal property assessed, or any informality in the description, or in other parts of the assessment shall invalidate the same. The assessor shall verify said list by his oath, before some officer authorized to administer oaths, and shall be deposit the same with the hospital board on the first Monday of July of each year, or as soon thereafter as is practicable. He shall have the power to administer all oaths and affirmations necessary or proper in the performance of his duty of assessor.

SEC. 8. There shall be an election for two members of the hospital board in every even numbered year, beginning with the second even numbered year after the election at which district was organized, and two members then to be elected shall hold office until the election and qualification of their successors in the next even numbered year, and there shall be an election for three members of the hospital board in every odd numbered year, beginning with the second odd numbered year, after the election at which the district was organized, and the three members then to be elected shall hold office until the election and qualification of their successors in the next odd numbered year. The five members elected at the election at which the district was organized shall, at their first meeting, or as soon thereafter as may be practicable, so classify themselves, by lot, that two of them shall go out of office in the second even numbered year after the election at which the district was organized shall, at their meeting or as soon thereafter as may be practicable, so classify themselves by lot, that two of them shall go out of office in the second even numbered year after the election at which the district was organized, and upon the election and qualification of their successors, as provided by this act. The members of the hospital board shall receive no compensation whatever, either for general or special services. All elections for officers after the formation of the district shall be held on the first Monday after the first Tuesday in the month of March. Not less than twenty days before the day of such election the hospital board must give notice of said election by posting notice thereof in three public places in the hospital district, which notices must specify the time and place of election, the hours during which the polls will be kept open, and the officers to be elected. They shall select one, and may select two or more polling places within the district; shall appoint one inspector and two judges of election in each polling place, and make all necessary and proper arrangements for holding the election. Said election officers shall constitute the election board. If no election officers are so appointed or if those appointed are not present at the time of the opening of the polls, the electors present may appoint them and they shall conduct the election. Such election shall be conducted as nearly as practicable in accordance with the general election laws of the state, except that the requirements of said laws as to the form of ballots and the making of nominations of candidates shall not apply. Every qualified elector resident within the district for the period requisite to enable him to vote at the general election, shall be entitled to vote at the election. At such election the last great register of the county shall be used, and any elector whose name is not upon such great register shall be entitled to vote upon producing and filing with the board of election a certificate, under the hand and seal of the county clerk, show that his name is registered and uncancelled upon the great register of such county *provided*, that he is otherwise entitled to vote. The officers of the election must

publicly canvass the votes immediately after the closing of the polls, and must certify the result within twenty-four hours after the closing of the polls to the hospital board. Said board shall within five days after the day of election canvass said returns, and shall make, sign, and deliver certificates of election to the person or persons elected.

SEC. 9. The hospital board shall be the governing power of the district, and shall exercise all the powers thereof, except the making of an assessment list in the first instance as herein provided. At its first meeting, or as soon thereafter as may be practicable, the board shall choose one of its members as president, and another of its members as vice president and elect the secretary. And all contracts, deeds, warrants, releases, receipts, and documents shall be countersigned by its secretary. The board shall hold such meetings, either in the day or in the evening, as may be convenient. In case of the absence or inability to act of the president or vice president or secretary the board shall, by order entered upon the minutes, choose a president pro tem., or both, as the case may be.

SEC. 10. On the first Monday of July each year, at the hour of 7:30 p.m., the hospital board shall meet at its usual place of meeting within said district, and proceed to organize itself into a board of equalization, and if the county assessor has returned the assessment list for said year said board shall proceed to equalize the property so assessed and returned by said assessor. If said assessment list has not been returned by said assessor said board must adjourn from day to day until said assessment list has been returned, and for the purpose of adjournment one or more of the members of said board present may make said adjournment and announce the same. Upon the assessment list having been returned by the assessor, said board of equalization shall proceed to equalize the property listed on said assessment list, and said board shall continue in session as a board of equalization until the property upon the entire list returned by the assessor shall have been examined, rectified and equalized, with such reasonable intermission during the day and from day to day as may be expedient. The board shall have power to hear complaints as to the proceedings of the assessor and to adjudicate and determine the controversy thereon and may of its own motion raise an assessment after such reasonable notice to the party whose assessment is to be raised as may be ordered by the board. After the examination and rectification of the assessor's list shall have been completed, the board shall, by resolution, fix the rate of taxation for hospital purposes, designating the number of cents on each one hundred dollars to be levied for each fund and shall designate the fund into which the same has been paid, but no more than one dollar on each one hundred dollars shall be levied for all hospital purposes of any one year, besides what shall be required for the payment of the principal and interest of such year upon outstanding bonds. After the entry in the minutes of the resolution fixing the rate of taxation, the hospital board shall cause the assessor to compute the amount of the tax upon each piece of real and personal property, and enter the same upon the assessment list in a suitable place. The list, when so completed, shall be verified by the assessor, and signed by the president and secretary, and the amount of the tax shall thereupon become a lien upon the property which is assessed and shall have the effect of a judgment against the property of the delinquent, and the judgment shall not be deemed satisfied or the lien extinguished until the taxes are paid or the property sold to satisfy the same, and no statute of limitation shall apply, but no greater sum than twenty per cent of the assessed value of all property within the hospital district shall be voted for bonds or issued at any one time, nor shall the bonded indebtedness of the district ever exceed twenty per cent of the assessed value of all the property within the hospital district at any one period, whether it be made up of one issue of bonds or of several issues.

SEC. 11. As soon as practicable, but not later than the last Monday in July, after the taxes have been computed and extended on the assessment list, verified by the county assessor and signed by the president and secretary of said board, the board shall transmit, or cause the assessor to transmit, a duplicate of the list so made, to the tax collector of the county, who shall collect the taxes shown by said list to be due, in the same manner as he collects the county taxes, and all the provisions of the laws of the State as to the collection of taxes and delinquent taxes, and the enforcement of the payment thereof so far as applicable, shall apply to the collection of taxes for hospital purposes; and said tax collector, and the sureties on his official bond shall be responsible for the due performance of the duties imposed upon him by this act; *provided*, that the hospital board may, in its discretion, direct the district attorney of the county to commence and prosecute suits for the collection of the whole, or any portion of the delinquent taxes, and it shall be the duty of the district attorney to carry out such directions of the hospital board, and he, and the sureties upon his official bond shall be responsible for the due performance of the duty imposed upon him by this act. All money collected for hospital purposes by the district attorney under this act shall be at once paid to the county treasurer; *provided, further*, that the hospital board may, at any time, by order entered in its minutes, provide a system for the collection of delinquent taxes or make any change in the manner of their collection, which as to such taxes shall have the force of law. Whenever any property is sold for delinquent hospital taxes,

under the provisions of this act, the tax collector shall file with the county recorder, at the expense of the purchaser, a copy of the certificate of such sale; and when at any time redemption is made of any property which has been sold for delinquent hospital taxes, the redemption officer of the district shall immediately forward a copy of the redemption certificate to the county recorder, and the county recorder shall inscribe or stamp upon the margin of the certificate of sale of said property then on file in his office, the word "redeem", together with the date, the amount paid, and the name of the party redeeming said property; *and further provided*, that whenever the tax collector issued a deed to the purchaser of any property sold for delinquent hospital taxes, the said tax collector shall forward a copy of the deed to the county recorder, and the county recorder shall then inscribe or stamp upon the margin of the certificate of sale of said property then on file in his office, the words "deeded to", together with the date, and the name of the party to whom said deed was issued. In the event that property upon which hospital district taxes have become delinquent, is, on account of such delinquency, sold by the tax collector, and a deed therefor is issued to any person other than the State of California, the party who was of record as the owner of such property at the time of such sale and of such issuance of such deed, is hereby granted the right to redeem said property from the tax title purchaser thereof, at any time within a period of five years from and after the issuance of such deed, by the payment to the said tax title purchaser of the amount for which the said property was to him sold by the tax collector and an additional premium which shall not be greater than two per cent per month. It is hereby declared to be unlawful for any person or persons who have purchased at a delinquent sale any property which is sold for the delinquent hospital taxes, to demand for its redemption any sum greater than the amount which is by this act specified; or to refuse to redeem any such property to the party who was the owner thereof at the time of such delinquent tax sale, when proper tender is made, within five years after date of such sale, of an amount which is not greater than the amount which is by this act prohibited.

SEC. 12. The tax collector shall, on the first Monday in each month, pay over to the county treasurer all moneys collected by him for hospital purposes, and the said treasurer shall keep the same in the county treasury as follows: In a fund called the bond fund of hospital district (naming it) he shall place and keep the moneys levied by the hospital board for such fund, and no part of the money in this fund shall be transferred to any other fund, or be used for any other purpose than the payment of the principal and interest of the bonds of the hospital district, so long as any such bonds shall be unpaid; in a fund called the running expense of hospital district (naming it) he shall place and keep the moneys levied by the hospital board for such fund. The whole or any part of the money in the running expense fund may be transferred to the bond fund, or to the other fund hereinafter provided for, upon the order of the hospital board, and it shall be the duty of the treasurer to comply with such order. The treasurer shall pay out moneys from either of said funds or from the fund hereinafter mentioned, only upon the written order of the hospital board, signed by the president and countersigned by the secretary, which order shall specify the name of the person to whom the money is to be paid, and the fund from which it is to be paid, and shall state generally the purpose for which the payment is made, and such order shall be entered in the minutes of the hospital board. The treasurer shall keep the order as his voucher, and shall keep a specific account of his receipts and disbursements of money for hospital purposes. The treasurer and sureties upon his official bond shall be liable for the due performance of the duties imposed upon him by this act. The treasurer shall keep the money arising from the sale of bonds in the fund hereinafter mentioned.

SEC. 13. At any time after the district is organized, the hospital board may, by order entered in the minutes, call an election for the purpose of determining whether bonds shall be issued for the construction of a hospital. Such order shall fix the day of the election and shall specify the amount of money to be raised, and shall state in general terms the purpose for which it is to be raised. A copy of such order shall be posted for four successive weeks prior to the election in at least three public places within the district, and shall be published for four successive weeks prior to the election in some newspaper published within the district, if there be one, and if not in some newspaper published in the county. It shall be sufficient if the order be published once a week.

SEC. 14. At any time prior to the day fixed for the election, the board shall select one, and may select two or more polling places within the district, appoint officers of election, and make all necessary and proper arrangements for holding the election. The ticket shall contain the words "For the issuance of bonds as proposed by the hospital board," or "Against the issuance of bonds as proposed by the hospital board." The election shall be conducted in accordance with the general election laws of the state, so far as the same shall be applicable, except as herein otherwise provided. Every qualified elector resident within the district for the length of time necessary to enable him to vote at a general election shall be entitled to vote at the election above provided for. After the votes shall have been announced,

the ballots shall be sealed up and delivered to the secretary or president of the hospital board which shall as soon as practicable, proceed to canvass the same, and shall enter the result upon its minutes. Such entry shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided by this act or by law, and of the facts stated in such entry. If, at such election, two-thirds of the votes cast by in favor of the issuance of bonds, as proposed by the hospital board, the said board shall thenceforth have full power and authority to issue and dispose of bonds as proposed in the order calling the election.

SEC. 15. All bonds issued under the provisions of this act shall be of such denomination as the hospital board may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars. Said bonds shall be payable in gold coin of the United States at the office of the county treasurer of the county wherein said district is situated, and shall bear interest at a rate not exceeding seven per centum per annum, which interest shall be payable annually or semi-annually in like gold coin. Not less than one-twentieth part of the total issue of bonds shall be payable each year, on a day to be specified by the hospital board, but no bond shall be payable in installments, but each bond issued hereunder shall be payable in full on the day specified therein by said board. Each bond shall be signed by the president and countersigned by the secretary of the hospital board, and said bonds shall be numbered consecutively, beginning with number one (1), and shall have coupons attached referring to the number of the bond to which they are attached, which coupon shall be signed by the president and countersigned by the secretary of said board. The bonds must be disposed of by the hospital board in such manner and in such quantities as may be determined by said board in its discretion, but no bonds must be disposed of for less than its face value. The proceeds of such sale shall be deposited with the county treasurer and shall be by him placed in the fund to be called the hospital construction fund of_____ hospital district (naming it); the money in such fund shall be used for the purpose indicated in the order calling the election upon the question of the issuance of the bonds and for no other purpose *provided*, that if after such purposes are entirely fulfilled any balance remains in such fund, such balance may, upon the order of the hospital board, be transferred to either of the other funds provided by this act. If the result of the election be against the issuance of bonds no other election upon the question shall be called for a period of one year.

SEC. 16. It is hereby made the duty of the hospital board to levy, each year, upon the property within the district, a sufficient tax to pay off the interest accruing upon said bonds for the respective year, as it falls due, and also to pay one twentieth of the principal of said bonds, so that the entire amount of principal and interest of said bonds shall be paid within twenty years from the date of the issuance of said bonds, and it is hereby made the duty of the tax collector or such other person as may be charged with the duty of collecting the hospital taxes, to collect the said taxes so to be levied, and the duty of the hospital board to order the same to be paid, in the manner and form as provided by this act, and the duty of the county treasurer to pay the same. If, for any reason, any portion of the tax for any year remains unpaid and in consequence thereof any portion of the interest or principal due for any year remains unpaid, the same shall be added to the levy for the next year, and be collected and paid accordingly. The payment of the whole amount of the principal and interest of all of said bonds, within twenty years from their issuance, is hereby made the imperative duty of the district, and, if necessary for that purpose, a special tax shall be levied and it is hereby made the duty of every officer and board to do his respective part towards the levy, collection and payment of such tax, and mandamus shall issue from the superior court of the county in which the district is situated, or from any other competent court, upon application of any party interested, for the purpose of compelling the performance of the duty imposed by this act upon any and all officers or boards.

SEC. 17. If the result of any election upon the question of the issuance of bonds be in favor of such issuance, the hospital board may, in their discretion, before such issuance commence, in the superior court of the county a special proceeding to determine their right to issue such bonds and the validity thereof, similar to the proceeding in relation to irrigation bonds, provided for by an act entitled "An act supplemental to an act entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, and to provide for the examination, approval and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said act"; and all the proceedings to be commenced by the hospital board, so far as the same are applicable; and said proceedings shall be in accordance with the provisions of said act, so far as the same are applicable, and the judgment in such proceedings shall have the same effect as a judgment in relation to irrigation bonds under the provisions of said act.

SEC. 18. Any general regulation of the hospital board shall be by order entered in the minutes, but such order shall be published once a week in some newspaper published within the district, if there be one, and if there be no newspaper then such order shall be posted for one week in three public places within the district. A

subsequent order of the board that such publication or posting has been duly made shall be conclusive evidence that such publication or posting has been properly made. Orders not establishing a general regulation need not be published or posted unless otherwise provided by this act, but shall be entered in the minutes, and the entry shall be signed by the secretary of the board. A general regulation shall take effect immediately upon the expiration of the week of publication or posting thereof. An ordinary order shall take effect upon the entry in the minutes.

SEC. 19. The board may instruct the district attorney of the county to commence, and prosecute any and all actions and proceedings necessary or proper to enforce any of its regulations or orders, and may call upon said district attorney for advice as to any hospital subject, and it shall be the duty of the district attorney to obey such instructions and to give advice when called on by the board therefor. The board may at any time employ special counsel for any purpose.

SEC. 20. The district may at any time be dissolved upon the vote of two-thirds of the qualified electors thereof, upon the question of dissolution. Such election shall be called and conducted in the same manner as other elections of the district. Upon such or any other dissolution the property of the district shall vest in any incorporated city or town that may at said time be in occupation of a considerable portion of the territory of the district and if there be no such incorporated city or town then the property shall be vested in the board of supervisors of the county until the formation of such a city or town, *provided, however*, that if at the time of such election to dissolve such district there be any outstanding bonded indebtedness of such district, then, in such event, the vote to dissolve such district shall dissolve the same for all purposes excepting only the levy and collection of taxes for the payment of such indebtedness, and from the time such district is thus or otherwise dissolved until such bonded indebtedness, with the interest thereon, is fully paid, satisfied and discharged, the legislative authority of said incorporated city or town, or of the board of supervisors, if there be no such incorporated city or town, is hereby constituted ex officio the hospital board of such district. And it is hereby made obligatory upon such board to levy such taxes and perform such other acts as may be necessary in order to raise money for the payment of such indebtedness and the interest thereon, as herein provided, and said board shall maintain the hospital in proper condition, and shall maintain and protect all rights acquired by the district.

SEC. 21. The boundaries of any hospital district may be altered, and outlying contiguous territory in the same county, or city and county, as the hospital district annexed thereto in the manner following:

A petition signed by the owner or owners representing more than one-half of the assessed valuation of such contiguous territory proposed to be annexed as shown by the last equalized assessment book of the county in which said hospital district is situated, designating specifically the boundaries of such contiguous territory proposed to be annexed and assessed valuation thereof as shown by said last equalized assessment book, and stating that such territory is not within the limits of any other hospital district, and asking that such territory be annexed to said hospital district, which shall be presented to the hospital board thereof, together with a duly executed bond for the sum of not less than five hundred dollars, to be approved by said hospital board and filed with the county treasurer as security for the payment by said petitioners of the reasonable costs of the election hereinafter provided for, in the event, that at said election less than two-thirds of the votes cast are in favor of the annexation of the proposed territory to the hospital district.

When such petition is presented and a bond approved and filed as above provided for, the hospital board must within thirty days thereafter order that an election be held for the purpose of determining whether or not such proposed territory shall be annexed. The order must fix the day of such election, which must be within sixty days from the date of the order, and must show the boundaries of the proposed district. This order shall be entered in the minutes of the hospital board and shall be conclusive evidence of the due presentation of a proper petition, and of the fact that each of the petitioners was at the time of the signing of the petition and the presentation thereof a resident and freeholder within the limits of the proposed district to be annexed.

A copy of such order shall be posted for four successive weeks prior to the election, in three public places within the proposed district, and shall be published for four successive weeks prior to the election in some newspaper published in the district, if there be one, and if not, in some newspaper published in the county. It shall be sufficient if the order be published once a week. At any time prior to the day fixed for the election the board shall select one and may select two polling places within the hospital district, appoint officers of election and make all necessary arrangements for holding the election. The ticket shall contain the words, "For annexation to the hospital district," and "Against annexation to the hospital district." The election shall be conducted in accordance with the general election laws of the state, so far as the same shall be applicable, except as herein otherwise provided. Every qualified elector resident within the district for the length of time necessary to enable him to vote at the general election shall be entitled to vote at the election above provided for. After the vote shall have been cast the ballot shall be sealed up and delivered to the secretary or president of the hospital which

shall, as soon as practicable proceed to canvass the same, and shall enter the result upon the minutes. Such entry shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided by this act or by law, and of the facts stated in such entry. If at said election less than two-thirds of the vote cast be in favor of the annexation to the proposed territory to the hospital district the signers of said petition shall, within ten days after canvassing of the votes of said election, pay to the hospital board a sum of money covering the reasonable cost of said election, and if said sum of money is not so paid at the end of ten days as aforesaid, the hospital board shall have the right of action under said bond to recover the reasonable cost of said election and the hospital board, shall, by order disapprove said petition and enter the same in the minutes of said board and no other proceedings shall be taken in relation thereto until expiration of one year from the presentation of said petition except to collect the cost of said election as herein provided, and if, at such election, two-thirds of the vote cast be in favor of the annexation of the proposed territory to the hospital district, the hospital board shall pay the expenses of said election from the proper funds of the hospital district and shall make and cause to be entered into the minutes of said board and indorsed on said petition an order approving said petition, and said petition shall thereupon be transmitted to and filed with the board of supervisors of the county in which such hospital district is situated. Said board of supervisors, at its next regular meeting after the filing of said petition, shall by an order alter the boundaries of said hospital district and annex thereto the contiguous territory described in said petition. Such order shall be conclusive evidence of the validity of all prior proceedings leading to such annexation and recited in said order, and from and after the same such territory shall become and be a part of such hospital district. The property within such territory so annexed shall be taxed, together with the remainder of said district, to pay its proportion of the unpaid bonded or other indebtedness of such hospital district existing at the time of such annexation incurred for the cost of construction of buildings already constructed in said district, and also to pay the running expenses of said district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1274—An act to add three new sections to the Penal Code, to be numbered 369*h*, 369*i* *and* 369*j*, prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydro-carbon substance in certain localities and prohibiting the operation and maintenance of any well so located.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

After the letter "*i*" in line 3 of the title of the printed bill strike out the words "three hundred sixty-nine *j*".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 4 to 18, inclusive, and on page 2 of the printed bill strike out lines 1 to 10, inclusive, and insert in lieu thereof:

"369*h*. It shall be unlawful hereafter for any person, firm, association or corporation to drill any well for the production of oil or any other hydro-carbon substance within five hundred feet of the exterior boundary of any plot of land situated within the corporate limits of any city containing over fifty thousand population, which land is owned by such city and devoted exclusively to hospital purposes, and any person, firm, association or corporation so doing shall be guilty of a misdemeanor.

369*i*. The provisions of section 369*h* shall not be construed to apply to sites selected for the location of a hospital when a city containing more than fifty thousand population does not actually hold a deed to the land, nor shall it apply to land not designated by municipal ordinance as a site given over exclusively to hospital purposes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

After the word "stock" on line 2 of printed bill, insert the words "by the terms of the certificate thereof".

AMENDMENT NUMBER TWO.

After the word "appurtenant" on line 2, of the printed bill, insert the words "at the time of conveyance".

AMENDMENT NUMBER THREE.

In line 8 of the printed bill after the word "recorded" insert the words "or the necessary court order duly recorded".

AMENDMENT NUMBER FOUR.

In line 11 of the printed bill, strike out the first two words "stock ledger" and insert in lieu thereof the word "books".

AMENDMENT NUMBER FIVE

In line 12 of the printed bill strike out the last word "stock" and on line 13 strike out the first word "ledger" and insert in lieu of those two words the word "books".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 443—An act to repeal section 366*d* of the Political Code, relating to the boards of directors, managers and trustees of the several State hospitals and the Sonoma State Home.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency; regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof, and repealing all acts and parts of acts in conflict herewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon avenue," within the corporate city limits of East San Diego, from Boundary street to Euclid avenue, in San Diego County, California, to be a State highway.

Bill read second time, ordered to engrossment, and third reading

SECOND READING OF SENATE BILLS.

Senate Bill No 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for

drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read second time, and ordered on file for third reading.

Senate Bill No 457—An act to amend section 460 of the Penal Code relating to the degrees of burglary.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended May 3, 1923, strike out all of lines 3 to 14, both inclusive, and insert in lieu thereof the following:

"460. (1) Every burglary of an inhabited dwelling house or building committed in the night time, and every burglary whether in the day time or night time, committed by a person armed with a deadly weapon, or who while in the commission of such burglary arms himself with a deadly weapon, or who while in the commission of such burglary assaults any person, is burglary of the first degree.

(2) All other kinds of burglary are of the second degree.

(3) This section shall not be construed to supersede or affect section four hundred sixty-four of the Penal Code."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read second time, and ordered on file for third reading.

Senate Bill No 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 728—An act to amend section 67*b* of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill strike out lines 50, 51 and 52, and on page 7 of the printed bill strike out lines 1 to 6, both inclusive, and in lieu thereof insert the following: "county in reporting all civil and criminal cases and proceedings in the courts of the county and other county work. In all cases where fees are paid by the parties litigant for the services of the court reporter such fees shall be paid into the county treasury: *provided*, that for transcribing his notes in all cases and proceedings when ordered or required by law such reporter shall be allowed, in addition to his salary, such fees as are now or may hereafter be allowed by law. The salary of the reporter shall be paid out of the county treasury at the same time and in the same manner as other county officers are paid."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 10 of the title, after the word "officers" insert "Approved May 27th, 1915."

AMENDMENT NUMBER TWO

On page 3 of the amended printed bill, after line 5, insert the following:

"No action providing for any specific improvement or the appropriation or expenditure of any of the district funds except such as are provided for in the regular annual budget, nor any action providing for the appropriation, acquisition, sale or lease of public property or for the levy of any tax or assessment, shall, except as otherwise in this act specifically provided, be taken except by ordinance.

All ordinances shall be subject to referendum (exercised in accordance with the provisions of the general laws of the State of California with reference to the referendum) during the period of thirty days above referred to between the time of final passage and the time of taking effect."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 708—An act to amend section 2873 of the Political Code, relative to toll ferries.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1*a* and 10*a* to, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill strike out the words "two new sections" and insert in lieu thereof the following: "one new section".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill strike out the words "and ten *a*".

AMENDMENT NUMBER THREE.

On page 4 of the printed bill strike out lines 9 to 17, both inclusive.

AMENDMENT NUMBER FOUR.

On page 4, line 18, of the printed bill, strike out the number "10*a*" and insert in lieu thereof the number "10".

AMENDMENT NUMBER FIVE

On page 5, line 40, of the printed bill, strike out the number "8" and insert in lieu thereof the number "7".

AMENDMENT NUMBER SIX.

On page 5, line 42, of the printed bill, strike out the number "9" and insert in lieu thereof the number "8".

AMENDMENT NUMBER SEVEN

On page 6, line 23, of the printed bill, strike out the following: "Sec. 10" and insert in lieu thereof the following: "Sec. 9".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 402 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Carter, Christian, Cleary, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyons McMillan, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1265—An act to increase the number of judges of the superior court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1265 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock,

Rosenshine, Schmidt, Scott, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 901 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M. Robbins, Marie Robbins Hilbert, William C. Robbins and Irving W. Robbins, heirs of R. D. Robbins.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 437 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Burns, Christian, Clarke, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, T. A., Morris, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 436 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bromley, Burns, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Johnson, Jones, Kline, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At ten o'clock and forty-six minutes a.m., Hon. Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 855 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Burns, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pomeroy, Reindollar, Rosenshine, Schmidt, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Wright—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 673—An act appropriating money to pay the claim of Clark and Henery Construction Company against the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 673 passed by the following vote:

AYES—Anderson, Badaracco, Bernard, Burns, Christian, Clarke, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Reindollar, Rosenshine, Schmidt, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At ten o'clock and fifty-three minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A. Wheeler, against the State of California.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 672 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Burns, Christian, Clarke, Coombs, Croter, Dawson, Dean, Dorris, Erb, Foster, Fox, Fulwider, Graves, Johnson, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Schmidt, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Anderson Badaracco, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Connolly, Coombs, Croter, Dawson, Dean, Dorris, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyman, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Saylor, Schmidt, Snyder, Spalding, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—48

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S Fry, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 670 passed by the following vote:

AYES—Anderson, Badaracco Badham, Baker, C C., Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Roberts, Saylor, Schmidt, Snyder, Spalding, Spence, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDERS.

The hour of eleven o'clock a.m. having arrived, the special orders heretofore set for this hour were taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED FORTY-EIGHT.

Assembly Bill No. 148—An act to add section 1667*a* to the Political Code, relating to instruction in the public schools

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 148 refused passage by the following vote:

AYES—Bernard, Davis, Foster, Heisinger, McMillan, Moore, Pomeroy, Prendergast, Whitacre, Williams, Wright, and Mr. Speaker—12.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A G., Mitchell, T. A., Morris, Morrison, Mueller, Pedrotti, Reindollar, Roberts, Rosenshine, Schmidt, Spalding, Spence, Stow, West, and Woodbridge—53.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day,

REASSEMBLED

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor;

Also Assembly Bill No. 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 380—An act to provide for the investigation and report by the State of California of the conservation of water resources of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Ways and Means.

(Signed out)

McMILLAN, Chairman.
BERNARD.
HORNBLOWER.
HEISINGER.
BALL.
FULWIDER.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California;

Also, Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California;

Also: Assembly Bill No. 641—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California;

Also Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county

of San Francisco, upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

REINDOLLAR, Chairman.
DEAN.
CROTER.
DAVIS.
MILLER.
JOHNSTON.

The above reported bill ordered on file for second reading.

ON JUDICIARY

ASSEMBLY CHAMBER SACRAMENTO, May 9, 1923.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps—has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

MORRIS, Chairman.
McDOWELL.
ROSENSHINE
FULWIDER.
WEST
CARTER.
CHRISTIAN.
SPENCE.
WHITACRE.
MUELLER.
CRITTENDEN.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER SACRAMENTO, May 8, 1923

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation,

Also: Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court,

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3661*a* of the Political Code

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa

Also: Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor

Also: Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 738*cc*, relating to the salaries of superior judges

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act—has had the same

under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

STOW, Chairman.
DUVAL.
CLEARY.
FULWIDER.
BROUGHTON.
BERNARD.
CLARKE.
FOSTER.
WILLIAMS
PRENDERGAST
JOHNSON
McMILLAN.
NOYES.
BALL.
WOODBRIDGE.
BAKER, C. C.
CLEVELAND.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 723?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "publish" and insert in lieu thereof "keep on file for public inspection".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the words "published with" and insert in lieu thereof the words "a part of".

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the word "report," strike out "Each city board", and also strike out all of lines 15 to 22, both inclusive

AMENDMENT NUMBER FOUR.

On page 1, line 24, of the printed bill, strike out the words "publish annually" and insert in lieu thereof the words "prepare annually and keep on file for public inspection".

AMENDMENT NUMBER FIVE

On page 2, line 1, of the printed bill, strike out "and to deliver a copy", and insert after the word "jurisdiction" a period, and also strike out all of lines 2, 3, 4, 5 and 6.

The roll was called and Senate amendments to Assembly Bill No. 723 were concurred in by the following vote:

AYES—Baker, C. C., Baker, Edwin; Bernard, Carlson, Carter, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Fellom, Fox, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Reindollar, Saylor, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 179—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 179?

AMENDMENT NUMBER ONE.

On page 4, line 18, of the printed bill, after the word "law" strike out the period, insert a semicolon and add the following: "*provided further*, that during the months of June, July, August, and September, the traffic officer shall have the power to appoint such other or extra traffic officer as may be required, whose compensation shall not exceed two thousand six hundred dollars in one year, all salaries to be paid in monthly installments out of the same fund as other officers are paid, *provided* that the traffic officer shall certify to the auditor the appointments of the extra men."

The roll was called and Senate amendment to Assembly Bill No. 179 was concurred in by the following vote:

AYES—Baker, C. C., Baker, Edwin; Bernard, Carlson, Carter, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Erb, Fellom, Fox, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Williams, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 796—An act to amend section 4390*a* of the Political Code, relating to the fees of the county clerk—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 796?

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, after the word "by", strike out the word "court" and insert in lieu thereof the word "courts".

AMENDMENT NUMBER TWO.

On page 2, line 26, of the printed bill, after the word "of", strike out the word "appeals" and insert in lieu thereof the word "appeal".

The roll was called, and Senate amendments to Assembly Bill No. 796 were concurred in by the following vote:

AYES—Baker, C. C., Baker, Edwin; Bernard, Burns, Carlson, Carter, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman,

Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Reindollar, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code relating to the selling or leasing of school property unoccupied by any public school, to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of any real property upon which no public school is being maintained—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 434?

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the words "board of education, or board of trustees," and insert in lieu thereof the following: "governing body".

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, strike out the words "board of educa".

AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, strike out the words "tion, or board of trustees" and insert in lieu thereof the words "governing body".

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, strike out the words "board of education or board of trustees" and insert in lieu thereof the words "governing body".

AMENDMENT NUMBER FIVE.

On page 2, line 36, of the printed bill, strike out the word "board" and insert in lieu thereof the words "governing body".

AMENDMENT NUMBER SIX.

On page 2, line 39, of the printed bill, strike out the word "board" and insert in lieu thereof the words "governing body".

AMENDMENT NUMBER SEVEN.

On page 2, line 43, of the printed bill, strike out the word "board" and insert in lieu thereof the words "governing body". Strike out the words "of the board of".

AMENDMENT NUMBER EIGHT.

On page 2, line 44, of the printed bill, strike out the word "education" and insert in lieu thereof the words "of said governing body". Strike out the words "of the" and insert in lieu thereof the word "thereof".

AMENDMENT NUMBER NINE.

On page 2, line 45, of the printed bill, strike out the words "board of trustees".

AMENDMENT NUMBER TEN.

On page 2, line 51, of the printed bill, after the word "education" insert "or other governing body".

The roll was called and Senate amendments to Assembly Bill No. 434 were concurred in by the following vote:

AYES—Baker, C. C., Baker, Edwin, Bernard, Burns, Carlson, Carter, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, and Mr. Speaker—47.

NOES—None.

The above reported bill ordered to enrollment.

SPECIAL ORDERS—(RESUMED).

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED SIXTY-FIVE.

Assembly Bill No. 365—An act to repeal sections 4041, 4041*b*, 4041*c*, 4041*d*, 4041*e* and 4041*f*, and to add new sections to be numbered 4041 to 4041*z*, inclusive, all relating to the powers and duties of the board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 365 refused passage by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Burns, Carter, Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Hawes, Hornblower, Johnston, Kline, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Roberts, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—36.

NOES—Ball, Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Dean, Dozier, Fellom, Johnson, Jones, Lyman, McMillan, Miller, Prendergast, Saylor, Spalding, Spence, Stevenot, Williams, and Wright—25.

NOTICE OF RECONSIDERATION.

Mr. Bernard gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 365 was this day refused passage.

ASSISTANT CLERK WESTMAN READING.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Mitchell, A. G., moved that the vote whereby Assembly Bill No. 1351 was passed be reconsidered.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, two o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Clerk was directed to call the roll.

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

Anderson, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—64.

The Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

ASSISTANT CLERK POWERS READING.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 669 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Cleary, Cleveland, Davis, Dawson, Dean, Donohue, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—52.

NOES—Dozier, and Johnson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 638 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Cleary, Cleveland, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WAESTMAN READING.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At three o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Connolly.

The roll of absentees was called, and Assembly Bill No. 1351 refused reconsideration by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bromley, Burns, Carlson, Carter, Croter, Davis, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Erb, Fox, Graves, Hawes, Hornblower, Lyman, Lyons, Mathews, McPherson, Mitchell, A. G., Morris, Morrison, Pedrotti, Pomeroy, Reindollar, Schmidt, Smith, Snyder, Spence, Weller, and Whitacre—36.

NOES—Bernard, Broughton, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dorris, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Moore, Noyes, Prendergast, Roberts, Rosenshine, Spalding, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—33.

Assembly Bill No. 1351 ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Erb moved that the vote whereby Assembly Bill No. 569 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Baker, Edwin; Carter, Christian, Cleveland, Dawson, Dozier, Eksward, Erb, Graves, Lyons, Mathews, Pedrotti, Smith, and Weller—14.

NOES—Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Clarke, Cleary, Connolly, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

Assembly Bill No. 569 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED)

Assembly Bill No 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 934 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Cleary, Cleveland, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—53

NOES—Dawson, Graves, and Stow—3.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO WITHDRAW BILL.

Mr. Fellom moved that Assembly Bill No. 60 be withdrawn from the Committee on Ways and Means and placed upon the file for passage.

MOTION TO LAY ON TABLE.

Mr. Carter moved that the motion to withdraw Assembly Bill No. 60, by Mr. Fellom, be laid upon the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Fellom, Schmidt, Hawes, and Morris and Mrs. Woodbridge, the Speaker ordered a roll call taken on the motion to lay on table

The question being on the motion to lay on table.

The roll was called, and the motion to lay on table carried by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Burns, Carter, Christian, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Erb, Fox, Fulwider, Graves, Hornblower, Johnston, Jones, Lyman, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Prendergast, Roberts, Rock, Rosenshine, Saylor, Snyder, Stow, Weller, West, Williams, Wright, and Mr. Speaker—47.

NOES—Anderson, Carlson, Clarke, Croter, Dorris, Fellom, Hawes, Heisinger, Johnson, McDowell, Remdollar, Spalding, Spence, Stevenot, and Woodbridge—15.

SPECIAL ORDER SET.

On motion of Mr. Duval, the consideration of Assembly Bill No. 738 was made a special order for Thursday, May 10, 1923, at eleven o'clock a.m.

REPORT OF SPECIAL COMMITTEE

The following report of special committee was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923

MR SPEAKER: The special committee appointed by this honorable body under resolution of February 1, 1923, authorizing the committee to investigate any violations of the civil service law by any officer, agent, clerk or employee of the State, and directing, upon the conclusion of such investigation, a report to the Assembly of the results thereof, together with such recommendations as the committee shall deem proper, respectfully report as follows: That said committee, for the convenience of witnesses, held meetings at Patton State Hospital, Los Angeles, San Francisco and Sacramento, at which places heads of State departments and civil service employees were examined. Evidence was taken in the following departments of State, namely: Harbor Commission, of San Francisco, including the belt railroad; State Printing Department at Sacramento; State Capitol Buildings and Grounds; State Hospital at Patton; Motor Vehicle Department; State Board of Health; State Board of Education; Commission of Immigration and Housing; Railroad Commission; State Purchasing Department; State Banking Department; Industrial Accident Commission; Labor Commission; State Department of Agriculture; State Real Estate Commission; State Insurance Department; the testimony of Egerton Shore, former member of the Board of Control, and Mr. Alden Anderson of Sacramento, were also taken. The testimony is submitted herewith. There were 136 witnesses examined. The committee was given very courteous treatment by the heads of departments and civil service employees, but great reticence was shown on the part of many of the civil service employees, as well as heads of departments, in giving their testimony, and the committee experienced considerable difficulty in eliciting from the witnesses evidence of campaign contributions, and in most cases it was only by persistent questioning of the witnesses that the facts were disclosed, this reticence appearing to the committee to be due to fear on the part of the witnesses of discipline by superior authority. In some cases the testimony of heads of departments was contradictory to the testimony of the civil service employees under them. The evidence in many departments showed that civil service employees contributed to the primary campaign fund of ex-Governor Stephens, notably in the departments of State Printing, State Capitol Buildings and Grounds, the Industrial Accident Commission, Harbor Department and belt railway at San Francisco. In some of the departments there was no evidence of campaign contributions. The usual system employed in departments where contributions were made was for the head of the department to call in the manager or foreman of departments under him and tell him it is customary to make campaign contributions for the administration and if the employees wish to make contributions the money could be paid to the foreman. The witnesses in most all instances stated that they were told that contributions were voluntary. The committee finds that notwithstanding witnesses gave testimony of the voluntary nature of the contributions, yet in many instances when closely questioned, they admitted contributing because they feared a refusal would cost them their position, or work to their disadvantage in some respect. In one case demotion of a civil service employee followed immediately refusal on demand for campaign contributions. The demotion of this civil service employee was put upon other grounds than failure to contribute, but the coincidence of such demotion following so close upon refusal to contribute was considered by the committee as significant. A fear that refusal to contribute would affect their position appeared to the committee to be the impelling cause for contributions. Many of the witnesses testified that they were in poor financial condition and that they did not feel able to make contributions; but on being shown by their superior a subscription list signed by other employees, or being told that others in the departments were contributing, they thought that they should do the same. The money from civil service employees was usually paid to the foreman and by the foreman through various channels to Mr. Alden Anderson, who was treasurer of the primary campaign fund of Governor Stephens.

The committee further finds that Mr. Egerton Shore, at that time a member of the State Board of Control, visited many State departments requesting contributions for the primary campaign funds for Governor Stephens, Mr. Shore stating in his testimony that he did "a little evangelistic work" and expected other men to do just what he was going to do, namely, "to interest our friends in the campaign", and that he suggested to heads of departments that "It would be a good thing for us to cooperate together in raising funds". He testified, however, that in no case did he ask contribution of campaign funds from civil service employees.

As conclusions from the evidence adduced, the committee concludes and so finds that officers, clerks and employees under the government of the State, directly and indirectly, solicited and received and were concerned in soliciting and receiving subscriptions and contributions for political purposes, to-wit: For the primary campaign fund of the administration then in office from employees holding positions under the provisions of the Civil Service Act, that in the majority of cases, such contributions were made by the employee under implied coercion, that the collec-

tion of campaign funds has been practiced to a more or less extent since the adoption of the civil service system in the State departments.

The committee further concludes that such practice is an imposition upon the civil service employees and impairs the public service, that in order to keep the civil service inviolate from political corruption and protect civil service employees from imposition, the committee recommends that the Civil Service Act be amended by adding to section 19 thereof the following:

"No one on the eligible list or holding any position under the provisions of this act shall, whether voluntary or involuntary, pay any assessment, or subscription or contribution to any fund for any political purposes whatever."

The proposed amendment to said act is herewith submitted.

Respectfully submitted.

CARTER, Chairman.
ERB.
McDOWELL
STOW.
CHRISTIAN.

PROPOSED AMENDMENTS TO ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED ELEVEN, SUBMITTED BY THE SPECIAL COMMITTEE.

AMENDMENT NUMBER ONE

On page 1, in line 1, of the printed bill in the title, after the word "amend", insert the following "Section 19 of".

AMENDMENT NUMBER TWO.

On page 1, in line 1, of the printed bill, after the period following the figure 1, insert the following "An act to amend an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith, in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor", approved June 16, 1913, as amended, is hereby amended to read as follows:

Sec. 19. No officer, agent, clerk or employee under the government of the state shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, contribution or political service, whether voluntary or involuntary, for any political purpose whatever, from anyone on the eligible lists or holding any position under the provisions of this act.

No one on the eligible list or holding any position under the provisions of this act shall, whether voluntary or involuntary, pay any assessment, or subscribe or contribute to any fund for any political purposes whatever.

Every officer, agent, clerk or employee under the government of the state who may have charge or control in any building, office, or room occupied for any purpose of said government is hereby authorized to prohibit the entry of any person, and he shall not permit any person to enter the same, for the purpose of therein making, collecting, receiving or giving notice of any political assessment, subscription or contribution, and no person shall enter, or remain in any said building, office or room, or send or direct any letter or other notice thereto, for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution, nor shall any person therein give notice of, demand, collect or receive, any such assessment, subscription or contribution contrary to the provisions of this section."

CARTER, Chairman.
ERB.
McDOWELL
STOW.
CHRISTIAN.

The above report and proposed amendments ordered printed in the Journal, and referred to Committee on Governmental Efficiency and Economy.

MOTION TO WITHDRAW AND RE-REFER BILL.

Mr. Weller moved that Assembly Bill No. 952 be withdrawn from the Committee on Public Charities and Corrections and be re-referred to Committee on Ways and Means.

The question being on the motion to withdraw and re-refer Assembly Bill No. 952.

The roll was called, and the motion to withdraw and re-refer Assembly Bill No. 952 lost by the following vote:

AYES—Badham, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Erb, Foster, Fulwider, Johnston, Kline, Lyons, McPherson, Moore, Noyes, Pedrotti, Rock, Snyder, Stow, Weller, and Mr. Speaker—24.

NOES—Anderson, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Donohue, Emme, Fellom, Fox, Graves, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Mitchell, A. G., Morrison, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Wright—39.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Mr. Dozier:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

By Mr. Dozier: An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

FOX, Chairman.

Mr. Fox moved the adoption of the report.

The question being on the adoption of the report,

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

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Dozier: Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended,".

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Pomeroy: Assembly Joint Resolution No. 27—Relative to federal taxes.

Introduced, and referred to Committee on Federal Relations.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 9, 1923.

To the Assembly of the State of California.

The constitution (chapter IV, section 6) provides that the census of the United States shall be the basis of fixing and adjusting the legislative districts of the State, and the Legislature shall, at its first session after each census, adjust such districts and reapportion the representation so as to preserve them as nearly equal in population as may be. There was a census taken in 1920 and the Legislature of 1921 was faced squarely with the duty of reapportionment. This duty was not performed. The present Legislature is faced with the same plain duty. One measure on reapportionment has been defeated and some doubt has arisen as to whether any action will be taken at this session.

While I have no desire to unduly influence legislation, I want to impress upon you the importance of obeying the constitution, and to advise you that inasmuch as ample time remains for the enactment of a reapportionment measure, if you fail at this session of the Legislature to adopt a reapportionment bill, I will not call a special session for that purpose.

The need for reapportionment in compliance with the constitution is best shown by the following table giving the population of the various assembly districts according to the 1920 census.

District	Population
First	21,304
Second	37,857
Third	15,862
Fourth	21,396
Fifth	34,655
Sixth	24,116
Seventh	30,030
Eighth	37,595
Ninth	29,444
Tenth	40,602
Eleventh	26,220
Twelfth and Thirteenth (average)	25,995
Fourteenth and Fifteenth (average)	45,489
Sixteenth	20,645
Seventeenth	27,342
Eighteenth	53,889
Nineteenth and Twentieth (average)	39,952
Twenty-first to Thirty-third (average)	38,975
Thirty-fourth to Forty-first (average)	43,022
Forty-second	36,781
Forty-third	26,269
Forty-fourth and Forty-fifth (average)	50,294
Forty-sixth	43,557
Forty-seventh	18,534
Forty-eighth	36,975
Forty-ninth	36,782
Fiftieth to Fifty-second (average)	42,926
Fifty-third	21,893
Fifty-fourth	22,031
Fifty-fifth	59,031
Fifty-sixth	54,843
Fifty-seventh and Fifty-eighth (average)	26,700
Fifty-ninth	41,097
Sixtieth	28,724
Sixty-first to Seventy-fifth (average)	62,429
Seventy-sixth	61,375
Seventy-seventh	50,297
Seventy-eighth	43,383
Seventy-ninth and Eightieth (average)	56,124

The average population for the assembly districts, according to the 1920 census should be 43,846. The population of the districts run from 15,862 to 62,429. The population of the senatorial districts show the same inequalities. The constitution not only says that the senatorial and assembly districts shall be divided "as nearly equal in population as may be", but shall be composed of contiguous territory, that no county, or city and county, shall be divided unless it contains sufficient population to form two or more districts, and that part of a county shall not be united with any other county in forming a district.

I hope you will give this matter your immediate attention.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The above message ordered printed in the Journal, and referred to Committee on Reapportionment.

RECESS.

At four o'clock and forty-three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Powers reading

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges;

Also: Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a legislative manual and State blue book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County;

Also Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the Laws of 1921;

Also: Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines as executor against the State of California;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County;

Also: Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen national volcanic park and to make an appropriation therefor;

Also. Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 106—An act relating to the acquisition by the State of forest land for park purposes, authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State, providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor, reserving certain rights to the owners of land adjacent to the lands so acquired, providing for the naming of such parks; providing for assistance by the attorney general, vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof, providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 443—An act to repeal section 366d of the Political Code, relating to the boards of directors, managers and trustees of the several State hospitals and the Sonoma State Home.

Also: Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency, regulating the disposition of such moneys, providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof, and repealing all acts and parts of acts in conflict herewith.

Also: Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon Avenue," within the corporate city limits of East San Diego, from Boundary Street to Euclid Avenue, in San Diego County, California, to be a State highway;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 73Sc, relating to the salary of superior judges in counties of the forty-sixth class;

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California;

Also: Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California.

Also: Assembly Bill No. 1374—An act to amend the title and section one of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this state,' approved March 10, 1887," approved May 18, 1921;

Also: Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands,

or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party,

Also: Assembly Bill No. 418—An act to repeal section 3897a of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes;

Also: Assembly Bill No. 1372—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal,

Also: Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district,

Also: Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737p, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith,

Also: Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 737zz, relating to the salaries of superior court judges;

Also: Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California,

Also: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California;

Also: Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville,

Also: Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles,

Also: Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles,

Also: Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also: Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California, to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921,

Also: Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities;

Also: Assembly Bill No. 154—An act relating to employment where the work is to be performed outside of this State by persons hired within this State; prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof,

Also Assembly Bill No. 1345—An act to amend section 15 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motorvehicle without the consent of the owner thereof and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended;
And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California—and reports that the same have been correctly engrossed

ROBERTS, Chairman.

The above reported concurrent resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section twelve of article XIII thereof, relating to poll tax,

Also: Assembly Constitutional Amendment No 27—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new article, to be numbered XXIV, relating to the operation of public utilities;

Also: Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the constitution of the State by repealing section 34 of article IV, and adding two new sections, to be numbered 29 and 34, to article IV of said constitution, relating to the general expenses of the State government;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 55—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to legislative reapportionment—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following: Assembly Constitutional Amendment No 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation;

Also, Assembly Constitutional Amendment No. 52—A resolution to propose to the

people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption. And reports that the same have been correctly engrossed

ROBERTS, Chairman

The above reported constitutional amendments ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 21—Relative to the adoption of an amendment to the constitution of the United States prohibiting child labor—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 17, relative to memorializing Congress to adopt a bill introduced by Hon. John E. Raker to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 19—Relative to the service of the Honorable Dr. Ernest Dozier in the United States Army—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 8—Relative to the extending by the California Legislature of an invitation to the national encampment of the Grand Army of the Republic, to hold the session of 1924 of the national encampment in the city of Pasadena, California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 13—Relating to an investigation of the expenditures of the State Reclamation Board in Sutter-Butte By-Pass Project No. 6, in the Sacramento-San Joaquin Drainage District—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 22—Approving two amendments to the charter of the city of Glendale, State of California, voted for and ratified by the qualified electors of said city of Glendale at a general municipal election held therein on the tenth day of April, 1923—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 11 of article VI of the constitution of the State of California, relative to inferior courts—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 152—An act to amend section 1623 of the Political Code, relating to the liability of school trustees;

Also: Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662*a*, relating to the registration of minors;

Also: Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1042—An act to add a new section to the Penal Code, to be numbered section 496*b*, making second hand dealers liable for receiving stolen books;

Also: Assembly Bill No. 182—An act to amend an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The standard apple act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921;

Also: Assembly Bill No. 1139—An act to add a new section to the Political Code to be numbered 3480½, authorizing the governing boards of reclamation districts to hire a clerk;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 192—An act to authorize the establishment of inter-city planning districts for two or more cities or towns in the same or different counties, providing for the government of such districts, designating the officers thereof and prescribing their powers and duties;

Also: Assembly Bill No. 397—An act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds;

Also: Assembly Bill No. 1091—An act to amend section 3*a* and section 3*c* of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, as amended, relating to the issuance of permits to employ minors in plays and performances;

Also: Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 722—An act to add a new section to the Political Code, to be numbered 4089, relating to the cancellation of unsold county bonds;

Also: Assembly Bill No. 891—An act to amend section 1 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, providing for the payment of a license fee;

Also: Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway, leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 791—An act validating the formation and organization of Joint Highway District No 3 of the State of California, and the proceedings had by said district under the provisions of an act of the Legislature of the State of California, approved April 5, 1917, entitled "An act providing for the creation, organization and confirmation of joint highway districts composed of two or more counties of the State of California".

Also: Assembly Bill No 448—An act declaring the Kings River Canyon State highway to be a part of the State highway system, and providing for the construction and maintenance thereof.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 489—An act to amend section 5 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921;

Also: Assembly Bill No. 197—An act to provide for the survey and creation of camp sites on State lands.

Also: Assembly Bill No 1090—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the issuance of permits for the employment of minors in plays and performances:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 543—An act validating and legalizing all proceedings in the organization, enlargement and government of Red Rock Creek Irrigation District;

Also Assembly Bill No 315—An act to add two new sections to the Political Code to be numbered 1250 and 1251, relating to the establishment of election return centers and reporting preliminary returns.

Also: Assembly Bill No. 697—An act to amend section 928 of the Penal Code, relating to the grand jury;

Also Assembly Bill No 684—An act to amend an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of the levee, and for the payment of the indebtedness of levee district number one of Sutter County," approved March 20, 1874 as amended.

Also Assembly Bill No. 131—An act to amend sections 851, 855, 882, 883, and 884 of an act entitled, "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, to provide for police courts and police judges of cities of the sixth class.

And reports that the same have been correctly enrolled, and presented the same to Governor on this ninth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1274—An act to add three new sections to the Penal Code, to be numbered 369*h* 369*i* and prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydrocarbon substance in certain localities and prohibiting the operation and maintenance of any well so located—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

SMITH, Chairman.
CLEARY.
CHRISTIAN.
McDONALD.
NOYES.
BAKER, C. C.
JOHNSON.
LYMAN.
PRENDERGAST.
DOZIER.

The above reported concurrent resolution ordered on file for adoption.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923

MR SPEAKER Your Committee on Corporations, to which was referred Assembly Bill No. 1375—An act to govern the formation, creation, regulation, supervision, and taxation of common law trusts, as the same are therein defined—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

JOHNSTON, Chairman.
HORNBLOWER.
NOYES
LYMAN.
SNYDER.
MITCHELL, A. G.

The above reported bill ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1127—An act to amend an act entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths the establishment of registration districts under the Superintendent of the State Bureau of Vital Statistics the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act, to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, by amending sections 13, 18, and 22 thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

(Signed out)

DOZIER, Chairman.
FULWIDER
PEDROTTI
SPALDING
CLEVELAND
WOODBRIDGE.
GRAVES
KLINE

The above reported bill ordered on file for second reading.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO May 8, 1923

MR. SPEAKER Your Committee on Agriculture, to which was referred Assembly Bill No 103—An act to amend section 596 of the Penal Code relating to the poisoning of animals, or catching animals in traps, or shooting at, or shooting animals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

STOW, Chairman.
DUVAL
CLEARY.
JOHNSON.
PRENDERGAST.
FOSTER.
CLARKE
FULWIDER.
McMILLAN.
CLEVELAND.
BAKER, C C.
WOODBRIDGE.
BERNARD
WILLIAMS
BALL
NOYES
BROUGHTON

The above reported bill ordered on file for second reading.

ON MEDICAL AND DENTAL LAWS

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 608—An act to create the office of State Narcotic Director; to prescribe the powers and duties of such director; to make an appropriation to carry out the purpose hereof and to repeal all acts and parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

BALL, Chairman.
DEAN.
WILLIAMS.
MORRISON.
ERB.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158a, both relating to the recording of instruments by county recorders—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

(Signed out)

MORRIS, Chairman.
MUELLER.
MITCHELL, A. G.
SMITH.
WELLER.
WEST.
LYONS.
BAKER, C. C.
CRITTENDEN.
HORNBLOWER.
McDOWELL.
SPENCE.
FULWIDER

The above reported bill ordered on file for second reading.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on May 8, 1923, passed Assembly Bill No 1270—An act to add a new section to the Political Code, to be numbered 633c, concerning the appointment by insurance com-

panies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission, to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation, to create a vocational rehabilitation fund and making an appropriation therefor" approved June 3, 1921.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 222 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 409 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes;

Also, Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations;

Also, Senate Bill No. 214—An act to amend section 626i of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 737 read first time, and referred to Committee on Judiciary.

Senate Bill No. 634 read first time, and referred to Committee on Corporations.

Senate Bill No. 214 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California;

Also, Senate Bill No. 699—An act to provide for the establishment and maintenance of a Division of Dental Hygiene for children under the direction of the State Board of Health, defining its powers and duties, and making an appropriation therefor;

Also: Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Also: Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the first agricultural district;

Also: Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 301 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 699 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 50 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 73 read first time, and referred to Committee on Agriculture.

Senate Bill No. 730 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor;

Also: Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto, to provide ways and means exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to create a State Land Settlement Finance Committee the members of which are to serve without compensation, to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act, to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued, and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924;

Also: Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom;

Also: Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano;

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 472 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 437 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 116 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 56 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 316 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Also, Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Also, Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Also, Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the University Farm at agricultural fairs.

Also, Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture.

Also, Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California.

Also, Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 207 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 724 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 12 read first time, and referred to Committee on Agriculture.

Senate Bill No. 630 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 631 read first time, and referred to Committee on Agriculture.

Senate Bill No. 312 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 197 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the Sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States Army and the board of engineers for rivers and harbors and printed in Rivers and Harbors Committee Document No. 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs, and making an appropriation for such work, and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Also, Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81

of the first session of the Sixty-second United States Congress as modified by the report of said commission submitted February 8, 1913, approved by the chief of engineers of the United States Army and the board of engineers for rivers and harbors and printed in Rivers and Harbors Committee Document No 5, Sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs, and making an appropriation for such work, and providing for the continuance of such work as provided by section two of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Also Senate Bill No. 206—An act making an appropriation to pay the claim of George A Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 475 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 476 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 206 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate *on this day passed the following*

Senate Bill No 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office,

Also Senate Bill No. 470—An act providing for the enlargement of Mount Diablo Park, making an appropriation for the purchase of additional lands and roadways therefor, and for the development thereof,

Also, Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof shall be borne and paid by the State of California out of the State harbor improvement fund,

Also Senate Bill No. 627—An act to provide for the survey and construction of a State highway from Governor's Camp, in the California Redwood Park, to the Coast Road at the point where said Coast Road crosses the divide between Waddell Creek and Scott Creek and making an appropriation therefor;

Also Senate Bill No. 100—An act appropriating money to pay the claim of Willard H Stimson and Son,

Also Senate Bill No 231—An act appropriating money to pay the claim of C E. Bradbury against the State of California

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 492 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 470 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 167 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 627 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 100 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 231 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 585—An act appropriating money to be used toward the purchase of land for agricultural laboratory purposes near the grounds of the University of California at Berkeley,

Also Senate Bill No. 584—An act making an appropriation for the support, maintenance and equipment of the University of California;

Also, Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years;

Also Senate Bill No 338—An act appropriting money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles;

Also Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego;

Also Senate Bill No 406—An act appropriating five hundred dollars for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California;

Also Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 585 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 584 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 337 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 338 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 367 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 406 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 702 read first time, and referred to Committee on Ways and Means

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education;

Also Senate Bill No 446—An act to amend sections 1770, 1771, 1772, 1773, and 1774 of the Political Code, and to repeal sections 1775, 1776, 1777, and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State;

Also Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921.

Also Senate Bill No. 493—An act to amend section 476 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Also Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California, providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Also Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California; to authorize the creation of a Bureau of Capriculture in the Department of Agriculture of the State of California, to authorize promotion and development of the goat industry in California to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products, to provide for the issuing of permits and the collection of fees therefor, to provide for the enforcement of this act, and to prescribe penalties for violation of the provisions hereof.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 444 read first time, and referred to Committee on Education.

Senate Bill No. 446 read first time, and referred to Committee on Education.

Senate Bill No. 118 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 493 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 692 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 657 read first time, and referred to Committee on Live Stock and Dairies.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Also: Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

Also: Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

Also: Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance.

Also: Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534a, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and repealing section 1534 of the Political Code.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 741 read first time, and referred to Committee on Education.

Senate Bill No. 356 read first time, and referred to Committee on County Government.

Senate Bill No. 336 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 567 read first time, and referred to Committee on Insurance.

Senate Bill No. 7 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 9—Relative to narcotics.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 9 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Constitutional Amendment No. 16 read, and referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Baker, Edwin, asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 25, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-FIVE.

Senate Concurrent Resolution No. 25—Approving four certain amendments to the charter of the City of Los Angeles, in the County of Los Angeles, State of California, voted for and ratified by the electors of said City of Los Angeles at a special municipal election held therein on the first day of May, 1923.

Senate Concurrent Resolution No. 25 read.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Baker, Edwin, moved a call of the House.

Motion carried.

Time, eight o'clock and forty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the clerk was directed to call the roll.

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

Baker, C. C. Baker, Edwin; Ball, Carter, Connolly, Coombs, Croter, Dawson, Dean, Dorris, Dozier, Duval, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mitchell, T. A., Moore, Mueller, Prendergast, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, and Mr. Speaker—33.

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 566—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38*a*, relating to the assessment of land irrigated by means of water pumped from underground sources—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMS, Chairman.

The above reported bill ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 435—An act making an appropriation to pay the claim of Joseph M. Raines as executor against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 435 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carter, Clarke, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Emme, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews,

McDowell, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Prendergast, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the Laws of 1921.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 134 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Clarke, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Emme, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Prendergast, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 456 passed by the following vote:

AYES—Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Crittenden, Dawson, Dean, Dorris, Dozier, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 102 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dozier, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.
NOES—Broughton, and Dorris—2.

Title read and approved.
Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Baker, Edwin, asked for and was granted unanimous consent to withdraw Assembly Bill No. 67.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, Miller, Moore, Mueller, Noyes, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1017—An act to add a new section to the Political Code to be numbered 737*zzz*, relating to the salaries of superior court judges

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1017 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Crittenden, Croter, Dawson, Dean, Dorris, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 214 passed by the following vote

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Eksward, Emme, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedretti, Reindollar, Roberts, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the Superior Court of Los Angeles County.

Bill read third time.

The question being on the passage of the bill .

The roll was called, and Assembly Bill No 165 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Crittenden, Croter, Dawson, Dean, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature.

Assembly Constitutional Amendment No. 25 read

The question being on the adoption of the amendment

The roll was called, and Assembly Constitutional Amendment No. 25 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar Roberts, Rosenshine, Saylor Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—69

NOES—Dozier—1

Title read and approved.

Assembly Constitutional Amendment No. 25 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 25.

A resolution to propose to the people of the State of California to amend section 23 of article IV of the constitution, relative to members of the Legislature

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at the forty-fifth regular session commencing on the eighth day of January, 1923, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that section 23 of article IV of the constitution of this State be amended to read as follows:

Sec. 23. The members of the Legislature shall receive for their services the sum of $2,000 each for each regular session, to be paid at such times during the session as may be provided by law, and the sum of $15 each for each day while in attendance at a special or extraordinary session, for a number of days not exceeding thirty; and mileage to be fixed by law, all paid out of the State treasury, such mileage shall not exceed 10 cents per mile, and each member shall be allowed contingent expenses not exceeding $25 per member for each regular biennial session The Legislature may also provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of $500 per day for either house, at any regular or biennial session, nor the sum of $200 per day for either house at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XI thereof to be designated section 20, authorizing the State, or any county, city and county,

or municipal corporation, taking or appropriating property for public use in laying out, opening, widening, or extending any public street, highway, or other public way, to take and appropriate, under the power of eminent domain, adjacent property in addition to that actually to be devoted to such public use.

Assembly Constitutional Amendment No. 26 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No 26 refused adoption by the following vote:

AYES—Badham, Baker, Edwin; Cleveland, Croter, Davis, Emme, Foster, Fox, Graves, Johnson, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Smith, Snyder, Weller, Whitacre, and Mr Speaker—21.

NOES—Anderson, Baker, C C, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Fellom, Fulwider, Hawes, Heisinger, Johnston, Jones, Mathews, McDowell, McMillan, Mitchell, T. A, Moore, Morris, Morrison, Noyes, Reindollar, Rosenshine, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, West, Williams, Woodbridge, and Wright—43.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 1¾ of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation.

Assembly Constitutional Amendment No. 49 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 49 adopted by the following vote:

AYES—Anderson, Badham, Baker, C C., Baker, Edwin, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary Connolly Coombs, Crittenden Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Moore, Morris, Morrison, Mueller Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar Roberts, Saylor, Schmidt, Scott Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—Cleveland, Graves, and Snyder—3.

Title read and approved.

NOTICE OF RECONSIDERATION

Mr. Dozier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 49 was this day adopted.

ASSEMBLYMAN DUVAL IN THE CHAIR.

At ten o'clock and twenty-three minutes p m, Hon. Walter H Duval, member from the 60th district, was called to the chair

Assembly Constitutional Amendment No 22—A resolution to propose to the people of the State of California to amend section 16 of article IV of the constitution, relative to the veto.

Assembly Constitutional Amendment No. 22 read.

The question being on the adoption of the amendment.

THE SPEAKER IN THE CHAIR.

At ten o'clock and twenty-eight minutes p m, Hon Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on the adoption of Assembly Constitutional Amendment No 22.

The roll was called, and Assembly Constitutional Amendment No. 22 refused adoption by the following vote:

AYES—Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—46.

NOES—Badham, Baker, C. C., Baker, Edwin, Bromley, Carter, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Lyons, McMillan, Moore, Noyes, Pedrotti, Pomeroy, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—28.

Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California.

Assembly Concurrent Resolution No. 23 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Croter, Davis, Dawson, Donohue, Duval, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 23 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 23

Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California.

WHEREAS, The beaches along the coast of California are among the most desirable pleasure places in the State and furnish a means of recreation to a great many people; and

WHEREAS, There is at the present time a great prevalence of crude oil and petroleum in the waters along such beaches which is washed up on and scattered along the beaches themselves making them undesirable for pleasure purposes and preventing their use and enjoyment; and

WHEREAS, The value and desirability of maintaining such beaches in a condition in which they may be used for pleasure purposes by the people of the State is a matter of concern to the entire State and has already been recognized by the Legislature by a provision of the act of 1921 reserving minerals in State lands which prohibits the leasing of tidelands in front of an incorporated city and for a mile on either side for the purpose of drilling for oil; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Surveyor General of this State be and hereby is authorized and directed to make a complete survey and investigation of such situation and to determine the causes for the presence of such crude oil or petroleum on the beaches and to arrive, if possible, at a method for preventing the same; and be it further

Resolved, That the Surveyor General shall make a full and complete report of his findings with all data so obtained to the Governor of this State together with any plans and suggestions he may deem expedient.

WITHDRAWAL OF BILL.

Mr. Snyder asked for and was granted unanimous consent to withdraw Assembly Bill No. 636.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*f*,

embracing sections 365 to 365c, both inclusive, relating to the California Highway Commission.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1338 passed by the following vote:

AYES—Anderson, Badham, Baker C. C., Baker, Edwin Ball, Bernard, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Emme, Fellom, Fox, Fulwider, Graves, Hawes Hornblower, Johnson, Johnston, Jones, Kline Lyman, Lyons Mathews, McDowell, McMillan, Miller, Mitchell, A G., Mitchell, T A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 732 passed by the following vote:

AYES—Anderson, Badham Baker, C. C., Baker, Edwin Ball, Burns, Carlson, Carter, Christian Clarke Cleveland Coombs Crittenden, Davis, Dawson, Dean, Donohue, Fellom, Fox, Fulwider, Graves, Hornblower, Jones Kline, Lyons, Mathews, McMillan, McPherson, Miller Mitchell, A. G Mitchell T A. Moore, Morris, Morrison, Pomeroy Prendergast, Reindollar Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder Stevenot, Stow, Williams, Woodbridge, Wright, and Mr Speaker—49

NOES—Bernard, Broughton, Dozier, Emme, Foster, Johnston, Spalding, Spence, West, and Whitacre—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mitchell, A. G., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 732 was this day passed.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fourteen minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Senate Concurrent Resolution No 25 adopted by the following vote:

AYES—Badham, Baker C. C., Baker Edwin, Ball, Bernard, Burns, Carlson, Carter, Clarke, Cleary, Cleveland Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom Foster Fox, Fulwider Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones Kline Lyons Mathews, McMillan, Mitchell, T. A., Moore, Morris, Mueller Pedrotti Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine Saylor, Scott Smith Snyder, Spalding Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—60.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 25 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 25.

Approving four certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the first day of May, 1923.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court,

Also Assembly Bill No 521—An act to amend chapter XI, of title XIII of part I of the Penal Code, relating to crimes against insured property and insurance carriers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MORRIS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1340—An act to amend section 190 of the Penal Code, relating to punishment of murder—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER SACRAMENTO, May 9, 1923.

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1111—An act to amend an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DONOHUE, Chairman.
BADHAM
POMEROY.
EMME
ANDERSON
PEDROTTI
LYONS
DOZIER.

The above reported bill ordered on file for second reading.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1300—An act to add a new section to the Penal Code to be numbered 321*a*, relating to lotteries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MILLER, Chairman.
SCHMIDT.
BURNS.
HORNBLOWER.
WELLER.
WRIGHT.
SAYLOR.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing exhibitions—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

MITCHELL, A. G., Chairman.
MORRIS.
BERNARD.
CLARKE.
CRITTENDEN.
NOYES.
SNYDER.
FOX.
STEVENOT.
COOMBS.
KLINE.

The above reported constitutional amendment ordered on file for adoption.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 478—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act;

Also Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37*f*, relating to compensation and travel expenses of water masters;

Also Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WILLIAMS, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 738—An act to amend section 19*e*5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of

such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORRIS, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 412—An act to amend section 629*a* of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 425—An act to amend section 626*s* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters;

Also: Senate Bill No. 511—An act to amend section 626*d* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 627*c*, relating to fish and game;

Also: Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist;

Also: Senate Bill No. 603—An act to amend sections 1, 2, 2½, 3, 5, 7, 15, 17, 21½, 22, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add four new sections to be numbered 14*a*, 14*b*, 21*a*, 22*a* and 29*a*;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act;

Also Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by adding a new section to be known as section 26*a* relative to the qualification of directors, and by repealing section 32½ of said act;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WILLIAMS, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923.

MR. SPEAKER Your Committee on Education to which was referred Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534*a*, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921.

Also Senate Bill No. 442—An act to amend section 1764 of the Political Code, relative to the county high school tax
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Education, to which was referred Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731*a*, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BAKER, C. C., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Education, to which was referred Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

BAKER, C. C., Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1112 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Asembly Bill No. 176 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bromley moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1304 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Fellom moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 743 was refused passage be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At eleven o'clock and twenty-eight minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, May 10, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 10, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Cuttenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Ekswaard, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Pomeroy, Hon. Arthur A. Weber, City Attorney of Santa Monica, and a former member of the Assembly, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Pomeroy, Mr. Wm. H. Carter, Commissioner of Public Works of Santa Monica, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Pomeroy, Mr. Chester L Coffin, Deputy City Attorney of Santa Monica, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Carter, Messrs. Julius Hauser, E. C. Hauser, and Isidore B. Dockweiler of Los Angeles, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr Emme, Hon Paul J. McCormack, Superior Judge of Los Angeles County, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Emme, Mr. John J. Calahan of San Pedro was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Emme, Mr. John P. Dunn, city attorney of Monrovia, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Emme, Mr. Louis J. Euler of Los Angeles was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr Christian, Mr Lloyd S. Russell of Hayward was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Miss Miller, Mr. and Mrs. Angus Henderson of Pasadena were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr Jones, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

WHEREAS, The Legislature of the State of California enacted in 1919 section 4292*a* of the Political Code, which requires that every officer of the several counties and townships of this State deposit in the county treasury all trust moneys officially coming into their possession, and

WHEREAS, The Legislature of the State of California now has before it a certain bill known as Senate Bill No. 466, under the provisions of which it is proposed to exclude the county clerks of the several counties from this businesslike requirement; and

WHEREAS, There appears to be no good reason for excluding such officers from this salutary requirement of the present law, and

WHEREAS, The public treasury and not a private depository is the proper place for money of this character received by a public officer in his official capacity, now, therefore, be it

Resolved, By the board of supervisors of the county of Los Angeles, that it be most urgently and respectfully requested that the Legislature of this State take no action leading to the adoption of said Senate Bill No. 466; and be it further

Resolved, That all proper steps be taken to defeat this bill; and be it further

Resolved, That the clerk of the board of supervisors be, and he hereby is, required to forward a copy of this resolution to the Secretary of the Senate, the Clerk of the Assembly, to the Governor, and to each State Senator and Assemblyman from the county of Los Angeles.

The foregoing resolution was adopted by the board of supervisors of the county of Los Angeles, on May 7, 1923.

L. E. LAMPTON,
County Clerk and Clerk of the Board of Supervisors.
By A. M. McPHERRON, Deputy.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of section 2 of the printed bill, and insert in lieu thereof a new section 2 to read as follows

"SEC 2 Out of the funds so contributed, the authorities of institutions receiving the same may proceed to equip such institutions so as to carry out the objects of this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 23, of the printed bill as amended April 27, 1923, strike out the word "fifty" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 41—An act making an appropriation to pay the claim of Jeff McElvaine against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F Coulter Association, a corporation, against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669*a* of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the assembly.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, before the word "two" insert the words "one minute clerk,".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "one" and insert in lieu thereof the word "six".

AMENDMENT NUMBER THREE.

On page 1, line 12, strike out the word "clerk," and insert in lieu thereof the word "clerks,"

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, after the word "clerk" insert the following "(three of which are to be elected on the thirtieth day of the session)".

AMENDMENT NUMBER FIVE

On page 1, line 12, of the printed bill, after the word "postmaster" strike out the words "one matron" and insert in lieu thereof the words "one cloakroom clerk".

AMENDMENT NUMBER SIX.

On page 1, line 13, of the printed bill, strike out the word "fifteen" after the word "stenographer" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER SEVEN

On page 1, line 13, of the printed bill, after the word "stenographers" strike out the word "fifteen" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER EIGHT.

On page 1, line 14, of the printed bill, after the words "sergeant-at-arms" strike out the word "five" and insert in lieu thereof the word "six".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1375—An act to govern the formation, creation, regulation, supervision and taxation of common law trusts, as the same are therein defined.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1127—An act to amend an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births, the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of state and local registrars of vital statisics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, by amending sections 13, 18, and 22 thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend" insert the following "sections seven and fourteen of".

AMENDMENT NUMBER TWO.

After line 3 of the title of the printed bill, insert the following: "and deaths, the establishment of registration districts under".

AMENDMENT NUMBER THREE.

In line 14 of the title of the printed bill, strike out the following ", by amending sections" and all of line 15 and in lieu thereof insert a period.

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, strike out the word "thirteen" and in lieu thereof insert the word "seven".

AMENDMENT NUMBER FIVE

On page 2 of the printed bill, strike out lines 3 to 52, both inclusive, and all of pages 3 and 4, and in lieu thereof insert the following:

"SEC. 7. The certificate of death shall contain the following items, which are hereby declared to be necessary for the legal, social, and sanitary purposes subserved by registration records

(1) Place of death, including state, county, township, village or city. If in a city, the ward, street, and house number, if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race—as white, black, mulatto (or other negro descent), Indian, Chinese, Japanese, or other

(5) Conjugal condition—as single, married, widowed or divorced.

(5a) Husband of _____

(5b) Wife of _____

(6) Date of birth, including the year, month, and day.
(7) Age, in years, months and days. If less than one day, the hours or minutes.
(8) Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment with the statement of (a) trade, profession or particular kind of work, (b) general nature of industry, business or establishment in which employed (or employer).
(9) Birthplace, at least state or foreign country, if known.
(10) Name of father.
(11) Birthplace of father, at least state or foreign country, if known.
(12) Maiden name of mother.
(13) Birthplace of mother, at least state or foreign country, if known.
(14) Signature and address of informant.
(15) Official signature of registrar, with the date when certificate was filed, and registered number.
(16) Date of death, year, month, and day.
(17) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary) cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment, signature and address of physician or official making the medical certificate.
(18) Length of residence (for inmates of hospitals and other institutions; transients or recent residents) at place of death and in California, together with the place where disease was contracted if not at the place of death, and former or usual place of residence (giving city and state of residence).
(19) Place of burial or removal, date of burial.
(20) Signature and address of undertaker or person acting as such and license number of embalmer.

The personal and statistical particulars (items one to thirteen) shall be authenticated by the signature of the informant who may be any competent person acquainted with the facts.

The certificate of death shall have prominently displayed in the heading thereof the words "bureau of vital statistics." Such words shall be printed in bold faced type and shall be larger than any other wording on the certificate.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, and said physician shall within fifteen hours after the death deposit the certificate at the place of death, or deliver it to the attending undertaker at his place of business or at the office of said physician. Said physician shall specify in the certificate the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit; and any certificate containing only such terms, as defined by the state registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be carefully defined, and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And for deaths of nonresidents, transients or recent residents in hospitals or institutions, the physician shall supply the information required under this head (item eighteen), if he is able to do so, and shall state where, in his opinion, the disease was contracted.

SEC. 2. Section fourteen of said act approved May 19, 1915, as amended, is hereby amended to read as follows:

SEC. 14. The certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of birth, including state, county, township or town, village or city. If in a city, the ward, street and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.
(2) Full name of child. If the child dies without a name, before the certificate is filed enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.
(3) Sex of child.
(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.
(5) For plural births, number of each child in order of birth.
(6) Date of birth, including the year, month, and day.
(7) Full name of father.
(8) Residence of father (giving city and state of residence).
(9) Color or race of father.

(10) Age of father at last birthday, in years.
(11) Birthplace of father; at least state or foreign country, if known.
(12) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work, (b) general nature of industry, business or establishment in which employed (or employer).
(13) Maiden name of mother.
(14) Residence of mother (giving city and state of residence).
(15) Color or race of mother.
(16) Age of mother at last birthday, in years.
(17) Birthplace of mother; at least state or foreign country, if known
(18) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession or particular kind of work, (b) general nature of industry, business or establishment in which employed (or employer).
(19) Number of children born to this mother, including present birth
(20) Number of children of this mother living.
(21) The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day (as given in item seven), and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section thirteen of this act.
(22) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.
The certificate of birth shall have prominently displayed in the heading thereof the words "Bureau of Vital Statistics". Such words shall be printed in bold faced type and shall be larger than any other wording on the certificate."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 103—An act to amend section 596 of the Penal Code, relating to the poisoning of animals, or catching animals in traps, or shooting at, or shooting animals.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "poisoning" insert the words "or shooting".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill strike out the comma and the words "or catching", and all of line 3, and in lieu thereof insert a period.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill strike out the following "sets, or" in line 6, and lines 7 to 14, both inclusive, and in lieu thereof insert the following: "unlawfully either shoots and kills, or causes to be shot or killed, any domestic animal the property of another, is punishable by imprisonment in the state prison not exceeding three years, or in the county jail not exceeding one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 608—An act to create the office of State Narcotic Director; to prescribe the powers and duties of such director; to make an appropriation to carry out the purpose hereof and to repeal all acts and parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 4, both inclusive, of the title of the printed bill, and in lieu thereof insert the following

"An act regulating the sale and use of poisons in the State of California; providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, both inclusive, and in lieu thereof insert the following

"SECTION 1. It shall be unlawful for any person to vend, sell, give away or furnish, either directly or indirectly, any poisons enumerated in schedules "A" and "B" in section seven of this act as hereinafter set forth, without labeling the package, box, bottle or paper in which said poison is contained, with the name of the article, the word "poison", and the name and place of business of the person furnishing the same. Said label shall be substantially in the form hereinafter provided. It shall be unlawful to sell or deliver any of the poisons named in schedule "A" or any other dangerously poisonous drug, chemical, or medicinal substance, which may from time to time be designated by the state board of pharmacy of California, unless on inquiry it is found that the person desiring the same is aware of its poisonous character, and it satisfactorily appears that it is to be used for a legitimate purpose It shall be unlawful for any person to give a fictitious name or make any false representations to the seller or dealer when buying any of the poisons thus enumerated; *provided, that this prohibition shall not apply to an officer or inspector of* the state board of pharmacy in the performance of the duties enjoined by law upon said board, or to any person acting under authority of said board in the performance of said duties. Printed notice of all such additions to the schedule of poisons, named and provided for in this section, and the antidote adopted by the board of pharmacy for such poisons shall be given to all registered pharmacists with the next following renewal of their certificates. It shall be unlawful to sell or deliver any poison included in schedule "A" or the additions thereto, without making or causing to be made, an entry in a book kept solely for that purpose, stating the date, and hour of sale, and the name, address and signature of the purchaser, the name and quantity of the poison sold, the statement by the purchaser of the purpose for which it is required, and the name of the dispenser, who must be a duly registered pharmacist; *provided, however*, that said entry shall be made out in full, in ink before said signature of the purchaser is made thereto, and that said entry shall be made by said dispenser himself, and not by any person who is not a duly registered pharmacist or duly registered assistant pharmacist.

Said book shall be in form substantially as follows.

Date and hour	Name of purchaser	Residence	Kind and quantity	Purpose of use	Signature of druggist	Signature of purchaser

This book shall always be open for inspection by the proper authorities, and shall be preserved for at least five years after the date of the last entry therein

SEC 2 The label required by this act, to be placed on all packages of poison, shall be printed upon red paper in distinct white letters, or in distinct red letters upon white paper, and shall contain the word "poison", the "vignette" representing the skull and cross-bones, and the name and address of the person or firm selling the same The name of an antidote, if any there be, for the poison sold, shall also be upon the package. No poison shall be sold or delivered to any person who is less than eighteen years of age.

SEC. 3. It shall be the duty of the state board of pharmacy to adopt a schedule of what in their judgment are the most suitable common antidotes for the various poisons usually sold After the board has adopted the schedule of antidotes as herein provided for, they shall have the same printed and shall forward by mail one copy to each person registered upon their books, and to any other person applying for the same. The particular antidote adopted (and no other) shall appear on the poison label provided for in section two of this act, or be attached to the package containing said poison The board shall have power to revise and amend the list of antidotes from time to time, as to them may seem advisable. The entries in the poison book and the printed or written matter provided for in sections two and three of this act shall be in the English language; provided, that the vendor of said poison may enter the same in any foreign language he may desire, in addition to said entry and label in English.

SEC. 4. When in the opinion of the state board of pharmacy, it is in the interest of the public health, they are hereby empowered to further restrict, or prohibit the retail sale of any poison by rules, not inconsistent with the provisions of this act, by them to be adopted, and which rules must be applicable to all persons alike. It shall be the duty of the board, upon request, to furnish any dealer with a copy of the laws relating to articles, preparations and compounds, the sale of which is prohibited or regulated by this act.

SEC. 5. Wholesale dealers and pharmacists shall affix or cause to be affixed to every bottle, box, parcel or other enclosure of an original package containing any of the articles named in schedule "A" the additions thereto, or in sections eight and nine of this act, a suitable label, or brand, with the word "poison", but they are hereby exempted from the registration of the sale of such articles when sold at wholesale to a registered pharmacist, physician, dentist or veterinary surgeon duly licensed to practice in the state: *provided*, that the provisions of this act shall not apply to the sale of such upon the prescriptions of practicing physicians, dentists or veterinary surgeons who are duly licensed to practice in this state.

SEC. 6. It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed, to conduct all actions and prosecutions for the same, at the request of the board of pharmacy; *provided, however*, that the board may employ special counsel to assist the district attorney in such actions and prosecutions.

SEC. 7. Any person violating any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than thirty dollars, nor more than two hundred dollars, or by imprisonment for not less than thirty days, and not more than fifty days, or by both such fine and imprisonment. All moneys, forfeited bail or fines, received under the operation of this act shall be paid by the magistrate receiving same, seventy-five per cent to the state board of pharmacy and twenty-five per cent to the city treasurer of the city, if incorporated, or to the county treasurer of the county in which the prosecution is conducted.

The following is schedule "A" referred to in section one, viz: schedule "A" arsenic, its compounds and preparations, corrosive sublimate, and other poisonous derivatives of mercury, cyanide of potassium, strychnine, hydrocyanic acid, oils of croton, rue, savin, and tansy, phosphorus and its poisonous derivatives and compounds, strophanthus or its preparations, aconite, belladonna, nux vomica, veratrum viride, their preparations, alkaloids or derivatives, any poison containing any of the poisons enumerated in this schedule.

The following is schedule "B": hydrochloric or muriatic acid, nitric acid, oxalic acid, sulphuric acid, bromine formaline, cantharides, cocculus, indicus, all of their preparations; iodine or its tinctures, oil of pennyroyal, tartar emetic, and other poisonous derivatives of antimony, sugar of lead, sulphate of zinc, wood alcohol, lysol and compound solution of creosol.

SEC. 8. The sale, or furnishing of carbolic acid (phenol) in quantities of less than one pound, is prohibited unless upon the prescription of a physician, dentist or veterinary surgeon duly licensed to practice in this state, but this prohibition shall not apply to solution of carbolic acid (phenol) containing not over ten per cent of the carbolic acid (phenol) and not less than ten per cent of ethyl alcoholic. All sales of carbolic acid (phenol) thus diluted so as to contain no more than ten per cent of carbolic acid (phenol) may be made under the same conditions as the drugs enumerated in schedule "B" as found in section seven, but sales of carbolic acid (phenol) containing more than ten per cent of said acid shall be registered subject to the same regulations as the poisons enumerated in schedule "A" as found in section seven.

SEC. 9. All acts and parts of acts in conflict or inconsistent with the provisions of this act are hereby expressly repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158*a*, both relating to the recording of instruments by county recorders.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out the words "or creases" in line 5 and all of line 6 preceding the word "Such" and insert in lieu thereof the following: ", creases or interlineations."

AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed bill, strike out the period and in lieu thereof insert the following: ", *provided*, that this section shall not apply to any county recorders offices or county clerks offices of any county or city and county in which the system of loose leaf record books is not in use at the time this section takes effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 566—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38*a*, relating to the assessment of land irrigated by means of water pumped from underground sources.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of line 8 and insert in lieu thereof the following: "*for the recovery of money upon contracts expressed or implied*".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill at the end of line 11, strike out the period and insert in lieu thereof the following: "; *provided further*, that no plaintiff or claimant shall during any one calendar month file more than three actions in any one small claims court created under this title."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 521—An act to amend chapter XI of title XIII of part I of the Penal Code, relating to crimes against insured property and insurance carriers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following: "An act to amend the title of chapter eleven of title thirteen of part one of the Penal Code and sections five hundred forty-eight and five hundred forty-nine of the Penal Code, relating to crimes against insured property and insurance carriers."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the figure one and before the word "chapter" insert the following: "The title of".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 5, insert the following:

"SEC. 2. Section five hundred forty-eight of the Penal Code is hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, after line 13, insert the following:

"SEC. 3. Section five hundred forty-nine of the Penal Code is hereby amended to read as follows:".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1340—An act to amend section 190 of the Penal Code, relating to punishment of murder.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1111—An act to amend an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, in the title, after the word "amend" insert the following: "Section 19 of".

AMENDMENT NUMBER TWO

On page 1, line 1, of the printed bill, after the period following the figure 1, insert the following:

"An act to amend an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith, in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor"; approved June 16, 1913, as amended, is hereby amended to read as follows

Sec. 19. No officer, agent, clerk or employee under the government of the state shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, contribution or political service whether voluntary or involuntary, for any political purpose whatever, from anyone on the eligible lists or holding any position under the provisions of this act

No one on the eligible list or holding any position under the provisions of this act shall, whether voluntary or involuntary, pay any assessment, or subscribe or contribute to any fund for any political purposes whatever.

Every officer, agent, clerk or employee under the government of the state who may have charge or control in any building, office, or room occupied for any purpose of said government is hereby authorized to prohibit the entry of any person, and he shall not permit any person to enter the same, for the purpose of therein making, collecting, receiving or giving notice of any political assessment, subscription or contribution, and no person shall enter or remain in any said building, office or room, or send or direct any letter or other notice thereto, for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution, nor shall any person therein give notice of, demand, collect or receive, any such assessment, subscription or contribution contrary to the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the

erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1300—An act to add a new section to the Penal Code to be numbered 321*a*, relating to lotteries.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts

Bill read second time, ordered to engrossment, and third reading

SECOND READING OF SENATE BILLS

Senate Bill No 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court

Bill read second time, and ordered on file for third reading.

Senate Bill No 687—An act to add a new section to the Political Code to be numbered 738*cc*, relating to the salaries of superior judges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission, fixing the terms of office and compensation of the members of said commission, fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission, specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act, providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated, providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation,

declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights, specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions, regulating the appropriation of water, excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended in the Senate April 20, 1923, change the period, after the words "as amended" in the title, to a comma and add the following "by amending sections one, six, seven, sixteen, seventeen, eighteen, nineteen, twenty *a*, thirty-four, thirty-five, thirty-six, thirty-six *a*, thirty-six *c*, thirty-six *d*, thirty-seven and thirty-seven *c* thereof."

AMENDMENT NUMBER TWO.

On page 8, line 32, of the printed bill, strike out the word "power" and insert in lieu thereof the word "water".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37*f*, relating to compensation and travel expenses of water masters.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

Strike out lines 4 to 16, inclusive, of the printed bill as amended in the Senate March 12, 1923, and also strike out "vided" in line 17 and insert in lieu thereof the following

"Sec. 37*f*. Water masters appointed under the provisions of this act shall receive such compensation as may be fixed by the state water commission, but not to exceed eight dollars per day and shall receive in addition thereto necessary travel expenses incurred in the performance of their duties: *provided, however*, that the state water commission may fix the compensation of a water master at a sum in excess of eight dollars per day and not to exceed fifteen dollars per day, when such higher compensation is first approved by a petition filed with said commission and signed by a majority in number of the water right owners in the district. Said compensation and travel expenses shall be paid upon claims presented, approved and certified, as hereinafter provided."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 348—An act validating and confirming the organization of irrigation districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 11, 12 and 13 and insert in lieu thereof the following "district was declared to be organized and the time thereafter within which a proceeding to contest the election on organization as provided in such act, has elapsed without such a contest being brought, and said district has thereafter continued to the date when this act shall take effect to actually exercise the functions".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill strike out all after the word "act" and all of line 2, and insert in lieu thereof the following "recognizing and declaring valid the Lakeland irrigation district, and approving and declaring valid all proceedings on formation and organization of said district"

AMENDMENT NUMBER THREE.

"SEC. 2. Lakeland irrigation district as formed by the board of supervisors of the county of Kings, State of California, and as now existing, is hereby recognized and declared valid, and all proceedings on formation and organization are hereby ratified, approved and declared valid"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 738—An act to amend section 19.5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers.

Bill read second time, and ordered on file for third reading

Senate Bill No. 412—An act to amend section 629*a* of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Senate Bill No 425—An act to amend section 626*s* of the Penal Code, relating to the protection of game

Bill read second time, and ordered on file for third reading

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code to prevent the waste of fish in inland waters.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 511—An act to amend section 626*d* of the Penal Code, relating to the protection of game

Bill read second time, and ordered on file for third reading

Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 627*c*, relating to fish and game

Bill read second time, and ordered on file for third reading.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, lines 22 and 23, of the printed bill, as amended April 19, strike out the words "sixteenth day of September" and insert in lieu thereof the words "thirty-first day of August".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill as amended April 19, strike out the word "tunnel" and insert in lieu thereof the word "tunnels".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 603—An act to amend sections 1, 2, 2½, 3, 5, 7, 15, 17, 21¾, 22, 25, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add six new sections to be numbered 2*a*, 14*a*, 14*b*, 21*a*, 21*b*, 22*a* and 29*a*.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill as amended May 4, 1923, strike out the word "twenty-five".

AMENDMENT NUMBER TWO

In line 13 of the title of the printed bill as amended May 4, 1923, strike out the word "six" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THREE.

On page 6, line 11, of the printed bill as amended May 4, 1923, after the comma following the word "districts" add the word "twelve".

AMENDMENT NUMBER FOUR.

On page 8 of the printed bill as amended May 4, 1923, strike out lines 8 to 22, both inclusive

AMENDMENT NUMBER FIVE

On page 8, line 23, of the printed bill as amended May 4, 1923, strike out the number "18" and insert in lieu thereof the number "17".

AMENDMENT NUMBER SIX.

On page 8, line 39 of the printed bill as amended May 4, 1923, strike out the number "19" and insert in lieu thereof the number "18".

AMENDMENT NUMBER SEVEN

On page 8, line 44, of the printed bill as amended May 4, 1923, strike out the number "20" and insert in lieu thereof the number "19"

AMENDMENT NUMBER EIGHT.

On page 8, line 51, of the printed bill as amended May 4, 1923, strike out the number "21" and insert in lieu thereof the number "20".

AMENDMENT NUMBER NINE.

On page 9, line 4, of the printed bill as amended May 4, 1923, strike out the number "22" and insert in lieu thereof the number "21".

AMENDMENT NUMBER TEN.

On page 9, line 16, of the printed bill as amended May 4, 1923, strike out the number "23" and insert in lieu thereof the number "22".

AMENDMENT NUMBER ELEVEN.

On page 9, line 23, of the printed bill as amended May 4, 1923, strike out the number "24" and insert in lieu thereof the number "23".

AMENDMENT NUMBER TWELVE.

On page 9, line 43, of the printed bill as amended May 4, 1923, strike out the number "25" and insert in lieu thereof the number "24".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 51, of the printed bill as amended May 4, 1923, strike out the number "26" and insert in lieu thereof the number "25".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 12, of the printed bill as amended May 4, 1923, strike out the number "27" and insert in lieu thereof the number "26".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act.

Bill read second time, and ordered on file for third reading

Senate Bill No. 39—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works

for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by adding a new section to be known as section 26*a* relative to the qualification of directors, and by repealing section 32½ of said act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534*a*, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731*a*, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 2, line 44, of the printed bill, after the comma, and before the word "such", insert the following matter "and if a majority of the votes in a majority of the elementary districts comprising the high school district was cast in favor of the consolidated school district".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 366—An act to repeal chaper 210, Statutes of 1893, chapter 99, Statutes of 1897, chapter 321, Statutes of 1909 chapter 477, Statutes of 1921 and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 366?

AMENDMENT NUMBER ONE

On page 8 line 5, of the printed bill, strike out the word and figures "Sec. 14" and insert in lieu thereof the word and figure "Sec 15."

AMENDMENT NUMBER TWO.

On page 9, line 16, of the printed bill, strike out the word and figure "Sec. 15," and insert in lieu thereof the following "Sec. 16."

AMENDMENT NUMBER THREE.

On page 9, line 34, of the printed bill, strike out the word and figure "Sec. 16," and insert in lieu thereof the following "Sec. 17."

AMENDMENT NUMBER FOUR.

On page 11, line 1, of the printed bill, strike out the word and figure "Sec. 17," and insert in lieu thereof the following "Sec. 18."

AMENDMENT NUMBER FIVE.

On page 12, line 3, of the printed bill, strike out the word and figure "Sec. 18," and insert in lieu thereof the following "Sec. 19."

The roll was called and Senate amendments to Assembly Bill No. 366 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Heisinger, Jones, Kline, Lyman, Lyons, Mathews, McMillan, Miller, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 344 passed by the following vote:

AYES—Badham, Baker, C. C., Bernard, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fellom, Foster, Heisinger, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Scott, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 183 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, Mueller, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 642 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bromley, Carter, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McMillan, Miller, Mueller, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the southern branch of the University of California situated in the city of Los Angeles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Christian, Clarke, Cleveland, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Duval, Emme, Erb, Fellom, Foster, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1228 passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Christian, Clarke, Connolly, Croter, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Foster, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Smith, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest and to make an appropriation therefor.

Bill read third time.

The question being on the pasage of the bill

The roll was called, and Assembly Bill No. 188 passed by the following vote·

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Burns, Christian, Clarke, Connolly, Coombs, Davis, Dawson Dean, Duval, Eksward, Emme, Erb, Fellom, Foster, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 738*c*, relating to the salary of superior judges in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 498 passed by the following vote:

AYES—Anderson, Baker, C. C, Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Erb, Fellom, Foster, Graves, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyons, McDowell, McPherson, Miller, Mitchell, A. G, Mitchell, T. A., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 178 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Burns, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dean, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Foster, Hornblower, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Smith, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright and Mr. Speaker—47.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 342—An act appropriating money to pay the claim of R. E. Collins against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 342 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Burns, Clarke, Cleveland, Coombs, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Mitchell, T. A, Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosen-

shine, Saylor, Schmidt, Smith, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 343 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Clarke, Connolly, Coombs, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Schmidt, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Bromley moved that Assembly Bill No. 419 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.
Motion carried.
Assembly Bill No. 419 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon Avenue," within the corporate city limits of East San Diego, from Boundary Street to Euclid Avenue, in San Diego County, California, to be a State highway.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1373 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Carlson, Christian, Clarke, Croter, Davis, Dawson, Dean, Donohue, Duval, Emme, Fellom, Foster, Fulwider, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—Cleveland—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California.
Bill read third time.
Urgency clause read.
The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

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

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1339 passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Eksward, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

SPECIAL ORDER.

The hour of eleven o'clock a.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED THIRTY-EIGHT.

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Mathews moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 38, of the printed amended bill, strike out the words "application shall contain an agreement to" and in lieu thereof insert the following "applicant shall".

AMENDMENT NUMBER TWO.

On page 2, line 41, of the printed amended bill, strike out the word "five" and in lieu thereof insert the following: "two and one-half".

AMENDMENT NUMBER THREE.

On page 2, line 43, of the printed amended bill, strike out the period and in lieu thereof insert a comma and add the following "less the amount of all city, city and county and county taxes and licenses paid by said applicant in the operation of his business."

AMENDMENT NUMBER FOUR.

On page 2, line 51, of the printed amended bill, strike out the word "five" and in lieu thereof insert the words "two and one-half".

AMENDMENT NUMBER FIVE

On page 3, line 1, of the printed amended bill, after the comma following the word "quarter" insert the following, "less said taxes and licenses,".

AMENDMENT NUMBER SIX

On page 4 of the printed amended bill strike out all of lines 20, to and including line 30, and all of line 31, to and including the period after the word "prescribed".

AMENDMENT NUMBER SEVEN.

On page 4, line 38, of the printed amended bill, strike out the word "revoke" and in lieu thereof insert the following, "suspend, until the payment of said license fee is made,".

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.
Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts—has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

BAKER, C. C., Chairman.
CLEVELAND.
STEVENOT.
McMILLAN.
WHITACRE.
WOODBRIDGE.
FOSTER.

The above reported bill ordered on file for second reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

(Signed out)

COOMBS, Chairman.
WRIGHT.
DAWSON.
BROMLEY.
FELLOM.
CHRISTIAN.
FULWIDER.
SMITH.

The above reported bill ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended—has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

McPHERSON, Chairman.
BADHAM
JOHNSON.
MUELLER.
MORRISON.
ROCK.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the period following the figure "8", strike out the balance of the line and down to and including line 25. Strike out all of page 2 and insert in lieu thereof the following

"A partial redemption may be made, separately from the whole assessment, of any lot, piece or parcel of land contained in any assessment, if such lot, piece or parcel has a separate valuation on the assessment roll, in the manner following: In the estimate provided for in the preceding section, the auditor shall estimate the amount of state and county taxes due on such lot, piece, or parcel of land, together with a proper proportion of the taxes due on personal property under such assessment, and of the taxes due each school, road, or lesser taxation district; and such redemption shall be made in the manner provided for in the preceding section. If such lot, piece or parcel of land does not have a separate valuation on the assessment roll, it shall be the duty of the assessor to place upon such lot, piece or parcel of land, together with a proper proportion of the improvements and personal property sought to be redeemed, a valuation for the purpose of redemption. The recorder shall note, on the margin of the record of the certificate of sale, a description of the property thus redeemed, and shall specifically set forth the several amounts of taxes paid upon such redemption."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Erb asked for and was granted unanimous consent to take up Assembly Bill No. 241, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED FORTY-ONE.

Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Erb moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of" insert the following "fifteen thousand dollars".

Motion carried.

The Speaker appointed Mr Erb as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 241, with instructions, reports that the instructions of the Assembly have been carried out.

ERB, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Erb asked for and was granted unanimous consent to take up Assembly Bill No 1347 at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FORTY-SEVEN.

Assembly Bill No 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE

During third reading of the bill, Mr. Erb moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, strike out the words "At San Quentin no articles shall be manufactured for sale except jute fabrics."

Motion carried.

REPORT OF SELECT COMMITTEE OF ONE.

The Speaker appointed Mr Erb as such Select Committee.

Report of Select Committee of One and amendment adopted.

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 1347, with instructions, reports that the instructions of the Assembly have been carried out.

ERB, Select Committee.

Bill ordered to reprint, re-engrossment, and on file for passage.

The following report of Select Committee of One was received and read:

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for and was granted unanimous consent to take up Assembly Bill No. 1133, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED THIRTY-THREE.

Assembly Bill No. 1133—An act to amend sections 9 and 12 of "The Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 4, line 33, of the printed bill, strike out the following: "Sec. 9c."

AMENDMENT NUMBER TWO.

On page 4, line 44, of the printed bill, strike out the words "two thousand four hundred", and in lieu thereof insert the words "one thousand eight hundred twenty"

AMENDMENT NUMBER THREE.

On page 4 of the printed bill strike out lines 45, 46 and 47

AMENDMENT NUMBER FOUR.

On page 5, line 9, of the printed bill, strike out the word "earnings" and in lieu thereof insert the following "annual earnings, such average annual earnings".

AMENDMENT NUMBER FIVE

On page 5, line 11, of the printed bill, strike out the words "two thousand four hundred" and in lieu thereof insert the words "one thousand eight hundred twenty"

AMENDMENT NUMBER SIX.

On page 5 of the prined bill, strike out lines 12, 13 and 14.

AMENDMENT NUMBER SEVEN

On page 5, lines 28 and 29, of the printed bill, strike out the words "forty-six dollars, fifteen cents" and in lieu thereof insert the words "thirty-five dollars".

AMENDMENT NUMBER EIGHT.

On page 5, line 31, of the printed bill, strike out the words "seven thousand two hundred" and in lieu thereof insert the words "five thousand four hundred sixty".

Motion carried.

The Speaker appointed Mr. Hornblower as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1133, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, re-engrossment and on file for passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1019—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1019 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Carlson, Cleveland, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 226 passed by the following vote:

AYES—Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fellom, Fox, Graves, Hawes, Heisinger Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 1, 1½, 1½*a*, 1¾, 1*a*, 4, 8, 9, 10, 11 and 14 of article XIII of the constitution, relating to revenues and taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

(Signed out)

MITCHELL, A. G., Chairman.
STEVENOT.
BERNARD.
SNYDER.
MORRIS.
FOX.

The above reported constitutional amendment ordered on file for adoption.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 1197—An act making an appropriation for improvements at the California Industrial Farm for Women—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

(Signed out)

DONOHUE.
ROBERTS.
REINDOLLAR.
McMILLAN.
WRIGHT.
DUVAL
FELLOM
MORRISON.
SCOTT
HAWES.
FOX

The above reported bill ordered on file for second reading

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women.

COMMITTEE AMENDMENT

During second reading of the bill the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill after the word "of" insert the words "eighty thousand".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No 36—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 1, 1½, 1½*a*, 1¾, 1*a*, 4, 8, 9, 10, 11 and 14 of article XIII of the constitution, relating to revenues and taxation.

Assembly Constitutional Amendment No 36 read

COMMITTEE AMENDMENTS

During reading of the constitutional amendment, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

In line 3 of the title of the printed amendment, strike out the word "sections" and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed amendment, strike out the words "one, one and one-half, one and one-half *a*".

AMENDMENT NUMBER THREE.

In line 5 of the title of the printed amendment, strike out the words "one *a*, four eight, nine, ten, eleven and fourteen".

AMENDMENT NUMBER FOUR.

On page 1, lines 7 and 8, of the printed amendment, strike out the words "sections one, one and one-half, one and one-half *a*," and in lieu thereof insert the word "section".

AMENDMENT NUMBER FIVE

On page 1, lines 8 and 9, of the printed amendment, strike out the words "one a, four, eight, nine, ten, eleven and fourteen".

AMENDMENT NUMBER SIX.

On page 1 of the printed amendment, strike out all of line 11 following the period after the figure "1" and all of lines 12 to 25 both inclusive.

AMENDMENT NUMBER SEVEN

On page 2 of the printed amendment, strike out all of lines 1 to 26, both inclusive, and insert in lieu thereof the following:

"Section one and three-quarters of article thirteen of the constitution of the State of California is hereby amended to read as follows

Sec 1¾. No bonds hereafter issued by the State of California, or by any county, city and county, municipal corporation, or district (including school, reclamation, irrigation and public utility district) within said state, shall be free and exempt from taxation."

Amendments adopted.

Assembly Constitutional Amendment No. 36 ordered to reprint, engrossment, and on file for adoption

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith

Bill read third time.

The question being on the motion by Mr. Mathews to refer the bill to a Select Committee of One for the purpose of amending.

ASSEMBLYMAN LYONS IN THE CHAIR.

At two o'clock and forty-four minutes p.m., Hon. Harry Lyons, member from the sixty-fourth district, was called to the chair.

The question being on motion by Mr. Mathews to refer Assembly Bill No 738 to a Select Committee of One for the purpose of amending.

THE SPEAKER IN THE CHAIR.

At three o'clock and four minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on motion by Mr Mathews to refer Assembly Bill No. 738 to a Select Committee of One for the purpose of amending.

ASSEMBLYWOMAN BROUGHTON IN THE CHAIR.

At three o'clock and fourteen minutes p m., Hon Esto B. Broughton, member from the forty-sixth district, was called to the chair

The question being on the motion by Mr Mathews to refer Assembly Bill No 738 to a Select Committee of One for the purpose of amending.

THE SPEAKER IN THE CHAIR

At three o'clock and thirty minutes p m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair

The question being on the motion by Mr Mathews to refer Assembly Bill No. 738 to a Select Committee of One for the purpose of amending.

REQUEST FOR ROLL CALL.

On request of Messrs Bernard, Eksward, Mathews, Donohue and Noyes, the Speaker ordered a roll call taken on the motion to refer to Select Committee of One

The question being on the motion to refer to Select Committee of One

The roll was called, and the motion to refer to Select Committee of One lost by the following vote:

AYES—Badaracco, Badham, Bromley, Broughton, Burns, Carlson, Dorris, Eksward, Emme, Fellom, Fox, Graves, Hawes, Hornblower, Lyman, Mathews, McDowell, McPherson, Mitchell, T. A., Moore, Morris, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Stevenot, Woodbridge, and Wright—31.

NOES—Anderson, Baker, Edwin, Ball, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Erb, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, McMillan, Miller, Mitchell, A. G., Morrison, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Spalding, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—43.

The question being on the passage of Assembly Bill No 738.

The roll was called, and Assembly Bill No 738 passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Broughton, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Erb, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, and Williams—49.

NOES—Badaracco, Bromley, Burns, Dorris, Dozier, Eksward, Emme, Fellom, Graves, Hawes, Hornblower, Lyman, Mathews, Mitchell, T. A., Moore, Morris, Mueller, Prendergast, Rosenshine, Schmidt, Stevenot, Woodbridge, Wright, and Mr. Speaker—24.

Title read and approved

Bill ordered transmitted to the Senate.

RECONSIDERATION WAIVED

Mr Mitchell, A. G., waived his motion to reconsider the vote whereby Assembly Bill No. 732 was passed.

Assembly Bill No 732 ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr Davis moved that the vote whereby Assembly Bill No. 176 was refused passage be reconsidered.

The roll was called, and Assembly Bill No 176 was reconsidered by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bromley, Carter, Christian, Clarke, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Erb, Foster, Hawes, Johnson, Johnston, Jones, Lyons, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Roberts, Rosenshine, Scott, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright and Mr. Speaker—42

NOES—Anderson, Bernard, Broughton, Burns, Carlson, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Lyman, Mathews, McDowell, McMillan, Miller, Morris, Morrison, Noyes, Prendergast, Reindollar, Saylor, Smith, and West—31.

Assembly Bill No 176 ordered on file for passage.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Bromley moved that the vote whereby Assembly Bill No 1304 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 1304 was reconsidered by the following vote:

AYES—Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Wright—52.

NOES—Anderson, Badham, Christian, Dawson, Dozier, Eksward, Foster, Fulwider, Hornblower, Johnston, Kline, McDowell, Mitchell, A. G., Pomeroy, Smith, Weller, and Mr. Speaker—17.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FOUR.

Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10 and 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1304 passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Johnson, Jones, Mathews, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Wright—47.

NOES—Anderson, Badham, Broughton, Christian, Connolly, Dawson, Dozier, Eksward, Fulwider, Hornblower, Johnston, Kline, Lyman, Lyons, McDowell, Mitchell, A. G., Noyes, Pomeroy, Smith, Weller, and Mr. Speaker—21.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Fellom waived his motion to reconsider the vote whereby Assembly Bill No 743 was refused passage.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9*a*, relative to taxation

Assembly Constitutional Amendment No. 57 read

The question being on the adoption of the amendment.

The roll was called

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Stow moved a call of the House.

Motion carried.

Time five o'clock and three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the clerk was directed to call the roll.

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

Badaracco, Badham, Baker, Edwin, Ball, Bromley, Broughton, Burns, Carlson, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, McDowell, Miller, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Constitutional Amendment No. 57 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—Eksward—1.

Title read and approved.

Assembly Constitutional Amendment No. 57 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 57.

A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9*a*, relative to taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that a new section be added to article XIII, to be numbered section 9*a*, and to read as follows:

SEC. 9*a*. The taxes levied upon personal property for any current tax years where the same is not secured by real estate shall be based upon the tax rate levied upon real property for the preceding tax year. Nothing in this section shall be construed to prohibit the equalization each year of the assessment on personal property in the manner now or hereafter provided by law.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cleveland asked for and was granted unanimous consent to take up Assembly Bill No. 176, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTY-SIX

Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Cleveland moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 7, of the printed bill, after the word "commission", strike out the period, insert a comma and add "or to incorporated cities and counties".

Motion carried.

The Speaker appointed Mr. Cleveland as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER Your Select Committee of One, to which was referred Assembly Bill No. 176, with instructions, reports that the instructions of the Assembly have been carried out

CLEVELAND, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

WITHDRAWAL OF BILL.

Mr. Pomeroy asked for and was granted unanimous consent to withdraw Assembly Bill No. 927.

Bill withdrawn, and ordered stricken from the file

REQUEST FOR UNANIMOUS CONSENT.

Mr. Morris asked for and was granted unanimous consent to take up Assembly Bill No. 1358, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FIFTY-EIGHT.

Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency; regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Morris moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the semicolon after the word "fund" and insert in lieu thereof the following: a comma and add "jute revolving

fund San Quentin Prison manufacturing revolving fund, ballot paper revolving fund.".

Motion carried.

The Speaker appointed Mr. Morris as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 1378, with instructions, reports that the instructions of the Assembly have been carried out.

MORRIS, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, re-engrossment, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 933—An act to prohibit the use of an automobile or motorcycle in the leading of an animal from one point to another—has had the same under consideration, and respectfully reports the same back without recommendation.

MOORE, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

(Signed out)

POMEROY, Chairman.
MITCHELL, A. G.
BROMLEY.
BALL.
CARTER.
STOW.
PRENDERGAST.
EMME.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1923

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks;

Also: Assembly Bill No 60—An act providing for the building of a bridge across the Klamath river in Del Norte County and making an appropriation therefor.

Also Assembly Bill No. 609—An act making an appropriation to pay the claim of the city of Sacramento against the State of California.

Also: Assembly Bill No 1044—An act providing for the establishment of a whole time health department in counties of the fifth class; defining a whole time health department, to enable the State Board of Health to contract with any person or corporation and such county for the establishment, support and maintenance of such whole time health department, and to appropriate money for that purpose,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also.

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 1364—An act to amend section 2 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, and to add a new section thereto to be numbered section 4,

Also: Assembly Bill No 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California,

Also Assembly Bill No 1078—An act to amend section 3607 of the Political Code relating to the Department of Finance;

Also Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California;

Also Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor,

Also Assembly Bill No. 445—An act to repeal an act entitled "An act making an appropriation for the construction of a suitable memorial commemorating the battle of San Pasqual," approved June 3, 1921,

Also Assembly Bill No. 651—An act to provide for the celebration of the national encampment of the Grand Army of the Republic in the city of Pasadena, California, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel canyon in the San Gabriel mountains, California, and to make an appropriation therefor

Also Assembly Bill No. 380—An act to provide for the investigation and report by the State of California of the conservation of water resources of this State,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON LIVE STOCK AND DAIRIES.

ASSEMBLY CHAMBER, SACRAMENTO, MAY 10, 1923.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 657—An act authorizing the creation of a Bureau of Capriculture in the Department of Agriculture to promote the development of the California goat industry, to establish standards of sanitation in the conduct of the milk goat industry, and of the chemical and physical properties of goat milk and other goat dairy products used for public consumption, and to provide for the issuance of permits authorizing the conduct of dairies furnishing (selling) goat milk.

Also Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California, providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

MOORE, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILL.

The following bill was introduced, and referred as indicated.

By Mr. Eksward: Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California.

Introduced, and referred to Committee on Governmental Efficiency and Economy.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 933—An act to prohibit the use of an automobile or motorcycle in the leading of an animal from one point to another.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, strike out all of lines 5, 6, 7 and 8, and insert in lieu thereof the following, "against the State of California".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "county" insert the following: "to be known as the "G. H. Douglas bridge"."

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the period insert the following "Said bridge when completed shall be dedicated with suitable exercises under the direction of the state highway commission and shall, when completed, be known and designated as the "G. H. Douglas bridge"."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 609—An act making an appropriation to pay the claim of the city of Sacramento against the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 1 and 2 of the title of the printed bill and in lieu thereof insert the following:

"An act making an appropriation for the grading, paving, curbing, guttering and drainage of certain streets fronting on property of the state in the city of Sacramento, California".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, both inclusive, and in lieu thereof insert the following:

"SECTION 1. The sum of eighteen thousand seven hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to be expended in accordance with law for the grading, paving, curbing, guttering and drainage of that part of the north half of the alley running between O street and P street, from Tenth street to Eleventh street fronting on the property of the state, of one hundred sixty-one feet on the west half of Stockton boulevard, fronting on the property on which the shops of the state highway commission are located, of five hundred fifty feet on the east half of Stockton boulevard, fronting on the state fair grounds, of the west half of Eleventh street between O street and the alley running between O street and P street, of the south half of K street between Twenty-sixth street and Twenty-eighth street, of the east half of Ninth street between L street and N street and of the north half of N street between Ninth and Tenth street, all fronting on the property of the state in the city of Sacramento, California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1044—An act providing for the establishment of a whole time health department in counties of the fifth class; defining a whole time health department; to enable the State Board of Health to contract with any person or corporation and such county for the establishment, support and maintenance of such whole time health department, and to appropriate money for that purpose.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

Amend title to read as follows:

"An act providing for the establishment of a whole-time health department in counties of the fifth class, defining a whole-time health department, to enable the state board of health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose."

AMENDMENT NUMBER TWO.

"SECTION 1. A whole time health department is hereby defined to be a health department consisting of one health officer, one clerk, one or more public health nurses and one or more sanitary inspectors.

SEC. 2. The state board of health shall in counties of the fifth class provide for the establishment of whole time health departments and for the support and maintenance thereof and such amount of money and for such time as the state board of health may determine, *provided, however*, that the state board of health may not contribute more than one-third of the cost of establishment, maintenance, and support of said whole time health department.

SEC. 3. The sum of ten thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated to be used by the state board of health in accordance with the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1364—An act to amend section 2 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, and to add a new section thereto to be numbered section 4.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon, against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 445—An act to repeal an act entitled "An act making an appropriation for the construction of a suitable memorial commemorating the battle of San Pasqual," approved June 3, 1921.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 651—An act to provide for the celebration of the national encampment of the Grand Army of the Republic in the city of Pasadena, California, and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill strike out the words "one thousand four hundred" and insert in lieu thereof the following "two thousand eight hundred".

AMENDMENT NUMBER TWO

On page 1, line 15, of the printed bill strike out the word "Annually".

AMENDMENT NUMBER THREE.

On page 1, line 17 of the printed bill, strike out the words "an amount equal thereto" and insert in lieu thereof the following: "the sum of one thousand four hundred dollars".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill strike out the figure "2" and insert in lieu thereof the figure "3"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 380—An act to provide for the investigation and report by the State of California of the conservation of water resources of this State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 of the printed bill strike out all of the title and insert in lieu thereof the following

"An act appropriating money for expenditure as directed by the division of water rights of the department of public works of the State of California in aiding the department of interior of the United States in stream gaging work in the State of California."

AMENDMENT NUMBER TWO.

Strike out section 1 and insert in lieu thereof the following:

"SECTION 1. The sum of twenty thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated to be expended as directed by the division of water rights of the department of public works of the State of California in aiding the department of the interior of the United States in stream gaging work in the State of California from July 1, 1923, to July 1, 1925.

SEC. 2. Said money shall be expended only upon claims approved by the division of water rights and the department of public works of the State of California. The state controller is hereby authorized and directed to draw his warrants from time to time on the state treasury in payment of said claims and the state treasurer is hereby directed to pay the same."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

RECESS.

At five o'clock and thirty-three minutes p.m., on motion of Mr. Coombs, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts;

Also: Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California;

Also: Assembly Bill No. 566—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38*a*, relating to the assessment of land irrigated by means of water pumped from underground sources;

Also: Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669*a* of the Political Code.

Also: Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds;

Also: Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts;

Also: Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into

six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended,
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles county;

Also, Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor,

Also, Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an Old Age Pension Law and making an appropriation therefor,

Also, Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California,
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1375—An act to govern the formation, creation, regulation, supervision and taxation of common law trusts, as the same are therein defined,

Also, Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game

Also, Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor;

Also: Assembly Bill No. 1340—An act to amend section 190 of the Penal Code, relating to punishment of murder;
Park-Union Foreign Banking Corporation,

Also, Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa;

Also, Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions;
And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establish-

Also, Assembly Bill No. 1332—An act appropriating money to pay the claim of ing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917,

Also, Assembly Bill No. 1360—An act to add a new section to the Penal Code to be numbered 321*a*, relating to lotteries

Also, Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps,

Also, Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno

Also Assembly Bill No 41—An act making an appropriation to pay the claim of Jeff McElvaine against the State of California,

Also Assembly Bill No. 1006—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921

And reports that the same have been correctly engrossed.

ROBERTS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 39—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing exhibitions—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 170—An act declaring the improved county highway extending from a point in Napa County where such highway intersects the State highway leading to Sacramento, to the north boundary of Vallejo in Solano County, and the improved county highway extending from the south boundary of Vallejo to the Straits of Carquinez to be State highways,

Also Assembly Bill No 175—An act declaring the public highway extending from Douglas City, Trinity County, to Peanut, Trinity County, to be a State highway,

Also Assembly Bill No. 516—An act to amend the title of, and to add a new section to be numbered 8 to an act entitled "An act to provide for public cemetery districts" approved March 6, 1909, as amended

Also Assembly Bill No. 115—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts,

Also Assembly Bill No. 1149—An act to amend section 633a of the Political Code, relating to licensing of insurance and surety brokers,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman

Also

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 185—An act to amend sections 1586 and 1587 of the Penal Code, relating to the government of State prisons

Also Assembly Bill No 351—An act to authorize school boards and the director of the State Department of Education to contract with the federal government for the education of veterans disabled in the World War in the respective institutions over which they have jurisdiction,

Also Assembly Bill No. 610—An act to amend section 3480 of the Political Code, relating to the issuance of bonds by reclamation districts, and to add a new section to the Political Code, to be numbered 3480½, providing for a method of funding the installments of the principal of any reclamation district now or hereafter issued as and when the said installments shall mature, or any part of said installments,

Also Assembly Bill No 386—An act to amend section 8 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement,' approved March 24, 1903, as amended,

Also Assembly Bill No 1224—An act prohibiting the public wearing under certain conditions of masks or other means of concealment of the identity of persons and prescribing penalties for the violation hereof,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1289—An act to amend section 429 of the Civil Code relating to fire and marine insurance corporations—and reports that the same has been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1268—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect", approved June 16, 1913, as amended;

Also: Assembly Bill No. 417—An act to amend section 1 of an act entitled "An act to prohibit the advertising of venereal disease remedies and providing a penalty for the violation of the provisions of this act," approved May 11, 1919;

Also: Assembly Bill No. 592—An act to amend section 633 of the Political Code, relating to the licensing of insurance and surety agents and solicitors;

Also: Assembly Bill No. 586—An act to add a new section to the Political Code to be numbered 633*d*, relating to the countersigning of insurance policies and surety bonds by representatives of the insurers resident in this State.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901;

Also: Assembly Bill No. 587—An act to establish a new seawall lot on the waterfront of San Francisco, to be known as Seawall Lot No. 26, placing same under the jurisdiction of the Board of State Harbor Commissioners and authorizing leasing of same;

Also: Assembly Bill No. 518—An act to add a new section to the Political Code, to be numbered 629*a*, relating to group insurance by life insurance companies and valuation of group insurance policies;

Also: Assembly Bill No. 519—An act to amend section 629 of the Political Code, relating to valuation of policies of life insurance companies;

Also: Assembly Bill No. 520—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1086—An act to amend sections 1 and 4 of "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended;

Also: Assembly Bill No. 369—An act authorizing the conveyance to the city and county of San Francisco of a right of way for a boulevard over land owned by the State of California in said city and county;

Also: Assembly Bill No. 683—An act to amend an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, by amending sections 1, 12, 14, 15, 22, and 27 and by adding a new section numbered section 43;

Also Assembly Bill No. 284—An act to amend section 6 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the wilful misconduct of the employer.

Also Assembly Bill No. 1294—An act to amend section 1454 of the Code of Civil Procedure relating to obtaining money and other personal property by heirs.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923 at twelve o'clock m

ROBERTS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 2—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, The California School for Girls, and other institutions, establishing probation officers, and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith,' approved June 5, 1915, as amended by adding a new section to be numbered 22*a*, relating to maintenance of public schools in detention homes;

Also Assembly Bill No. 86—An act to amend an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913 as amended, by adding thereto a new section, designated section 11½, limiting the fees charged and collected by private employment agencies;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

Resolved, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of Arthur A Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred dollars ($100), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's Office.

Resolution read, ordered printed in the Journal, and referred to Committee on Contingent Expenses.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919.

Also: Assembly Bill No 260—An act to amend section 29 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917 as amended, to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation;

Also Assembly Bill No. 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Also Assembly Bill No. 1116—An act to amend section 633*b*, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring

that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act.

Also: Assembly Bill No. 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians;

Also: Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 432—An act to add a new section to the Penal Code, to be numbered 654*d* relating to cooperative business corporations or associations;

Also: Assembly Bill No. 488—An act to amend section 19*r*12 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 547—An act to amend section 19*r*32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June

15, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to Juvenile Courts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 117—An act to amend section 4269 of the Political Code relating to salaries, fees and expenses of officers in counties of the fortieth class.

Also: Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class.

Also: Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23a of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for *permitting or suffering any overseer, superintendent, foreman, housekeeper, or any* other agent of any such employer to violate the provisions of this act.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 143 read first time, and referred to Committee on Labor and Capital.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College.

Also: Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building.

Also: Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhies Investment Company against the State of California.

Also: Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Also: Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California.

Also: Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

Also: Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two house each week.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 234 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 376 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 323 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 745 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 747 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 749 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 417 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 9 passed Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 734 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 17—relative to the increase of armament.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Joint Resolution No. 17 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 336—An act to

amend section 4252 of, and to add a new section, to be numbered 4252½ to the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-third class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 336?

AMENDMENT NUMBER ONE.

Strike out lines 2 and 3 of the title of the printed bill and in lieu thereof insert the following: "of the Political Code.".

AMENDMENT NUMBER TWO

On page 2 of the printed bill strike out lines 18 to 21, both inclusive, and in lieu thereof insert the following: "one hundred seventy-five dollars ($175) per month and one deputy sheriff at one hundred dollars ($100) per month, who shall be head jailer at the county jail in said".

AMENDMENT NUMBER THREE.

On page 2, lines 40 and 41, of the printed bill, strike out the words "two thousand four hundred dollars ($2,400)" and in lieu thereof insert the following "three thousand dollars ($3,000)".

AMENDMENT NUMBER FOUR.

On page 6 of the printed bill, after line 11, insert the following

"19. The county traffic officer, two thousand seven hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer five deputies, which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall each receive a salary of two thousand five hundred twenty dollars, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, and shall pay all of the expense of the upkeep of said machines. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

AMENDMENT NUMBER FIVE.

On page 6, line 12, of the printed bill, strike out the number "19" and in lieu thereof insert the number "20".

AMENDMENT NUMBER SIX.

On page 6, line 15, of the printed bill, strike out the number "20" and in lieu thereof insert the number "21".

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill strike out lines 19 to 30, both inclusive.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Baker, Edwin moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-three minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Clerk was directed to call the roll.

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

Badaracco, Badham, Bromley, Carter, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Fox, Heisinger, Johnson, Johnston, Kline, Lyons, McPherson, Miller, Mitchell, A. G., Noyes, Reindollar, Roberts, Snyder, Spalding, Stow, West, Woodbridge, and Mr. Speaker—29

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 217 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bromley, Clarke, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Miller, Mitchell, A. G., Morris, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Scott, Snyder, Spalding, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—44

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 515 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—45

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 703 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, and Wright—48.

NOES—Christian, Fulwider, and Mr. Speaker—3.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Coombs asked for and was granted unanimous consent to withdraw Assembly Bill No. 234.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041*a*, relating to boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 654 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Noyes, Prendergast, Roberts, Saylor, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, and Wright—46.

NOES—Dorris, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418—An act to repeal section 3897*a* of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 418 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Rosenshine, Saylor, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Wright, and Mr. Speaker—50

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER

Mr. Dean moved that Assembly Bill No. 1372 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

Motion carried

Assembly Bill No. 1372 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Duval, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine,

Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 1084 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Eksward, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.
NOES—Christian—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carter, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Eksward, Foster, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—54
NOES—Christian, and Fulwider—2

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Eksward, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—57
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1041 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker Edwin, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Fox, Hawes, Heisinger, Johnston, Jones, Lyman, Mathews, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Weller, West, Wright, and Mr. Speaker—47.

NOES—Christian, and Fulwider—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1374—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," approved May 18, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1374 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton Burns, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Fellom, Foster Fox Fulwider, Hawes, Heisinger Hornblower, Johnson, Johnston, Lyons, McDowell McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—52

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1180—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency; regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1180 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bromley, Broughton, Burns, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, and Wright—50.

NOES—Fulwider, and Mr. Speaker—2

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At nine o'clock and fifty minutes p.m., Hon. Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No. 1274—An act to add three new sections to the Penal Code, to be numbered 369*h*, 369*i*, and 369*j*, prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydro-carbon substance in certain localities and prohibiting the operation and maintenance of any well so located.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1274 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—63

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At ten o'clock and two minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

MOTION TO WITHDRAW BILL.

Mr. Badaracco moved that Assembly Joint Resolution No. 1 be withdrawn from the Committee on Federal Relations and placed upon the file for adoption.

The question being on the motion to withdraw Assembly Joint Resolution No. 1.

The roll was called, and the motion to withdraw Assembly Joint Resolution No. 1 lost by the following vote:

AYES—Anderson, Badaracco, Burns, Carter, Christian, Connolly, Coombs, Croter, Donohue, Dozier, Eksward, Fellom, Fox, Fulwider, Hawes, Hornblower, Johnston, Lyons, Mathews, McPherson, Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Schmidt, Scott, Smith, and West—32

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Clarke, Cleary, Cleveland, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Emme, Foster, Graves, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Pomeroy, Prendergast, Roberts, Saylor, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—41.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR SPEAKER Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their respective names, be stricken from the roll to date from and including the following dates respectively.

Effective from and including May 6, 1923:

Roy Fellom, page	$2.50

Effective from and including May 11, 1923

William Allen, Assistant Sergeant-at-Arms	5.00
Noma Archer, Stenographer	5.00
Hermina Badham, Committee Clerk	4.00
Joe Bafigo, Assistant Sergeant-at-Arms	5.00
Pearl E Baker Committee Clerk	4.00
Geneva Bernard, Stenographer	5.00
Violet Brassard, Stenographer	5.00
L. M. Bromley, Assistant File Clerk	5.00
Norma Brown, Stenographer	5.00
Dolores Burrell, Stenographer	5.00
Fay Butler, Assistant Sergeant-at-Arms	5.00
Verne Capelli, Stenographer	5.00
Nelia Davis Committee Clerk	4.00
Blanche P. Dawson, Committee Clerk	4.00
Cornelia De Carlo, Stenographer	5.00
Gertrude Emmerich, Committee Clerk	4.00
Elizabeth Fulwider, Committee Clerk	4.00
Madelain Grunsky, Committee Clerk	4.00
A. Harris, Assistant Sergeant-at-Arms	5.00
Lena F. Heisinger, Assistant Engrossing and Enrolling Clerk	5.00
James Henry, Assistant Sergeant-at-Arms	5.00
Jennie Johnson, Committee Clerk	4.00
John Kelly, Assistant Sergeant-at-Arms	5.00
William J. Keyes, Assistant Sergeant-at-Arms	5.00
Frank McCarthy, Assistant Sergeant-at-Arms	5.00
W. H Merriman, Stenographer	5.00
Florence Miller, Stenographer	5.00
E. V. Mitchell, Committee Clerk	4.00
Irene Monte Verda, Stenographer	5.00
Bertha F Moore, Committee Clerk	4.00
Alberta Murphy, Stenographer	5.00
Irene Murphy, Stenographer	5.00
Helen Obrikot, Stenographer	5.00
Frances Pedrotti, Committee Clerk	4.00
Pearl R Power, Stenographer	5.00
J. M. Riddle, Committee Clerk	4.00
Mrs C Schmidt, Committee Clerk	4.00
Harry H. Smelzer, Assistant Sergeant-at-Arms	5.00
Irene Snyder, Committee Clerk	4.00
Jessie Spalding, Committee Clerk	4.00
D. L. Weller Committee Clerk	4.00
Teresa Vaughn, Committee Clerk	4.00
Ethel Secor, Stenographer	5.00

Effective from and including April 29, 1923:

T. S. Chambers, Assistant Sergeant-at-Arms	5.00

CARTER, Chairman.

Report read, and on motion of Mr. Carter, adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for and was granted unanimous consent to take up Assembly Bill No. 866, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF ASSEMBLY BILL NUMBER EIGHT HUNDRED SIXTY-SIX.

Assembly Bill No. 866—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the letter "a" following the figures "146" strike out the remainder of line 3, and also strike out all of lines 4, 5, 6, 7, 8, 9, 10, 11, and 12, and insert in lieu thereof the following

"Any officer, agent, or employee of the state of California, or of any political subdivision thereof, engaged in the enforcement of the state prohibition enforcement act of the national prohibition act who shall search any private dwelling as defined in the national prohibition act, when the same is occupied as a dwelling without a search warrant directing such search, or while so engaged shall without a search warrant maliciously and without reasonable cause search any other building or property, shall be guilty of a misdemeanor."

Motion carried.

The Speaker appointed Mr. Hornblower as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Assembly Bill No. 866, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Rock, Heisinger, Eksward and Bernard, the Speaker ordered a roll call taken on the adoption of the report of the Select Committee of One and amendment.

The question being on the adoption of the report of the Select Committee of One and amendment

The roll was called, and the adoption of the report of the Select Committee of One and amendment refused adoption by the following vote:

AYES—Anderson, Badaracco, Burns, Carter, Christian, Connolly, Crittenden, Croter, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Hornblower, Lyman, Lyons, Mathews, McPherson, Morris, Morrison, Noyes, Pedrotti, Reindollar, Rock, Rosenshine, Schmidt, Stow, and West—32

NOES—Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Broughton, Cleary, Coombs, Davis, Dawson, Dean, Foster, Fox, Graves, Heisinger, Johnson, Jones, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Pomeroy, Prendergast, Roberts, Saylor, Smith, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—36.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 740—An act to provide for prevention of forest fires,

Also Assembly Bill No. 511—An act to provide for prevention of forest fires,

Also Assembly Bill No 512—An act to provide for the prevention of forest fires. Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 1336—An act creating the office of county veterinary inspector and assistant county veterinary inspector, prescribing their duties, providing for their appointment, removal, and compensation, and to repeal all acts in conflict—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SMITH, Chairman.
STEVENOT.
DAVIS
CHRISTIAN.
DOZIER.
JOHNSON
BAKER, C. C.
NOYES
LYMAN
PRENDERGAST

The above reported bill ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel mountains and to make an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1336—An act creating the office of county veterinary inspector and assistant county veterinary inspector, prescribing their duties, providing for their appointment, removal, and compensation; and to repeal all acts in conflict.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of line 1 of the title following the word "act", all of lines 2, 3 and 4 and insert in lieu thereof the following: "to amend section four thousand one hundred forty-nine *a* of the Political Code, relating to the duties of the county live stock inspector."

AMENDMENT NUMBER TWO

On page 1 of the printed bill strike out all of line 1 following the period, all of lines 2 to 26, both inclusive, all of pages 2, 3 and 4 and insert in lieu thereof the following "Section four thousand one hundred forty-nine *a* of the Political Code is hereby amended to read as follows

4149*a*. It shall be the duty of the live stock inspector to enforce county ordinances pertaining to the health of live stock and rules and regulations issued by

the director of the California department of agriculture and such laws of the State of California required by said director.

The live stock inspector shall act under the direction and supervision of the said director and when required by the board of supervisors or the said director he shall give all of his time to such duties. He shall be a graduate of a veterinary college, he shall report investigations and activities to the California department of agriculture upon forms furnished by it. The live stock inspector shall be appointed by the board of supervisors from a list of names of persons eligible to hold said position, which list shall be furnished by said director to the supervisors upon request.

No person shall be eligible to the position of live stock inspector unless he has received and holds from the director of agriculture a valid certificate of eligibility to said office. If the position can not be filled from said list of eligibles then such vacancy may be filled for a period not exceeding six months by a person not holding a certificate of eligibility, but who is recommended in writing to the board of supervisors by the director of agriculture. Said director is authorized to hold examinations for the purpose of passing upon the qualifications of all persons desiring to obtain certificates of eligibility to the office of county live stock inspector.

The director of agriculture is authorized in writing to adopt rules and regulations governing such examinations not inconsistent with law.

At the time of appointment the live stock inspector need not be a resident of the county. Upon receipt of evidence by the director of agriculture that any live stock inspector is incompetent or guilty of neglect of duty, which evidence in the opinion of said director shall warrant a hearing or hearings upon the matter, the live stock inspectors trial board, herein provided for, shall thereupon hold hearing or hearings at the times and places as it shall provide. Said trial board shall consist of the director of agriculture and the director of the University of California experiment station and an impartial third person selected by them.

The director of agriculture shall give notice in writing to the person against whom charges have been filed at least ten days prior to said hearing or hearings of the time and place thereof including information relating to the nature of the charges to enable him to make defense thereto.

If the trial board herein mentioned disqualifies a live stock inspector the director of agriculture shall forthwith revoke the said disqualified live stock inspector's certificate of eligibility and notice of such revocation shall be immediately transmitted in writing by the said director to the board of supervisors and the auditor of the county employing said live stock inspector.

The live stock inspector shall report his activities in the manner required by the director of agriculture on blanks furnished by said director. Copies of reports shall be filed with the board of supervisors and his salary warrants shall be withheld if said reports are not filed as required.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced, and referred as indicated:

By Mr. McPherson: Assembly Joint Resolution No. 28—Relative to requesting the federal government to prevent the destruction of the Leevining Creek falls in the Mono National Forest.

Introduced and referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 27—Relative to federal taxes,

Also Senate Joint Resolution No. 9—Relative to narcotics;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

(Signed out)

DAVIS, Chairman.
POMEROY.
WHITACRE.
WRIGHT
MORRISON.

The above reported joint resolutions ordered on file for adoption.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California to amend article IV of the constitution relative to legislative apportionment—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

MITCHELL, A. G., Chairman.
FOX.
NOYES.
CLARKE.
SNYDER.
CRITTENDEN.
BERNARD.

The above reported constitutional amendment ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District, and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes and providing for the payment, funding and refunding of all such indebtedness, providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized, defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levee and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district—and reports that the same has been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Also Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California;

Also Assembly Bill No. 678—An act to amend section 1158 of the Civil Code and to add a new section thereto to be numbered 1158a, both relating to the recording of instruments by county recorders.

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 671—An act to provide for the celebration of the national encampment of the Grand Army of the Republic in the city of Pasadena, California, and making an appropriation therefor;

Also: Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California.

Also: Assembly Bill No. 1364—An act to amend section 2 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, and to add a new section thereto to be numbered section 4.

Also: Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended";

Also: Assembly Bill No. 445—An act to repeal an act entitled "An act making an appropriation for the construction of a suitable memorial commemorating the battle of San Pasqual," approved June 3, 1921;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1058—An act to amend section 360b of the Political Code, relating to Department of Finance.

Also: Assembly Bill No. 933—An act to prohibit the use of an automobile or motorcycle in the leading of an animal from one point to another;

Also: Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33 and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California;

Also: Assembly Bill No. 1129—An act to add a new article to chapter VIII of title II of part IV of the Political Code, to be numbered article F and embracing sections 4214 to 4220f, both inclusive, relating to the county engineer, and to repeal all acts in conflict;

Also: Assembly Bill No. 1111—An act to amend section 19 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Assembly Bill No. 103—An act to amend section 596 of the Penal Code relating to the poisoning or shooting of animals;

Also: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered by Mr. Badaracco:

WHEREAS, During the Sixty-sixth Congress of the United States, in order to carry out the provisions of the eighteenth amendment to the constitution, there was

enacted into law an enforcement measure which is known as "Public Sixty-six of the Sixty-sixth Congress," which act limits the alcoholic content of liquids used for beverage purposes, to one-half of one per cent by volume; and

WHEREAS, One of the chief industries of the State of California is the culture of wine grapes, which industry has been fostered by the State government for many years, and

WHEREAS, Light wines with a limited alcoholic content are only intoxicating when used to excess; and

WHEREAS, An agricultural depression is known to exist in the United States which might be stimulated by allowing the manufacture of beer which shall not contain an excessive amount of alcohol; and

WHEREAS, It has been fully demonstrated in the State of California that a majority of the people desire a modification of the stringent provisions of said act; now, therefore, be it

Resolved by the Assembly, That this body approves of a modification of the act known as "Public Sixty-six of the Sixty-sixth Congress" to the end that the definition of intoxicating beverages as therein contained be changed to allow the manufacture and sale of beer, and wine, and be in further

Resolved, That a copy of this resolution be sent, by the Chief Clerk of the Assembly, to the President of the United States and to all of our representatives from the State of California in the Congress of the United States.

Resolution read, and ordered printed in the Journal.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-seven minutes p. m., further proceedings under the call of the House were dispensed with, on motion of Mr. Morris.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 336 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker Edwin, Ball, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—68.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO RECONSIDER.

Mr. Cleary moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Davis moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Baker, Edwin, moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Dozier moved that the consideration of his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 29 was adopted be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Bernard moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 365 was refused passage be continued until the next legislative day.

Motion carried.

ADJOURNMENT.

At eleven o'clock and fifty-one minutes p.m., on motion of Mr Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, May 11, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 11, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis Dawson Dean, Donohue Dorris, Dozier, Duval, Ekswand, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Noyes, Mr. L. P. Farris, principal, Miss Elizabeth Benthien, teacher of civics, and the following students of the civics class of the Marysville Union High School were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Jesse Sutton, Winifred Burt, Ada Dunning, Jack Sanford, Ted Baun, Edith Baker, Mildred Marders, Mildred Viney, Louis Miller, Betha Bowen, Dorothy Donnell, Marjorie Smith, Lavon Kash, Melvin Adams, Lillian Silver, Ivadel Murray, Mavis McCampbell, Hira Valentine, Melva Hutchinson, Orvin Berry, Harvey Richardson, Oliver Johnson, Dorothy Armstrong, Rosalin Reed, and Grace Brown.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ball, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer;

Also Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by authorizing the appointment of three additional deputies in such office; and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventh sixth fiscal years.

Also Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, by authorizing the appointment of two additional clerks and four additional stenographers in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be referred to Committee on Ways and Means.

FULWIDER, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BURNS, Chairman
HORNBLOWER.
WEST.
MORRISON.
HAWES.
DEAN.
FOSTER.
WILLIAMS.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1923

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

BROMLEY, Chairman

The above reported bill ordered on file for second reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended.

Bill read second time, and ordered on file for third reading

Senate Bill No 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "sea" strike out the word "wall" and insert in lieu thereof the word "walls," and add thereto the words "breakwaters, jetties,".

AMENDMENT NUMBER TWO

On page 1, line 16, of the printed bill, after the word "all" strike out the word "general"

AMENDMENT NUMBER THREE.

On page 1, line 17, of the printed bill, after the letters "tricts" insert a "comma" and add the following "and for the establishment of the boundaries of such district".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, after the period insert the following. "(*d*). "Service station" is a place operated primarily for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles."

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, after the period add the following: "From any amount found to be due upon any report hereunder the distributor shall first be allowed to deduct one per cent of the tax otherwise due hereunder to cover subsequent losses occasioned by evaporation and handling."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of lines 27 to 36, both inclusive, and insert in lieu thereof the following.

"SEC 7. All motor vehicle fuel distributed by any distributor to any of its service stations, or other agencies tank trucks, wagons, boats, barges, or other facilities operated by such distributor in this state shall for the purposes of this act be considered in the same manner and the same license tax shall be paid upon such motor vehicle fuel as though the same had been sold and delivered by such distributor; *provided*, that the amount of motor vehicle fuel distributed during any quarter to any such agency, tank truck, wagon, boat, barge, or other facility operated by the distributor is hereby defined to mean the amount thereof thereafter found to have been sold and delivered therefrom during such quarter plus one ninety-ninth thereof but excluding therefrom deliveries to service stations operated by such distributor.

All motor vehicle fuel used by a distributor in the operation of any motor vehicle shall for all the purposes of this act be considered in the same manner and the same license tax shall be paid upon such motor vehicle fuel as though the same had been sold by such distributor.

Nothing in this act shall be construed as requiring the payment of the license tax herein specified upon more than one sale, distribution or transfer of the same motor vehicle fuel."

AMENDMENT NUMBER FOUR.

On page 4, line 17, of the printed bill, after the word "commerce" strike out the period and insert the following "nor to any motor vehicle fuel exported or sold for exportation and exported for use outside this state, nor to any motor vehicle fuel delivered under contracts entered into prior to the fourteenth day of May, 1923, nor to any motor vehicle fuel sold to the government of the United States or any department thereof."

AMENDMENT NUMBER FIVE.

On page 6, line 18, of the printed bill, strike out the word "or" and insert in lieu thereof the word "of".

AMENDMENT NUMBER SIX.

On page 2, line 19, of the printed bill, after the word "sold" add the words "and delivered".

AMENDMENT NUMBER SEVEN.

On page 2, line 38, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "forty".

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER NINE.

On page 3, line 5, of the printed bill, after the word "within" strike out the word "ten" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TEN.

On page 3, line 24, of the printed bill after the word "before" strike out the word "twenty" and insert in lieu thereof the word "thirty".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Senate Bill No. 744 ordered withdrawn from file, and re-referred to Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 41 passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dozier, Duval, Ekswärd, Emme, Fellom, Fox, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, Miller, Moore, Morris, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

AYES—Badaracco, Badham, Bernard, Bromley, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Johnson, Jones, Kline, Lyman, Lyons, Miller, Moore, Morris, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44

NOES—Christian, Cleveland, Dozier, and Heisinger—4

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 641—An act making an apropriation to pay the claim of the B F. Coulter Association, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 641 passed by the following vote:

AYES—Badaracco, Badham, Bernard, Bromley, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dean, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Miller, Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr Speaker—46

NOES—Christian—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 652 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Carter, Clarke, Cleary, Coombs, Croter, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Foster, Fox, Johnson, Johnston, Miller, Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—46.

NOES—Christian, Cleveland, Connolly, Dozier, Fulwider, Heisinger, Jones, and Prendergast—8.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 237 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Dean, Donohue, Dorris, Eksward, Fellom, Foster, Fulwider, Johnson, Johnston, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock,

Saylor, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.
NOES—Heisinger—1

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1370 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Johnson, Johnston, Jones, Lyman, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 441 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Christian, Coombs, Dean, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Carlson, Carter, Clarke, Cleveland, Crittenden, Croter, Donohue, Dorris, Eksward, Emme, Fellom, Fox, Fulwider, Johnson, Johnston, Jones, Kline, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State

of California upon three judgments under section 3669*a* of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 856 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Donohue, Eksward, Emme, Erb, Fellom, Graves, Johnson, Johnston, Jones, Kline, Lyman, Miller, Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 484 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—59

NOES—Christian, Cleveland, Dozier, and Foster—4

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN KLINE IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Hon. Chester M. Kline, member from the seventy-seventh district, was called to the chair.

THE SPEAKER IN THE CHAIR.

At eleven o'clock and fifty-seven minutes a. m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

Also: Assembly Bill No. 1133—An act to amend sections 9 and 12 of "the Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Also: Assembly Bill No. 1144—An act to amend section 3818 of the Political Code, relating to redemption from tax sale.

And reports that the same have been correctly re-engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women;

Also: Assembly Bill No. 608—An act regulating the sale and use of poisons in the State of California, providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act;

Also: Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

Also: Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly.

Also: Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Also: Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Also: Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel Mountains and to make an appropriation therefor;

Also: Assembly Bill No. 380—An act appropriating money for expenditure as directed by the division of water rights of the department of public works of the State of California in aiding the department of interior of the United States in stream gaging work in the State of California.

Also: Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act, to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California to amend article IV of the constitution relative to legislative apportionment—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1¾ of article XIII of the constitution, relating to revenues and taxation—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 8 of article IX thereof, relating to the use of public money for sectarian schools and sectarian teachings—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 27—Relative to federal taxes—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolution ordered on file for adoption.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1320 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Broughton, Carter, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Dozier, Duval, Eksward, Erb, Fulwider, Graves, Hawes, Johnson, Johnston, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Whitacre, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 651—An act to provide for the celebration of the national encampment of the Grand Army of the Republic in the city of Pasadena, California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 651 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Ball, Broughton, Carter, Clarke, Cleary, Davis, Dean, Dozier, Duval, Eksward, Emme, Erb, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, McMillan, Miller,

Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1006—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921.

Bill read third time.

RECESS.

At two o'clock and sixteen minutes p.m., on motion of Mr. Eksward, the Assembly was declared at recess to allow Mr. Noyes to present to the Assembly the following delegation from Yuba City, advertising California Peach Day, to be held in that city, Saturday, June 2, 1923:

California Peach Day Delegation—Alice Raub, Jean Shillig, Betty Shillig, Vivian Wilcox, Thelma Johnson, Alexine McPherrin, Anita Orr, Estell Brockman, Blanch Cooper, Kathleen Gray, Beatrice Butler, Geneva Meyer, Rosemary Carter, Hallie Jackson, Mabel Breeden, Gene Littleton, L. K. Newfield, Judge K. S. Mahon, Frank Bremer, A. A. McMullen, M. H. Baker, Claude Triplett, H. A. Walton, A. G. Bremer, Jack Dooley, Virgil Frye, C. E. Masten, and Furlow Andrews.

REASSEMBLED.

At two o'clock and twenty-one minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND SIX—(RESUMED).

Assembly Bill No. 1006—An act to provide for the reversion of unexpended balance of certain appropriations, and to repeal an act entitled "An act to provide for the reversion of unexpended balances of certain appropriations," approved May 26, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. McPherson moved a call of the House.

Motion carried.

Time, two o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—69.

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 28—Relative to requesting the federal government to prevent the destruction of the Leeviming Creek Falls in the Mono National Forest—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAVIS, Chairman.
POMEROY.
WRIGHT.
CLEARY.
HEISINGER.
MORRISON.
WHITACRE.

The above reported joint resolution ordered on file for adoption.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the governor, lieutenant governor, and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FULWIDER, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission;

Also: Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the state received by any State department or agency, regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein, abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers;

Also: Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department; to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose;

Also: Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 1336—An act to amend section 4149a of the Political Code, relating to the duties of the county live stock inspector;

Also: Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas bridge and making an appropriation therefor;

Also: Assembly Bill No. 609—An act making an appropriation for the grading, paving, curbing, guttering and drainage of certain streets fronting on property of the State in the city of Sacramento, California

Also: Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks;

And reports that the same have been correctly engrossed.

ROBERTS, Chairman.

The above reported bills ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 60 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE

The following explanation of vote was received and ordered printed in the Journal:

MR SPEAKER Being unavoidably absent from the floor of this House at the time Assembly Bill No 60 was called up for passage, I wish to state that it was my intention, as a small mark of my high regard and esteem for the late Dr. G. H. Douglas, to move that the bill that he introduced in this Legislature become a law as a monument to his untiring efforts to span the turbulent waters of the Klamath River in Del Norte County.

The need of this great work is admitted by all and the speedy construction of "The Douglas Bridge" would be a fitting tribute to the memory of our late associate.

P. CONNOLLY.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At three o'clock and five minutes p m., Mr Fellom moved that further proceedings under the call of the House be dispensed with.

REQUEST FOR ROLL CALL.

On request of Messrs. Christian, Donohue, Smith, Emme and Foster, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under call of the House.

The question being on the motion to dispense with further proceedings under call of the House.

The roll was called, and the motion to dispense with further proceedings under call of the House lost by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Eksward, Emme, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Mathews, McDowell, Miller, Morrison, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, West, Woodbridge, and Wright—33.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Carter, Christian, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Erb, Foster, Fulwider, Graves, Johnston, Lyons, McPherson, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Stow, Weller, Whitacre, Williams, and Mr. Speaker—36.

RECONSIDERATION WAIVED.

Mr. Bernard waived his motion to reconsider the vote whereby Assembly Bill No. 365 was refused passage.

RECONSIDERATION WAIVED.

Mr. Baker, Edwin, waived his motion to reconsider the vote whereby Assembly Bill No. 739 was refused passage.

RECONSIDERATION WAIVED.

Mr. Cleary waived his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 23 was refused adoption.

RECONSIDERATION WAIVED.

Mr. Davis waived his motion to reconsider the vote whereby Assembly Bill No. 1112 was refused passage.

WITHDRAWAL OF BILL.

Mr. Bromley asked for and was granted unanimous consent to withdraw Assembly Bill No. 445.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Bromley asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 3.

Assembly Constitutional Amendment No. 3 withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Clarke asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 1.

Assembly Constitutional Amendment No. 1 withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mrs. Saylor asked for and was granted unanimous consent to withdraw Assembly Bill No. 562.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Connolly asked for and was granted unanimous consent to withdraw Assembly Bill No. 1135.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Connolly asked for and was granted unanimous consent to withdraw Assembly Bill No. 679.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Connolly asked for and was granted unanimous consent to withdraw Assembly Bill No. 678.

Bill withdrawn and ordered stricken from the file.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women.

Bill read third time.

MOTION TO RE-REFER.

Mr. Eksward moved that Assembly Bill No. 1197 be re-referred to the Committee on Ways and Means.

REQUEST FOR ROLL CALL.

On request of Messrs. Eksward, Rock, Heisinger, Lyons and Donohue, the Speaker ordered a roll call taken on the motion to re-refer.

The question being on the motion to re-refer.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bromley, Carter, Christian, Connolly, Davis, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Snyder, Stow, Weller, and Williams—33.

NOES—Anderson, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Heisinger, Johnson, Jones, Lyman, McDowell, Miller, Morrison, Mueller, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—39.

The question being on the passage of Assembly Bill No. 1197.

The roll was called, and Assembly Bill No. 1197 passed by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Connolly, Davis, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Hornblower, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Prendergast, Rock, Snyder, Stow, and Williams—29.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 741 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Donohue, Emme, Fellom, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Lyman, McDowell, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott,

Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WAFSTMAN READING

Assembly Bill No 740—An act to provide for the prevention of forest fires in the San Dimas canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 740 passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Ball, Bernard, Bromley, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Emme, Fellom, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Schmidt, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 511 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Burns, Carlson, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Eksward, Erb, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel mountains and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Clarke, Cleary Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Hawes, Johnson, Jones, Lyman, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Dozier asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 37.

Assembly Constitutional Amendment No. 37 withdrawn and ordered stricken from the file.

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 34 of article IV thereof, relating to the State budget.

Assembly Constitutional Amendment No. 44 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 44 refused adoption by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Morris, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—40.

NOES—Badham, Baker, C. C., Bromley, Burns, Carter, Connolly, Coombs, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Johnston, Lyons, Moore, Pedrotti, Pomeroy, Roberts, Scott, Smith, Weller, Williams, and Mr. Speaker—27.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax.

Assembly Constitutional Amendment No. 47 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 47 adopted by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—Badaracco, Broughton, Burns, Dorris, Pedrotti, Rock, and Spence—7.

Title read and approved.

Assembly Constitutional Amendment No. 47 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 47

A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its forty-fifth regular session commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that section 12 of article XIII of the constitution of this State be amended to read as follows:

Sec. 12. The Legislature shall provide for the levy and collection of an annual educational poll tax of not less than five dollars on every male inhabitant of this State over twenty-one and under fifty years of age, except persons holding an honorable discharge or discharged under honorable circumstances from the Army, Navy or Marine Corps of the United States, persons who pay a real or personal property tax amounting to at least five dollars per annum, paupers, idiots, insane persons and imbeciles. Said tax shall be paid into the State school fund.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McPherson.

The roll of absentees was called, and Assembly Bill No. 1006 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—42.

NOES—Badaracco, Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—35.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Bernard asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 14.

Assembly Constitutional Amendment No. 14 withdrawn and ordered stricken from the file.

Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption.

Assembly Constitutional Amendment No. 52 read.

The question being on the adoption of the amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Morris moved a call of the House.

Motion carried.

Time, four o'clock and twenty-three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Ball, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

WITHDRAWAL OF BILL.

Mr. Heisinger asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 55.

Assembly Constitutional Amendment No. 55 withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Williams asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 9.

Assembly Constitutional Amendment No. 9 withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Dozier asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 27.

Assembly Constitutional Amendment No. 27 withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL

Mr. Dozier asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 41.

Assembly Constitutional Amendment No. 41 withdrawn and ordered stricken from the file.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the constitution of the State by repealing section 34 of article IV, and adding two new sections, to be numbered 29 and 34, to article IV of said constitution, relating to the general expenses of the State government.

Assembly Constitutional Amendment No. 58 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 58 refused adoption by the following vote.

AYES—Anderson, Badham, Carlson, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Stow, West, Whitacre, and Wright—43.

NOES—Baker, C. C., Ball, Bernard, Carter, Christian, Cleveland, Connolly, Croter, Duval, Erb, Foster, Pomeroy, Prendergast, Scott, Smith, Snyder, Spence, Weller, Williams, and Mr. Speaker—20.

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing exhibitions.

Assembly Constitutional Amendment No. 39 read.

The question being on the adoption of the amendment

The roll was called, and Assembly Constitutional Amendment No. 39 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, Stow, West, Whitacre, and Woodbridge—54.

NOES—Baker, C. C., Ball, Broughton, Christian, Cleary, Cleveland, Crittenden, Dorris, Miller, Moore, Pomeroy, Prendergast, Saylor, Spalding, Weller, Williams, Wright, and Mr. Speaker—18.

Title read and approved.

Assembly Constitutional Amendment No. 39 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 39.

A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing exhibitions.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session, commencing on the eighth day of January, 1923, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution, adding a new article thereto to be numbered XXIV, to read as follows:

ARTICLE XXIV

Boxing exhibitions may be held within the State, of a limited number of rounds, not exceeding six, of the duration of three minutes each; the interval between each round shall be one minute, and the contestants weighing one hundred forty-five pounds or over shall wear gloves of not less than eight ounces each in weight, and contestants weighing under one hundred forty-five pounds may wear gloves of not less than six ounces each in weight. All gloves used by contestants in such boxing exhibitions shall be so constructed, as that the soft padding between the outside covering shall be evenly distributed over the back of said gloves and cover the knuckles and back of the hands

All boxing exhibitions shall be under the control and jurisdiction of the parole board, consisting of the district attorney, the sheriff and the chief of police of the locality where said exhibitions are held. The said board shall make rules and by-laws, grant permits and set dates for exhibitions Nothing in this section contained shall be construed to prevent any county, city and county, or incorporated city or town from prohibiting, by ordinance, the holding or conducting of any boxing exhibition, or any person from engaging in any such boxing exhibition therein.

Assembly Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1¼ of article XIII of the constitution, relating to revenues and taxation.

Assembly Constitutional Amendment No. 36 read.

The question being on the adoption of the amendment.

The roll was called, and Assembly Constitutional Amendment No. 36 refused adoption by the following vote:

AYES—Badham, Baker, Edwin; Burns, Christian, Cleary, Cleveland Connolly, Croter, Dawson, Donohue, Dozier, Foster, Fox, Fulwider, Graves, Hawes Hornblower, Johnson, Johnston, Lyons, Mathews, McPherson, Mitchell, A G., Moore, Morris, Mueller, Pomeroy, Smith, Snyder, Stevenot, Stow, and Mr. Speaker—32.

NOES—Bernard, Broughton, Carlson, Carter, Clarke, Coombs, Crittenden, Davis, Dorris, Ekswaid, Fellom, Heisinger, Jones, Lyman, McDowell, Miller, Prendergast, Rosenshine, Saylor, Scott, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, and Wright—28.

RECONSIDERATION WAIVED.

Mr. Dozier waived his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 49 was adopted.

Assembly Constitutional Amendment No. 49 ordered transmitted to the Senate.

Assembly Joint Resolution No 27—Relative to federal taxes

Assembly Joint Resolution No. 27 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 27 adopted by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Fulwider, Hawes, Hornblower, Johnston, Kline, Lyman, Mathews, McDowell, McPherson Miller, Mitchell, A. G., Moore, Morris, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt,

Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—55

NOES—Broughton, Crittenden, Emme, Fox, Heisinger, Jones, Noyes, Prendergast, and Mr Speaker—9

Title read and approved.

Assembly Joint Resolution No. 27 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 27.

Relative to federal taxes.

WHEREAS, The Federal Revenue Act of 1921 provides that "from and after January 1, 1922, the taxes on telegraph and telephone messages is as follows (a) On each telegraph, telephone, cable or radio dispatch message or conversation, originating in the United States, of more than fourteen cents, and not more than fifty cents a tax of five cents. If the charge is more than fifty cents, tax ten cents, only one payment of such tax is required"; and

WHEREAS, The federal tax on railroad fares has been repealed, and

WHEREAS Such important matters as communication by telephone and telegraph should not be hampered or taxed except under necessity of national financial stress, and

WHEREAS, The war conditions are over and the nation, again prosperous, is dependent more than ever upon unhampered and unburdened means of communication, now, therefore, be it

Resolved by the Assembly and the Senate, jointly, That it is the consensus of opinion of this Legislature that Congress should repeal the revenue statutes so far as the same relate to taxes on such messages, and be it further

Resolved, That our Senators and Representatives in Congress from the State of California be requested to use all honorable means to secure the action desired in this matter for the purposes aforesaid; and be it further

Resolved, That a copy of these resolutions be forwarded by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the members of the cabinet and to each of the Senators and Representatives in Congress from the State of California.

WITHDRAWAL OF BILL.

Mr Prendergast asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 53.

Assembly Constitutional Amendment No. 53 withdrawn and ordered stricken from the file.

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carlson, Clarke, Cleary, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1292—An act to amend section 339 of the Penal Code, relating to registers to be kept by pawnbrokers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1292 refused passage by the following vote:

AYES—Baker, C. C., Christian, Cleary, Cleveland, Foster, Fox, Johnson, Jones, Lyman, Lyons, Mathews, Moore, Mueller, Noyes Pedrotti, Pomeroy, Reindollar,

Saylor, Smith, Snyder, Spalding, Spence, Stow, Whitacre, Wright, and Mr. Speaker—26.

NOES—Anderson, Badaracco, Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Eksward, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnston, McDowell, Morris, Morrison, Rosenshine, Scott, Stevenot, West, and Woodbridge—31.

Assembly Bill No. 981—An act to amend section 360c of the Political Code, relating to a Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 981 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Burns, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean Donohue, Dorris, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—59.

NOES—Bernard, Cleary, Saylor, and Wright—4.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Lyman asked for and was granted unanimous consent to withdraw Assembly Bill No. 1345.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Mathews asked for and was granted unanimous consent to withdraw Assembly Bill No. 1283.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Mathews asked for and was granted unanimous consent to withdraw Assembly Bill No. 542.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Christian asked for and was granted unanimous consent to withdraw Assembly Bill No. 184.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Lyons asked for and was granted unanimous consent to withdraw Assembly Bill No. 385.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 727—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor and the length of term thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 727 refused passage by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bromley, Broughton, Carlson, Carter, Croter, Davis, Dawson, Dorris, Emme, Fellom, Fox, Graves, Hawes, Jones, Lyman, Lyons, Mathews, Mitchell, A. G., Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Spence, Weller, Whitacre, and Mr. Speaker—34

NOES—Anderson, Baker, C. C., Bernard, Burns, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dean, Donohue, Dozier, Eksward, Erb, Foster, Fulwider, Heisinger, Hornblower, Johnson, Johnston, McDowell, McPherson, Miller, Moore, Mueller, Noyes, Reindollar, Rock, Schmidt, Snyder, Spalding, Stevenot, Stow, West, Williams, Woodbridge, and Wright—39.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and twenty-seven minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Morris.

The roll of absentees was called, and Assembly Constitutional Amendment No. 52 adopted by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Fellom, Fox, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—59.

NOES—Badham, Carter, Christian, Cleary, Cleveland, Dozier, Foster, Fulwider, Heisinger, Noyes, Pomeroy, and Mr. Speaker—12.

Title read and approved.

Assembly Constitutional Amendment No. 52 ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 52.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California, that section 1 of article XIII of the constitution of this State be amended to read as follows

SECTION 1. All property in the State except as otherwise in this constitution provided, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law, or as hereinafter provided. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that a mortgage, deed of trust, contract, or other obligation by which a debt is secured when land is pledged as security for the payment thereof, together with the money represented by such debt, shall not be considered property subject to taxation; *and further provided*, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county, city and county, or municipal corporation within this State shall be exempt from taxation, except such lands and the improvements thereon located outside of the county, city and county, or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said county, city and county, or municipal corporation; *provided*, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to taxation; *provided*, that property, not exceeding in value in any one county the sum of $50,000.00 (fifty thousand dollars), used exclusively as air-ports or aviation fields under the control of United States government shall be exempt from taxation while so used and under such control. All lands or improvements thereon, belonging to any county, city and county, or municipal corporation, not exempt from taxation, shall be assessed by the assessor of the county city and county, or municipal corporation in which said lands or improvements are located, and said assessment shall be subject to review, equalization and adjustment by the State Board of Equalization. The Legislature may provide, except in the case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

RECESS.

At four o'clock and twenty-eight minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until four o'clock and thirty-three minutes p.m. of this day.

REASSEMBLED.

At four o'clock and thirty-three minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities.

Bill read third time

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, four o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the clerk was directed to call the roll.

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

Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61

The clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

WITHDRAWAL OF BILL.

Mr. Dozier asked for and was granted unanimous consent to withdraw Assembly Bill No. 889.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 552 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dozier, Eksward, Emme, Fellom, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1184—An act to add two new sections to the Code of Civil Procedure of the State of California, to be numbered 1350*a* and 1350*b* respectively, relating to the competency of executors of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1184 refused passage by the following vote:

AYES—Ball, Bernard, Bromley, Christian, Clarke, Cleveland, Crittenden, Dean, Donohue, Dorris, Dozier, Emme, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Smith, Weller, West, Whitacre, Woodbridge, and Wright—39.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Burns, Carter, Connolly, Coombs, Davis, Dawson, Duval, Eksward, Fellom, Foster, Fulwider, McMillan, Moore, Noyes, Reindollar, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Williams, and Mr. Speaker—27.

Assembly Bill No. 866—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 866 refused passage by the following vote:

AYES—Badaracco, Burns, Donohue, Dorris, Dozier, Eksward, Fellom, Hawes, Hornblower, Morrison, Noyes, Pedrotti, Schmidt, and Scott—14.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Emme, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

WITHDRAWAL OF BILL.

Mr Hornblower asked for and was granted unanimous consent to withdraw Assembly Bill No 867.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr Dozier asked for and was granted unanimous consent to withdraw Assembly Bill No. 649.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 154—An act relating to employment where the work is to be performed outside of this State by persons hired within

this State; prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bromley, Burns, Carlson, Carter, Cleveland, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Badham, Baker, C. C., Clarke, Graves, and Weller—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 937—An act to amend sections 927*e* and 927*l* of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 937 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Clarke, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 936 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Burns, Carlson, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part

thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Morrison, Bernard, Moore, Carter and Christian demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1361.

The roll was called, and Assembly Bill No 1361 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Carlson, Carter, Christian, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pomeroy, Roberts, Rosenshine, Snyder, Spence, Weller, Whitacre, Williams, and Mr. Speaker—43.

NOES—Badaracco, Ball, Broughton, Burns, Clarke, Dawson, Donohue, Dorris, Dozier, Eksward, Fellom, Heisinger, Hornblower, Jones, Mathews, McMillan, McPherson, Miller, Mueller, Prendergast, Reindollar, Saylor, Schmidt, Scott, Spalding, Stevenot, West, Woodbridge, and Wright—29.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 59—An act to add a new section to the Penal Code to be numbered 653*f*, relating to landlord and tenant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 59 refused passage by the following vote:

AYES—Ball, Broughton, Burns, Carlson, Clarke, Connolly, Croter, Donohue, Dorris, Eksward, Emme, Erb, Foster, Fox, Heisinger, Johnson, Jones, Mathews, McMillan, McPherson, Miller, Morrison, Reindollar, Saylor, Snyder, Spalding, Stevenot, Williams, and Wright—29.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Carter, Christian, Cleveland, Davis, Dawson, Dean, Dozier, Duval, Fellom, Fulwider, Graves, Johnston, Kline, Lyman, Lyons, McDowell, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Rosenshine, Scott, Smith, Spence, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—41.

Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1273 passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Pedrotti,

Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Williams, Woodbridge, Wright, and Mr Speaker—47.

NOES—Anderson, Bernard, Christian, Clarke, Cleveland, Connolly, Davis, Dozier, Duval, Fox, Fulwider, Graves, Johnston, McDowell, McMillan, Moore, Noyes, Schmidt, Snyder, Spalding, Spence, Stevenot, Weller, West, and Whitacre—25.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 841 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Crittenden, Croter, Davis, Dozier, Duval, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Scott, Snyder, Spence, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—52.

NOES—Badaracco, Burns, Coombs, Dean, Donohue, Dorris, Fellom, Hawes, Hornblower, and Morrison—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the Governor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 980 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier Duval, Erb, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Kline, Lyons, McPherson, Mitchell, A G., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stevenot, Stow, Weller, Whitacre, Williams, and Mr. Speaker—47.

NOES—Bernard, Broughton, Clarke, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Heisinger, Jones, McDowell, McMillan, Prendergast, Rosenshine, Saylor, Spalding, Spence, West, Woodbridge, and Wright—21.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 481—An act to amend section 1609 of the Political Code, relating to the powers and duties of boards of school trustees, and city and county boards of education.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 481 refused passage by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carlson, Clarke, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Heisinger, Hornblower, Jones, Lyman, McDowell, Miller, Morrison, Mueller, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—38.

NOES—Badham, Baker, C. C., Baker, Edwin; Bromley, Carter, Christian, Cleveland, Davis, Duval, Fox, Fulwider, Graves, Johnson, Johnston, Kline, Lyons, McMillan, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—30.

Assembly Bill No. 1133—An act to amend sections 9 and 12 of "the Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1133 refused passage by the following vote:

AYES—Badaracco, Broughton, Burns, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyons, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Pedrotti, Reindollar, Schmidt, Smith, West, Whitacre, Woodbridge, and Wright—29.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bernard, Bromley, Carlson, Christian, Clarke, Cleveland, Coombs, Croter, Davis, Dawson, Dozier, Duval, Eksward, Foster, Fox, Fulwider, Graves, Johnson, Kline, Lyman, Mathews, McDowell, Mitchell, A. G., Moore, Noyes, Pomeroy, Prendergast, Saylor, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Williams, and Mr. Speaker—41

Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board; authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 668 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox,

Fulwider, Graves, Hawes, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Carter moved that the Chief Clerk be instructed to procure lunch for the members, said lunch to be paid for out of the contingent fund of the Assembly.

Motion carried.

Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1352 passed by the following vote:

AYES—Anderson, Baker, C. C., Bernard, Broughton, Carlson, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mueller, Noyes, Prendergast, Reindollar, Scott, Spalding, Spence, Stevenot, Stow, West, Whitacre, and Woodbridge—42

NOES—Badham, Baker, Edwin; Ball, Bromley, Burns, Carter, Coombs, Dawson, Eksward, Emme, Erb, Graves, Hornblower, Kline, Lyons, Mitchell, A. G., Moore, Morrison, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Weller, Wright, and Mr. Speaker—29.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 794 passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin; Bernard, Burns, Carlson, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved

March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 466 passed by the following vote

AYES—Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Mathews, McMillan, McPherson, Miller, Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Scott—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an Old Age Pension Law and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 309 passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

NOES—Connolly, Davis, Dozier, Graves, Moore, and Weller—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 114 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Broughton, Burns, Carter, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Heininger, Hornblower, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spence, Stevenot, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1367 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Burns, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Eksward, Emme, Erb, Fellom, Foster, Fox, Kline, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Bromley, Broughton, Carter, Davis, Dorris, Fulwider, Graves, Heisinger, Jones, McDowell, Noyes, and Spalding—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1129—An act to add a new article to chapter VIII of title II of part IV of the Political Code, to be numbered article I and embracing sections 4214 to 4220*f*, both inclusive, relating to the county engineer, and to repeal all acts in conflict.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1129 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Burns, Christian, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dozier, Duval, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Scott, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—42.

NOES—Anderson, Baker, Edwin; Ball, Bernard, Broughton, Carlson, Carter, Clarke, Coombs, Croter, Davis, Dorris, Eksward, Emme, Fellom, Fox, Hawes, Hornblower, Lyman, McMillan, Morrison, Noyes, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, and Woodbridge—30.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1337 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and appropriating moneys therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Emme, Fellom, Foster, Fulwider, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Scott, Smith, Snyder, Spence, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Erb, Heisinger, Fulwider, Lyons and Pedrotti demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1290

The roll was called, and Assembly Bill No. 1290 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Hawes, Hornblower, Johnston, Kline, Lyons, Mathews, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Scott, Smith, Snyder, Stevenot, Stow, Weller, West, Williams, and Mr. Speaker—45.

NOES—Anderson, Ball, Bernard, Broughton, Coombs, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Fox, Graves, Heisinger, Johnson, Jones, Lyman, McDowell, Miller, Morrison, Mueller, Rosenshine, Saylor, Schmidt, Spalding, Spence, Whitacre, Woodbridge, and Wright—29.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or agency; regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1358 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Hawes, Johnston, Kline, Lyons, McPherson, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—42.

NOES—Badaracco, Ball, Bernard, Broughton, Clarke, Crittenden, Croter, Dean, Dorris, Emme, Fellom, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—34.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1376 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1368 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Hornblower, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 285 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Hornblower, Johnson, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Baker, Edwin; Bernard, Eksward, Graves, Johnston, and Jones—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1127—An act to amend an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births the supermtendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics: to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, by amending sections 13, 18, and 22 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1127 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—64.

NOES—Jones—1.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 103—An act to amend section 596 of the Penal Code relating to the poisoning of animals, or catching animals in traps, or shooting at, or shooting animals.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Fox, Foster, Mitchell, A. G., Christian and Fulwider demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 103.

The roll was called, and Assembly Bill No. 103 refused passage by the following vote:

AYES—Badham, Baker, Edwin; Bromley, Carter, Cleveland, Dawson, Donohue, Duval, Fellom, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Mitchell, A. G., Morris, Pomeroy, Roberts, Rock, Stow, Weller, Williams, and Mr. Speaker—24.

NOES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dean, Dorris, Dozier, Eksward, Emme, Erb, Hawes, Heisinger, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—46.

Assembly Bill No. 608—An act to create the office of State Narcotic Director; to prescribe the powers and duties of such director; to make an appropriation to carry out the purpose hereof and to repeal all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 608 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Carter, Clarke, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—54.

NOES—Burns, Coombs, Eksward, Fulwider, Hornblower, Jones, Mathews, Miller, Saylor, and Wright—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 566—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38*a*, relating to the assessment of land irrigated by means of water pumped from underground sources.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 566 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Burns, Carter, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—52.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 404 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Woodbridge—56.

NOES—Broughton, Mitchell, A. G., Reindollar, Smith, and Mr. Speaker—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 521—An act to amend chapter XI of title XIII of part I of the Penal Code, relating to crimes against insured property and insurance carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson,

Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1340—An act to amend section 190 of the Penal Code, relating to punishment of murder.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs Badaracco, Heisinger, Baker, C. C., Stow and Christian demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1340.

The roll was called, and Assembly Bill No. 1340 refused passage by the following vote:

AYES—Badaracco, Badham, Bromley, Carter, Christian, Cleveland, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Emme, Fulwider, Graves, Johnston, Jones, Kline, Lyons, McDowell, McPherson, Mitchell, A. G., Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Snyder, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—36.

NOES—Anderson, Baker, Edwin; Ball, Bernard, Broughton, Burns, Carlson, Clarke, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Erb, Fellom, Fox, Hawes, Heisinger, Hornblower, Johnson, Lyman, Mathews, McMillan, Miller, Moore, Morrison, Mueller, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, and Wright—38.

Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1111—An act to amend an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1111 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1117 passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Christian, Clarke, Cleveland, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1369 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Burns, Carter, Christian, Clarke, Cleveland, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker—57.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1155 passed by the following vote:

AYES—Badaracco, Burns, Carlson, Clarke, Cleveland, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Johnson, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Stevenot, Stow, Weller, Williams, and Wright—41.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Carter, Connolly, Coombs, Crittenden, Fox, Graves, Heisinger, Hornblower, Johnston, Jones, Lyman, Miller, Moore, Noyes, Rosenshine, Schmidt, Snyder, Spalding, Spence, West, and Mr. Speaker—27.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Eksward asked for and was granted unanimous consent to withdraw Assembly Bill No. 1144.

Bill withdrawn and ordered stricken from the file.

Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Bernard, Baker, Edwin; Heisinger, Moore and McPherson demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1378.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Bromley, Carter, Christian, Cleveland, Coombs, Croter, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fox, Fulwider, Graves, Johnson, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Smith, Spence, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—46.

NOES—Baker, Edwin; Ball, Bernard, Carlson, Crittenden, Dean, Heisinger, Hornblower, Snyder, Spalding, and West—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33 and 36 of an act entitled "An act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all others acts or parts of acts inconsistent with or in conflict with the provisions of this act." approved June 16, 1913, as amended.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Pedrotti, Weller, McPherson and Graves demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1377.

The roll was called, and Assembly Bill No. 1377 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fulwider, Graves, Heisinger, Johnson, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62

NOES—Hawes, and Kline—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 849 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Fellom, Fox, Graves, Hawes, Hornblower, Johnson, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1058 passed by the following vote.

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Croter, Dawson, Donohue, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Scott, Smith, Snyder, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—59.

NOES—Bernard, Dean, Spalding, and Wright—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 380—An act to provide for the investigation and report by the State of California of the conservation of water resources of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 380 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—66.

NOES—Graves, and Jones—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1336—An act creating the office of county veterinary inspector and assistant county veterinary inspector, prescribing their duties, providing for their appointment, removal, and compensation; and to repeal all acts in conflict.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. McPherson, Baker, Edwin; Mitchell, A. G., Foster and Christian demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1336.

The roll was called, and Assembly Bill No. 1336 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleveland, Coombs, Davis, Dawson, Dozier, Duval, Erb, Foster, Fulwider, Graves, Hawes, Hornblower, Johnston, Kline, Lyons, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Roberts, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—41.

NOES—Ball, Bernard, Broughton, Crittenden, Croter, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Fox, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, West, Whitacre, Woodbridge, and Wright—33.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 176—An act to prohibit any State board or State commission, or board of supervisors from appointing any of its members to fill any vacancy which occurs in any office under such board or commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 176 refused passage by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Donohue, Dozier, Duval, Erb, Foster, Fulwider, Graves, Hawes, Hornblower, Jones, Lyons, McPherson, Moore, Morris, Mueller, Pedrotti, Pomeroy, Roberts, Scott, Snyder, Weller, Whitacre, and Mr. Speaker—35.

NOES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Crittenden, Croter, Dawson, Dean, Dorris, Eksward, Emme, Fellom, Fox, Heisinger, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, A. G., Morrison, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Williams, Woodbridge, and Wright—40.

Assembly Bill No. 933—An act to prohibit the use of an automobile or motorcycle in the leading of an animal from one point to another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 933 refused passage by the following vote:

AYES—Badham, Bromley, Carlson, Croter, Foster, Hawes, Miller, Mitchell, A. G., Moore, Mueller, Pedrotti, Pomeroy, Roberts, Williams, Woodbridge, and Wright—16.

NOES—Anderson, Badaracco, Baker, Edwin; Ball, Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Morris, Morrison, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller West, Whitacre, and Mr. Speaker—54.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California—and reports that the same has been correctly engrossed.

ROBERTS Chairman.

The above reported concurrent resolution ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 28—Relative to requesting the federal government to prevent the destruction of the Leevining creek falls in the Mono national forest—and reports that the same has been correctly engrossed.

ROBERTS, Chairman.

The above reported joint resolution ordered on file for adoption.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 609—An act making an appropriation to pay the claim of the city of Sacramento against the State of California.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 609 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carlson, Christian, Coombs, Davis, Dawson, Donohue, Dorris Duval, Eksward, Emme, Erb, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre Woodbridge, Wright, and Mr. Speaker—57

NOES—Cleveland, and Foster—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1044—An act providing for the establishment of a whole time health department in counties of the fifth class; defining a whole time health department; to enable the State Board of Health to contract with any person or corporation and such county for the establishment, support and maintenance of such whole time health department, and to appropriate money for that purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1044 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Burns, Carlson, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1364—An act to amend section 2 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, and to add a new section thereto to be numbered section 4.

Bill read third time.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Bernard, Lyons, Christian and Lyman demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Assembly Bill No. 1364

The roll was called, and Assembly Bill No. 1364 passed by the following vote:

AYES—Badham, Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Donohue, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Hornblower, Johnston, Kline, Lyman, Lyons, Mathews, McPherson, Mitchell, A. G., Moore, Morris, Mueller, Noyes Pedrotti, Pomeroy, Prendergast, Scott, Smith, Snyder, Stow, Weller, Williams, and Mr. Speaker—43.

NOES—Badaracco, Baker, C. C., Ball, Bernard, Broughton, Carlson, Clarke, Crittenden, Dean, Dorris, Emme, Fellom, Fox, Heisinger, Johnson, Jones, McDowell, McMillan, Miller, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Woodbridge, and Wright—29

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Morris moved that Mr. Coombs be excused for the remainder of the day.

Motion carried.

Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1332 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Ball, Bromley, Broughton, Burns, Carter, Clarke, Connolly, Dawson, Donohue, Dorris, Dozier,

Duval, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the fiorty-fifth session of the Legislature of the State of California.

Assembly Concurrent Resolution No. 24 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Ball, Bromley, Broughton, Burns, Carter, Christian, Clarke, Croter, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, McDowell, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 24 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 24.

Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California.

Resolved by the Assembly, the Senate concurring, That leave of absence from the State of California for a longer period than sixty days, during their term of office, is hereby granted to his excellency, Friend Wm. Richardson, Governor of the State of California; to C. C. Young, Lieutenant Governor of the State of California, and to the following members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California

Senators Newton M. Allen, F. A. Arbuckle, Frank S. Boggs, Arthur H. Breed, Lester G. Burnett, Victor J. Canepa, Frank M. Carr, Harry A. Chamberlin, John Creighton, John J. Crowley, Lewis L. Dennett, Walter Eden, Dr. W. F. Gates, Egbert J. Gates, Charles W. Godsil, P. J. Gray, Fred C. Handy, M. B. Harris, Dwight H. Hart, Ralph L. Hughes, Edgar S. Hurley, Thomas Ingram, J. M. Inman, A. Burlingame Johnson, M. B. Johnson, Herbert C. Jones, Charles H. V. Lewis, Charles W. Lyon, Walter A. McDonald, Daniel C. Murphy, H. C. Nelson, Dr. A. E. Osborne, F. J. Powers, Joseph A. Rominger, Benjamin F. Rush, Ed P. Sample, Will R. Sharkey, Herbert W. Slater, Ralph E. Swing, T. C. West.

Assemblymen Frank W. Anderson, John B. Badaracco, William E. Badham, C. C. Baker, Edwin Baker, C. D. Ball, Van Bernard, Elmer P. Bromley, Esto B. Broughton, Joseph F. Burns, Thomas M. Carlson, Henry E. Carter, E. H. Christian, Geo. A. Clarke, Chas. W. Cleary, George C. Cleveland, P. Connolly, Frank L. Coombs, B. S. Crittenden, J. Croter, George H. Davis, Charles B. Dawson, Geo. A. Dean, Emmett I. Donohue, Grace S. Dorris, Earnest Dozier, Walter H. Duval, Frank L. Eksward, Otto J. Emme, Louis F. Erb, Roy Fellom, Chas. A. Foster, Chris B. Fox, Lucien Fulwider, Sidney T. Graves, Fred C. Hawes, S. L. Heisinger, Wm. B. Hornblower, Frank Johnson, John W. Johnston, Isaac Jones, Chester M. Kline, R. M. Lyman, Jr., Harry Lyons, A. J. Mathews, Herbert McDowell, Alex McMillan, Robt. B. McPherson, Frank F. Merriam, Miss Eleanor Miller, Allen G. Mitchell, Thomas A. Mitchell, Fred J. Moore, Clarence W. Morris, Harry F. Morrison, Edwin A. Mueller, Fred B. Noyes, Joseph L. Pedrotti, Hugh R. Pomeroy, J. J. Prendergast, Chas. F. Reindollar, Frederick M. Roberts, Walter J. Rock, Albert A. Rosenshine, Mrs. Anna L. Saylor, Walter J. Schmidt, Wm. Seward Scott, Edward J. Smith, Bert Snyder, C. C. Spalding, Homer R. Spence, F. G. Stevenot, Edgar W. Stow, Frank C. Weller, Percy G. West, P. A. Whitacre, David C. Williams, Mrs. Cora Woodbridge, T. M. Wright.

Assembly Joint Resolution No. 28—Relative to requesting the federal government to prevent the destruction of the Leeviming creek falls in the Mono National Forest.

Assembly Joint Resolution No. 28 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 28 adopted by the following vote:

AYES—Anderson, Badham, Baker, Edwin Ball, Bernard, Broughton Burns, Carlson, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fulwider, Hawes, Hersinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—Dozier, and Graves—2.

Title read and approved.

Assembly Joint Resolution No. 28 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 28.

Relative to requesting the federal government to prevent the destruction of the Leeviming creek falls in the Mono National Forest.

WHEREAS, There is at the present time under course of construction on Leeviming creek a power plant for the purpose of diverting the water of Leeviming creek in accordance with a permit granted to the Nevada-California Power Company, and the result of which diversion will be to dry up the Leeviming creek falls during the months of low flow and to greatly diminish their volume during the other seasons of the year, and

WHEREAS, Leeviming creek falls are among the most beautiful in the United States, and one of the greatest attractions in the state for tourists from all parts of the world, situated in a spot noted for its scenic beauty and attraction on Tioga road, which road was purchased by Stephen T. Mather, the superintendent of national parks, and presented to the people of the United States and is considered one of the most scenic drives in California; and

WHEREAS, These cascades, aside from their natural beauty, are worth millions of dollars to the state as an advertising asset, and are a source of great revenue from tourists, travel alone, and should not be destroyed in order to allow the diversion of their waters by a private corporation, and

WHEREAS, The purpose for which a great amount of money has been expended both by the state and private individuals in building highways leading to these falls would be defeated by destruction of the falls; and

WHEREAS, In granting the permit for a power site within the federal power project in which such falls are located, it is possible that due consideration was not given to the scenic value and attraction of such falls and of the money and effort spent in making them accessible to the public, now, therefore, be it

Resolved by the Assembly and Senate jointly, That the Legislature of the State of California respectfully urges and requests the federal power commission and the proper authorities of the United States government, granting such permit, to reconsider the same and to take into consideration the beauty and value of such falls and the desire of the people of this state to prevent their destruction, to the end that steps may be taken to preserve them in their natural state; and be it further

Resolved, That the Chief Clerk of the Assembly and the Secretary of the Senate be and are hereby directed to send a copy of these resolutions to the Secretary of War, to the Secretary of Agriculture, to the Secretary of the Interior, to the Secretary of the Federal Power Commission, to the United States Forestry Department, to the Chief of the Reclamation Service, to the United States Geological Survey Department, to the Superintendent of National Parks and to each of our Senators and Representatives in Congress.

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1347 passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Bromley, Burns, Carlson, Carter, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Hornblower, Johnson, Kline, Lyman, Lyons,

McPherson, Miller, Moore, Morris, Morrison, Mueller, Pedrotti, Reindollar, Rosenshine, Schmidt, Scott, Smith, West, Whitacre, Williams, and Woodbridge—43.

NOES—Badham, Baker, C. C., Baker, Edwin; Christian, Dozier, Duval, Graves, Heisinger, Jones, Mathews, Mitchell, A. G., Noyes, Pomeroy, Prendergast, Spalding, Spence, Stow, Weller, Wright, and Mr. Speaker—20.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1005—An act to amend sections 5 and 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1005 passed by the following vote:

AYES—Badham, Baker, Edwin; Ball, Bernard, Bromley, Carlson, Carter, Christian, Cleveland, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Smith, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48

NOES—Burns, Crittenden, Emme, Fellom, Hornblower, Rosenshine, Schmidt, Scott, and Spence—9.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Assembly Bill No 1306 passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bromley, Burns, Carter, Christian, Clarke, Coombs, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Graves, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, A G., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, West, Whitacre, and Woodbridge—52

NOES—Bernard, Carlson, Cleveland, Connolly, Crittenden, Dean, Eksward, Fulwider, Johnston, McPherson, Noyes, Saylor, Williams, Wright, and Mr. Speaker—15.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. McPherson asked for and was granted unanimous consent to withdraw Assembly Bill No. 1282.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Miss Miller asked for and was granted unanimous consent to withdraw Assembly Bill No. 762.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr Bromley asked for and was granted unanimous consent to withdraw Assembly Bill No. 443.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Bromley asked for and was granted unanimous consent to withdraw Assembly Bill No. 1375

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Morrison asked for and was granted unanimous consent to withdraw Assembly Bill No. 1300.

Bill withdrawn and ordered stricken from the file.

ADJOURNMENT.

At four o'clock and forty minutes, p. m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until ten o'clock, a.m., Monday, May 14, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 14, 1923.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Graves, Mr. Baker, Edwin, was granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr. Mitchell, A. G., was granted leave of absence for the day.

On motion of Mr. Smith, Mr. Spence was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Badaracco, Mrs. R. Bocci, and Mrs. Gardiner Wood of San Francisco, and Mrs. Rolla and Mrs. R. Carissimi of Sacramento were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Schmidt, Miss Agnes V. Barron of San Francisco was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Pomeroy, Judge Moore of Whittier was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mrs. Woodbridge, Mrs. W. H. Ziegler and Miss Daisy Cooper of Spokane, Wash., were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of the San Francisco delegation, Dr. Thomas P. Bodkin, Chief Charles J. Brennan, Captain George F. Brown, Captain Willis E. Gallatin and Captain Edward M. Hogan of the David Scannell Club of the San Francisco Fire Department, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Scott, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1066—An act to regulate the preparation, manufacture, care and marketing of milk products, to prevent fraud and to protect the public health in the preparation and marketing of said milk products, to prohibit the introduction of foreign fats into milk products, providing for the enforcement and prescribing penalties for the violation hereof.

Also: Assembly Bill No. 113—An act to amend sections 8 and 17 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the state, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919;

Also: Assembly Bill No. 73—An act to amend an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral, at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921, by extending the southern terminus of said road to the State highway at Groveland, in Tuolumne County.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1261—An act to add a new section to the Political Code, to be numbered 4259*a*, relating to the fees and mileage of jurors in counties of the thirtieth class.

Also: Assembly Bill No. 52—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Also: Assembly Bill No. 607—An act to amend section 345 of the Civil Code, relating to the extension of time of delinquent stock sale;

Also: Assembly Bill No. 334—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class;

Also: Assembly Bill No. 1295—An act to amend section 7 of an act entitled "An act to form agricultural districts to provide for the formation, organization and powers of agricultural associations therein, and for the management and control of

the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 66—An act to amend section 925 of the Penal Code, relating to proceedings before the grand jury;

Also: Assembly Bill No. 1221—An act to amend section 3666a of the Political Code, relating to the report of the Insurance Commissioner to the State Board of Equalization, listing insurance companies engaged in the business of insurance in this State, and providing for statements by insurance companies, to Insurance Commissioner;

Also: Assembly Bill No. 1335—An act to amend section 4258 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 1310—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class;

Also: Assembly Bill No. 1262—An act to amend section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 341—An act to amend section 99 of the Code of Civil Procedure, providing for justice's courts in townships having a population of 400,000 or more;

Also: Assembly Bill No. 921—An act to repeal sections 150 to 208, both inclusive, of, and to add a new section to be numbered 150, to the Political Code, relating to legal distances;

Also: Assembly Bill No. 1299—An act authorizing the city of San Diego to convey certain tide lands to the United States of America, for naval purposes;

Also: Assembly Bill No. 204—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 548—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1114—An act to amend an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment, and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof, providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, amended and approved March 20, 1903, and all other laws in conflict herewith," approved March 23, 1907, as amended;

Also: Assembly Bill No. 862—An act to amend section 626c of the Penal Code, relating to protection of deer;

Also: Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof, to provide for the enforcement of said act and penalties for the violation thereof;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 212—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or

rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sales, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Also Assembly Bill No 742—An act to amend section 1610 of the Political Code, relating to the establishment and maintenance of lunch rooms in public schools.

Also Assembly Bill No. 416—An act to repeal section 28 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 305—An act to amend section 650 of the Code of Civil Procedure and to add a new section to the said code to be numbered 1018, relating to service on parties to actions or proceedings who have defaulted or who have not appeared;

Also: Assembly Bill No. 974—An act to amend section 19x31 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment of commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith";

Also Assembly Bill No. 324—An act to amend section 628a of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 372—An act to authorize and provide for the use by cities of county buildings and for the conduct of business therein.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 325—An act to amend an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended.

Also Assembly Bill No. 1250—An act to amend section 681a of the Code of Civil Procedure, relating to stay of execution;

Also Assembly Bill No. 303—An act to amend sections 671 and 674 of the Code of Civil Procedure, and to repeal section 671a of said code, relating to judgment liens and transcripts of judgments.

Also: Assembly Bill No. 209—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment;

Also Assembly Bill No. 300—An act to amend section 659 of the Code of Civil Procedure, relating to motion for a new trial;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1132—An act to amend section 4290 of the Political Code, relating to fees and salaries of county officers;

Also Assembly Bill No. 252—An act to amend section 415 of the Civil Code relating to purchase and conveyance of real estate;

Also Assembly Bill No 817—An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof;

Also Assembly Bill No. 1291—An act authorizing the conveyance to the county of Los Angeles of a right of way for a county road over land owned by the State of California near Walnut, Los Angeles County, California;

Also Assembly Bill No. 1313—An act to amend section 4013 of the Political Code, relating to county officers.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 246—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registation and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also Assembly Bill No. 734—An act to amend sections 3, 4, 5, 7, 8 and 9 of the "California Grain Standardization Act," approved June 3, 1921;

Also Assembly Bill No. 1316—An act to amend sections 85 and 97 of the Code of Civil Procedure, relating to justices of the peace, in cities and counties;

Also Assembly Bill No. 1305—An act to amend section 1576 of the Penal Code, relating to the duties of prison directors;

Also Assembly Bill No. 423—An act to amend section 4281 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-second class,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 307—An act to make instruction in the constitution of the United States compulsory in public and private schools within the State of California

Also Assembly Bill No. 1288—An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto;

Also Assembly Bill No. 88—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to employment conditions and hours of labor of females;

Also Assembly Bill No. 210—An act to amend section 360e of the Political Code, relating to records;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of May, 1923, at two o'clock p.m.

ROBERTS, Chairman.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BROMLEY, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

Also: Senate Bill No. 246—An act to amend an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

Also: Senate Bill No. 447—An act creating the Peninsula Development District, comprising the city and county of San Francisco and a portion of San Mateo county, conferring certain powers thereon and providing for the exercise thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 166 read first time, and referred to Committee on Judiciary.

Senate Bill No. 246 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 447 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste, to establish grades to which the

fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform, to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921;

Also Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas or other hydrocarbon deposits and providing for the disposition of moneys under said leases, and creating a commission to carry out the provisions of this act

Also Senate Bill No 452—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended;

Also, Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed, and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 696 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 746 read first time, and referred to Committee on Oil Industries.

Senate Bill No. 452 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 739 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054*a*, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof;

Also Senate Bill No 582—An act appropriating money to pay the claim of R. R. Veale against the State of California;

Also Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California;

Also Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the budget act passed at the present session of the Legislature;

Also: Senate Bill No. 168—An act providing for the protection and assistance of aged persons under certain conditions in the State of California and prescribing penalties for violation of the provisions hereof and making an appropriation for the carrying out of its purposes.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Bill No. 740 read first time, and referred to Committee on Judiciary.

Senate Bill No. 582 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 742 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 748 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 168 read first time, and referred to Committee on Public Charities and Corrections.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the Department of Public Works of the State of California, defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 54 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on May 10, 1923, adopted Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary

Senate Constitutional Amendment No. 23 read, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as a case of urgency Senate Bill No 750—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

Senate Bill No. 750 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Senate Concurrent Resolution No. 27 read, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, May 11, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 26—Relative to the creation of the "legislative tax committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Senate Concurrent Resolution No. 26 read, and referred to Committee on Ways and Means.

SECOND READING OF SENATE BILL.

Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act.

Bill read second time, and ordered on file for third reading.

MOTION TO CORRECT JOURNALS.

Mr Carter moved that the Journals of Monday, April 30, 1923; Tuesday, May 1, 1923; Wednesday, May 2, 1923; Thursday, May 3, 1923; Friday, May 4, 1923, and Saturday, May 5, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Dawson—*Resolved*, That the State Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred ($100) dollars, said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
PEDROTTI.
MITCHELL, A. G.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badham, Ball, Bernard, Carlson, Carter, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Emine, Erb, Foster, Graves, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stow, West, Whitacre, Woodbridge, Wright, and Mr Speaker—43.

NOES—None.

THIRD READING OF SENATE BILLS.

Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610*a*, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Badham moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "furnish" insert the following: ", or provide for the furnishing of,".

Motion carried.

The Speaker appointed Mr. Badham as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 342, with instructions, reports that the instructions of the Assembly have been carried out.

BADHAM, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Ball moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "four" and in lieu thereof insert the word "five".

Motion carried.

The Speaker appointed Mr. Ball as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 3, with instructions, reports that the instructions of the Assembly have been carried out.

BALL, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Smith moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28, of the printed bill, after the word "index" strike out the word "docket" and insert in lieu thereof the words "register of proceedings".

Motion carried.

The Speaker appointed Mr. Smith as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No 291, with instructions, reports that the instructions of the Assembly have been carried out.

SMITH, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles, to provide for carrying out of the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts, or parts of acts in conflict with this act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, before the words "Pneumatic tires" insert "(a)".

AMENDMENT NUMBER TWO.

On page 2, line 40, of the printed bill, after the period insert the following:

"(b) "Cushion tires." All tires of the solid tire type whose resiliency is increased by means of air chambers or openings therein other than indentations in the tread or outer surface thereof extending entirely around the exterior periphery thereof."

AMENDMENT NUMBER THREE.

On page 2, line 41, of the printed bill, before the word "solid" insert "(a)".

AMENDMENT NUMBER FOUR.

On page 2, line 43, of the printed bill, after the period insert the following:

"(b) "Cushion wheel." A wheel within the circumference of a larger wheel, and depending in part for its resiliency upon a strip or pad of rubber or similar resilient material situated between the outer circumference of a small wheel and the inner circumference of the larger wheel."

AMENDMENT NUMBER FIVE.

On page 5, line 9, of the printed bill, after the word "registration" strike out the comma and insert the words "and ownership".

AMENDMENT NUMBER SIX.

On page 6, line 4, of the printed bill, after the comma following the word "number" insert the following "the year built.".

AMENDMENT NUMBER SEVEN.

On page 7, line 16, of the printed bill, after the word "including" insert the following "the year built.".

AMENDMENT NUMBER EIGHT.

On page 10, line 2, of the printed bill, strike out the word "therafter" and insert in lieu thereof the word "thereafter"

AMENDMENT NUMBER NINE.

On page 11, line 9, of the printed bill, strike out the word "motor"

AMENDMENT NUMBER TEN.

On page 11, line 20, of the printed bill, after the word "division" insert the following "and on any other vehicle in plain sight and in the manner to be specified by the division"

AMENDMENT NUMBER ELEVEN.

On page 12, of the printed bill, in line 38, in line 42, and in line 49, strike out the words "registration certificate" and insert in lieu thereof the words "certificate of registration or ownership."

AMENDMENT NUMBER TWELVE.

On page 14, lines 33 and 34, of the printed bill, strike out the following

"63. Examination of applicants.

64. What person shall not be licensed as operators or chauffeurs.",

and insert in lieu thereof the following

"63. Minimum age limit for operators and chauffeurs.

64. No new license to be issued during suspension or revocation"

AMENDMENT NUMBER THIRTEEN.

On page 14, line 52, of the printed bill, strike out "a pupil operator,".

AMENDMENT NUMBER FOURTEEN

On page 15 of the printed bill, strike out all of lines 3 to 22, both inclusive, and insert in lieu thereof the following

"Sec. 59. Application for license. Application to the division shall be made by every operator for an operator's license and by every chauffeur for a chauffeur's license except as herein otherwise provided"

AMENDMENT NUMBER FIFTEEN.

On page 16 of the printed bill, strike out all of lines 22 to 52, both inclusive, and on page 17 strike out all of lines 1 to 24, both inclusive, and insert in lieu thereof the following

"Sec. 63. Minimum age limit for operators and chauffeurs. An operator's license shall not be issued to any person under the age of fourteen years and no chauffeur's license shall be issued to any person under the age of sixteen years, nor shall any such license be issued to any person unless the correct fee therefor specified in this act shall be paid; *provided* it shall be unlawful for any person licensed as a chauffeur who is under the age of eighteen years to operate a vehicle carrying passengers for hire. No person under the age of twenty-one years, whether licensed as an operator or chauffeur, or unlicensed as either, shall drive a school bus containing passengers which is owned and operated by a school district.

Sec. 64. No new license to be issued during suspension or revocation The division shall not issue an operator's or chauffeur's license to any person whose license has been suspended during the period for which such license was suspended nor to any person whose license has been revoked under the provisions of this act until the expiration of one year after such license was revoked"

AMENDMENT NUMBER SIXTEEN.

On page 17 of the printed bill after line 35, insert the following:

"(c) The division shall maintain a file containing the names of all operators and chauffeurs whose licenses have been suspended by it or revoked by it or by a court of competent jurisdiction and the reasons therefor, which names shall be so filed during the period of such suspension or revocation. The division shall arrange such names alphabetically under the name of each such operator or chauffeur in a file entitled "Operators' and chauffeurs' licenses suspended or revoked.""

AMENDMENT NUMBER SIXTEEN *a*

On page 17, line 45, of the printed bill, after the word "licensee" strike out the period and insert in lieu thereof a colon and the following "*Provided, further*, that every applicant for an operator's or chauffeur's license shall furnish his or her photograph or appear in person at the nearest motor-vehicle division and be photographed such person or photograph shall be photographed together with a screen on which is printed in legible type the wording required by the division and three copies of such photograph shall be made, one to be delivered to the applicant one to be filed with the division where application is made and one to be filed with the head office of the division Such photographs shall be filed together with such applications. Upon the face of each operator's or chauffeur's license shall be affixed the photograph of the person to whom such license is issued".

AMENDMENT NUMBER SEVENTEEN

On page 18, line 20, of the printed bill, strike out the comma after the word "license" and insert a period and strike out the balance of line 20 and all of lines 21 to 23, both inclusive.

AMENDMENT NUMBER EIGHTEEN.

On page 18, line 30, of the printed bill, after "Sec 71" insert the following "Licensed chauffeur need not obtain operator's license."

AMENDMENT NUMBER NINETEEN

On page 18, line 37, of the printed bill, strike out the words "twenty-two" and insert in lieu thereof the words "twenty-one."

AMENDMENT NUMBER TWENTY.

On page 19, line 15, of the printed bill, strike out all that portion thereof after the period and all of lines 16 and 17.

AMENDMENT NUMBER TWENTY-ONE.

On page 21, line 11, of the printed bill, strike out

"82. Fees for operator's and chauffeur's licenses" and insert in lieu thereof the following:

"82. Fees for chauffeurs' licenses and duplicate operators' and chauffeurs' certificates."

AMENDMENT NUMBER TWENTY-TWO.

On page 21, line 13, of the printed bill, strike out "dolars" and insert "dollars."

AMENDMENT NUMBER TWENTY-THREE

On page 21, line 19, of the printed bill, strike out the words "twenty-five" and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER TWENTY-FOUR.

On page 21, line 21, of the printed bill, after the word "of" insert the following: "passengers for hire or for the transportation of".

AMENDMENT NUMBER TWENTY-FIVE

On page 21, line 26 of the printed bill, after the word "trailers, insert "and semitrailers other than light camping semitrailers,".

AMENDMENT NUMBER TWENTY-SIX.

On page 21, line 33, of the printed bill, strike out "4000" and insert in lieu thereof "3000".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 21, line 34, of the printed bill, strike out "4000" and insert in lieu thereof "3000".

AMENDMENT NUMBER TWENTY-EIGHT

On page 21, line 41, of the printed bill, strike out "additional" and insert in lieu thereof "in addition to the fees specified in subdivision (*a*) of this section."

AMENDMENT NUMBER TWENTY-NINE

On page 21, line 43, of the printed bill, after the period, insert the following as an additional paragraph

"For the purposes of this section, a vehicle weighing less than 3000 pounds unladen and equipped with cushion tires shall be deemed to be equipped with pneumatic tires."

AMENDMENT NUMBER THIRTY.

On page 22, line 30, of the printed bill, after the word "government" insert the words "or by a consul or other official representative thereof,".

AMENDMENT NUMBER THIRTY-ONE.

On page 23, line 13, of the printed bill, strike out the words "registration certificate" and insert in lieu thereof "certificate of registration or of ownership".

AMENDMENT NUMBER THIRTY-TWO.

On page 23, line 17, of the printed bill, after the word "certificate" insert "or certificate of ownership".

AMENDMENT NUMBER THIRTY-THREE

On page 23 of the printed bill, strike out lines 41 to 45, both inclusive, and insert in lieu thereof the following

"Sec. 82. Fees for chauffeurs' licenses and duplicate operators' and chauffeurs' certificates The following fees shall be paid to the division upon application for and before issuance of a chauffeur's license and badge or a duplicate operator's or chauffeur's certificate or chauffeur's badge "

AMENDMENT NUMBER THIRTY-FOUR

On page 24, line 24, of the printed bill, strike out

"104. Truck lamps" and insert in lieu thereof

"104. Acetylene headlights".

AMENDMENT NUMBER THIRTY-FIVE.

On page 25, line 6, of the printed bill, strike out "truck" and insert in lieu thereof "trunk".

AMENDMENT NUMBER THIRTY-SIX.

Amend page 25, line 10, by inserting "(*a*)" before the words "No vehicle".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 25, line 18, of the printed bill, after the word "apart" insert ", or with eight wheels and with four axles when the second and third axles are not less than ninety-six inches apart".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 25, line 22, of the printed bill, after the period, insert the following as an additional paragraph

"(*b*) Any vehicle equipped with four wheels, all of which are cushion wheels running on the highway, may be operated upon the public highway when the gross weight of such vehicle and load does not exceed twenty-three thousand pounds."

AMENDMENT NUMBER THIRTY-NINE.

Amend page 25, line 50, by adding paragraphs as follows:

"(*c*) Anything in this section to the contrary notwithstanding, it shall be lawful to operate until midnight on the thirty-first day of December, 1926, any vehicle weighing, when unladen, ten thousand pounds or more, registered at the time this act becomes effective which has a total weight including vehicle and load not in excess of twenty-four thousand pounds when such vehicle is equipped with four wheels running on the highway.

(*d*) Vehicles with a possible gross weight of twenty-four thousand pounds shall have painted on both sides and rear the words and numerals "Capacity 24,000 lbs." in letterns not less than three inches in height. The certificates of such vehicles shall bear the original manufacturer's or dealer's sales date, which shall be verified by the division."

AMENDMENT NUMBER FORTY.

On page 25, line 34, of the printed bill, after the word "vehicle" and before the period insert the following "except that a horse drawn vehicle equipped with metal tires may be moved upon the highway when the weight of such vehicle, including any load thereon, does not exceed seven hundred pounds upon any inch of width of tire of such vehicle".

AMENDMENT NUMBER FORTY-ONE.

On page 26, line 2, of the printed bill, strike out the word "such" where it first appears in said line.

AMENDMENT NUMBER FORTY-TWO.

On page 26, line 49, of the printed bill, strike out the words "a water bound macadam or".

AMENDMENT NUMBER FORTY-THREE.

On page 29, line 4, of the printed bill, strike out "damages" and insert in lieu thereof "damage".

AMENDMENT NUMBER FORTY-FOUR

On page 29, line 25, of the printed bill, strike out the word "hospital" and insert in lieu thereof the word "every".

AMENDMENT NUMBER FORTY-FIVE.

On page 29, line 26, of the printed bill, strike out the words "of a city or county".

AMENDMENT NUMBER FORTY-SIX

On page 30, line 46, of the printed bill, strike out "not" and the rest of such line and all of lines 47 and 48 and insert in lieu thereof the words "and as determined by laboratory test provided for in section 102".

AMENDMENT NUMBER FORTY-SEVEN.

On page 31, line 1, of the printed bill, strike out the words "nor more than six thousand,".

AMENDMENT NUMBER FORTY-EIGHT.

On page 31, line 10, of the printed bill, strike out the words "two thousand" and in line 11 strike out the word "four" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FORTY-NINE.

On page 31, line 11, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "five".

AMENDMENT NUMBER FIFTY.

On page 32, line 1, of the printed bill, strike out "act" and insert in lieu thereof the word "section".

AMENDMENT NUMBER FIFTY-ONE.

On page 32, line 5, of the printed bill, after the comma following the word "provided", add the words "using twenty-one standard candle power lamp or bulb or thirty-two standard candle power lamp or bulb, or any standard candle power lamp or bulb between these two limits,".

AMENDMENT NUMBER FIFTY-TWO.

On page 32, line 19, of the printed bill, strike out the period after the word "impractical" and add the words ", but upon any such refusal must furnish the applicant a detailed statement signed by him setting forth the reasons for such refusal."

AMENDMENT NUMBER FIFTY-THREE

On page 33 of the printed bill, strike out all of lines 5 to 11, inclusive, and insert in lieu thereof the following:

"(*c*) From and after the date upon which this section becomes effective it shall be unlawful to sell or offer for sale any headlight lamp or headlight equipment unless it is of a type which shall have been approved by the division under the provisions hereof, and unless such device is accompanied by a printed sheet of instructions describing the device in detail, its method of mounting and adjustment, candle power limits of lamps to be used and any other adjustment that may be necessary to insure its conformity with the requirements of this act, and with the conditions specified in the report of the testing agency appointed by the chief of the division to test such headlight control device, such instructions shall be printed with photographs of the (*a*) lens or control device, (*b*) pattern of light from one headlight thrown on regulation testing screen both with and without the device, showing the relation of the patterns of light as projected in each case to a horizontal cross line placed across the face of such screen at a height equal to the height of the center of such headlight, and with the headlight adjusted for tilt and focus exactly as required to conform to the requirements of this act. It shall be unlawful from and after the date upon which this section becomes effective to sell or offer for sale any new motor vehicle equipped with headlights which do not comply with the provisions of this act."

AMENDMENT NUMBER FIFTY-FOUR.

On page 33 of the printed bill, strike out all of lines 34 to 51, inclusive, and on page 34 all of lines 1 to 8 inclusive, and insert in lieu thereof the following:

"Sec. 104. Acetylene headlights. Any motor vehicle equipped with acetylene headlights shall be deemed to have complied with the provisions of this act, concerning headlights, anything to the contrary notwithstanding, when such vehicle has two acetylene lamps at the front portion thereof, of approximately equal candlepower which shall be lighted at the times and under the conditions specified in section ninety-nine, and are fitted with clear plane glass fronts, bright six inch spherical mirrors and standard acetylene five-eighths foot burners, not more and not less, and which must throw sufficient light ahead to make clearly visible all vehicles, persons or substantial objects upon the roadway within a distance of two hundred (200) feet but mush not project a glaring or dazzling light to persons approaching such lights or to persons whom such headlights may approach.

Any motorcycle equipped with an acetylene headlight shall be deemed to have complied with the provisions of this act, anything to the contrary notwithstanding, when such motorcycle has one acetylene lamp at the front thereof, which shall be lighted at the times and under the conditions specified in section ninety-nine, and is fitted with a clear plane glass front, bright, six-inch spherical mirror and a standard acetylene one-half or five-eighths foot burner, and which must throw sufficient light ahead to make clearly visible all vehicles, persons or substantial objects upon the roadway within a distance of one hundred fifteen feet (115), but must not project a glaring or dazzling light to persons approaching such light or to persons whom such headlight may approach.

If the inclusion of this section is ever held to render any other provision of this act unconstitutional, then this section shall be regarded as stricken from this act so that the other provision may remain in force."

AMENDMENT NUMBER FIFTY-FIVE.

On page 35, line 38, of the printed bill, strike out the words "outside of" and insert in lieu thereof the words "left side of such vehicle or".

AMENDMENT NUMBER FIFTY-SIX.

On page 35, line 43, of the printed bill, after the period, insert the following "No such light shall project a light greater than four apparent candle power."

AMENDMENT NUMBER FIFTY-SEVEN.

On page 37, line 11, of the printed bill, strike out "rate of".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 37, line 48, of the printed bill, strike out "rate of".

AMENDMENT NUMBER FIFTY-NINE.

On page 39, line 14, of the printed bill, strike out "rate of".

AMENDMENT NUMBER SIXTY.

On page 39, line 18, of the printed bill, strike out "rates of speed" and insert in lieu thereof "speeds".

AMENDMENT NUMBER SIXTY-ONE.

On page 39, line 35, of the printed bill, strike out the word "limit".

AMENDMENT NUMBER SIXTY-TWO.

On page 39, line 45, of the printed bill, strike out "rate of".

AMENDMENT NUMBER SIXTY-THREE

On page 39, line 51, of the printed bill, strike out "rate of".

AMENDMENT NUMBER SIXTY-FOUR.

On page 40, line 26, of the printed bill, strike out the period and insert in lieu thereof: "nor to ambulances or the vehicles of licensed physicians when actually traveling in response to emergency calls."

AMENDMENT NUMBER SIXTY-FIVE.

On page 41, line 34, of the printed bill, after the period insert "Following too closely."

AMENDMENT NUMBER SIXTY-SIX.

On page 41, line 49, of the printed bill, strike out the words "or so as to cross the street".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 43, line 28, of the printed bill, and in line 31, strike out "rate of".

AMENDMENT NUMBER SIXTY-EIGHT

On page 44, line 38, of the printed bill, after the word "cargo" the second time it appears therein insert a comma.

AMENDMENT NUMBER SIXTY-NINE.

On page 44, line 50, of the printed bill, strike out the word "countes" and insert in lieu thereof the word "counties".

AMENDMENT NUMBER SEVENTY.

On page 45, line 15, of the printed bill, after the word "highway" insert the words "outside of a business or residence district as defined herein,".

AMENDMENT NUMBER SEVENTY-ONE.

On page 45, line 28, of the printed bill, strike out the words "to any public" and strike out all of line 29 and that portion of line 30 reading "herein, nor shall it apply".

AMENDMENT NUMBER SEVENTY-TWO.

On page 45, line 31, of the printed bill, strike out the words "shall be" and insert in lieu thereof the word "is".

AMENDMENT NUMBER SEVENTY-THREE.

On page 45, line 33, of the printed bill, strike out the words "shall be" and insert in lieu thereof the word "is" and in line 33 after the word "stopping" insert the words "and temporarily leaving".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 45, line 34, of the printed bill, insert a period after the word "position" and strike out all that portion of said line beginning with the word "and" and strike out all of line 35.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 46, line 13, of the printed bill, strike out "the".

AMENDMENT NUMBER SEVENTY-SIX.

On page 47, line 37, of the printed bill, strike out the word "motor".

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 48, line 5, of the printed bill, strike out the word "motor" also in line 8, line 17, line 23, line 27, line 28, and in line 31.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 48, line 42, of the printed bill, strike out "It shall be the duty of any" and insert in lieu thereof the word "Any"

AMENDMENT NUMBER SEVENTY-NINE.

On page 48, line 44, of the printed bill, strike out the word "to" the second time it appears therein and insert in lieu thereof the word "shall".

AMENDMENT NUMBER EIGHTY

On page 49, line 24, of the printed bill, strike out all that portion of said line commencing with the word "conviction" and all of line 25 and in line 26 strike out "said title" and insert in lieu thereof "such conviction within one year."

AMENDMENT NUMBER EIGHTY-ONE.

On page 49, line 29, of the printed bill, strike out that portion thereof beginning with the word "conviction" and that portion of line 30 down to and including the comma and insert in lieu thereof the words "such conviction within one year".

AMENDMENT NUMBER EIGHTY-TWO.

On page 49 of the printed bill, strike out all of lines 45 to 49, both inclusive, and insert in lieu thereof the following

"155 Evidence based on use of speed traps not to be admitted.
156 Report of convictions to be sent to division.
157. Division to deposit all fees in state treasury.
158 Division to file semi-annual report.
159 Motor vehicle fund.
160 Fines and forfeitures"

AMENDMENT NUMBER EIGHTY-THREE.

On page 50 of the printed bill, after line 32 and before line 33, insert the following

"Sec. 155. Evidence based on use of speed traps not to be admitted. No evidence as to the speed of a vehicle operated on a highway by any person arrested for a violation of the provisions of this act shall be admitted in any court at the consequent trial of such person when such evidence relates to or is based upon the maintenance or use of a speed trap.

A speed trap within the meaning of this section is a particular section of, or distance on, any highway the length of which has been or is measured for distance, and marked off or otherwise designated or determined, and the limits of which are within the vision of an officer or officers who calculate the speed of a vehicle passing through such speed trap by using the elapsed time during which such vehicle travelled between the entrance and exit of such speed trap.

Nor shall any testimony in any such case be admitted in any court from any officer or officers arresting or participating or assisting in the arrest of such person if any speed trap was used in such arrest or if such officer or officers, or any of them, were not at the time of such arrest dressed in a distinctive uniform and patrolling or upon the highway upon which the arrest was made in plain sight of all persons travelling thereon."

AMENDMENT NUMBER EIGHTY-FOUR.

On page 50, line 33, of the printed bill, strike out "155" and insert in lieu thereof "156".

AMENDMENT NUMBER EIGHTY-FIVE

On page 51, line 7, of the printed bill, strike out "156" and insert in lieu thereof "157"

AMENDMENT NUMBER EIGHTY-SIX.

On page 51, line 15, of the printed bill, strike out "157" and insert in lieu thereof "158".

AMENDMENT NUMBER EIGHTY-SEVEN

On page 51, line 21, of the printed bill, strike out "158" and insert in lieu thereof "159".

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 51, line 49, of the printed bill, strike out the comma and the remainder of the line, also strike out all of lines 50 and 51 and on page 52 strike out all that portion of line 1 down to and including the comma therein.

AMENDMENT NUMBER EIGHTY-NINE.

On page 52, line 6, of the printed bill, strike out "and all such amounts paid" and insert in lieu thereof the following: "*provided*, that there shall be deducted from the amount to be paid hereunder to any county all amounts that may have been expended under the provisions of this act during the preceding six months to pay the compensation of state inspectors and traffic officers appointed to serve in such county. All amounts paid under this section".

AMENDMENT NUMBER NINETY.

On page 52, line 21, of the printed bill, after the word "in" insert the word "the" and strike out the word "the" at the end of the line.

AMENDMENT NUMBER NINETY-ONE.

On page 53, line 31, of the printed bill, strike out "159" and insert in lieu thereof "160".

AMENDMENT NUMBER NINETY-TWO.

On page 54, line 7, of the printed bill, strike out "160" and insert in lieu thereof "161".

AMENDMENT NUMBER NINETY-THREE.

On page 54, line 15, of the printed bill, strike out "161" and insert in lieu thereof "162".

AMENDMENT NUMBER NINETY-FOUR.

On page 54, line 32, of the printed bill, strike out "162" and insert in lieu thereof "163".

Amendments adopted.

Bill read second time, ordered to reprint, and re-referred to Committee on Ways and Means.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 499—An act to amend section 1577 of the Political Code, relating to new school districts and change of boundaries of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 499 finally passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Emme, Erb, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—43.

NOES—Cleveland, and Graves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 22—Approving amendment to the charter of the county of Los Angeles, State of California.

Senate Concurrent Resolution No. 22 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 22 finally adopted by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Graves, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McMillan, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Woodbridge, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 22 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No 22.

Approving amendment to the charter of the county of Los Angeles, State of California.

Senate Concurrent Resolution No. 24—Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923.

Senate Concurrent Resolution No. 24 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 24 finally adopted by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Johnson, Kline, Lyman, Mathews, McDowell, McMillan, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 24 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 24

Approving amendments to the charter of the city of Pasadena, a municipal corporation of the State of California, situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1923.

Senate Bill No. 14—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 14 finally passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, Miller, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 396—An act to amend section 1880 of the Political Code, relating to elections for school district bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 396 finally passed by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 12—Relative to the employment of war veterans at the soldiers' home at Sawtelle.

Senate Joint Resolution No. 12 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 12 finally adopted by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Johnson, Kline, Lyman, Lyons, Mathews, McDowell, Miller, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Rock, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker.—48.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 12 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 12.

Relative to the employment of war veterans at the Soldiers' Home at Sawtelle.

WHEREAS, A large number of civilians who have never served in the regular or volunteer service of the army of the United States are employed in various positions necessary to the management and conduct of the Soldiers' Home at Sawtelle in the State of California; and

WHEREAS, There are available in the State of California veterans of the wars of the United States capable of properly filling such positions; now, therefore, be it

Resolved by the Senate and the Assembly, jointly, That we do recommend, that so far as can be done consistently with good service, all such positions at the Soldiers' Home at Sawtelle be filled by discharged veterans of the wars of the United States, and be it further

Resolved, That a copy of this resolution be sent to the Secretary of War of the United States, to the board of commissioners of the Soldiers' Home, to the Governor of the Soldiers Home at Sawtelle and to each member of the Congress of the United States from the State of California.

Senate Joint Resolution No. 13—Relating to immigrants or permanent residents of all aliens ineligible to citizenship.

Senate Joint Resolution No. 13 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No 13 finally adopted by the following vote:

AYES—Anderson, Badham Ball, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, Miller, Morris, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 13 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 13.

Relating to immigrants or permanent residents of all aliens ineligible to citizenship.

WHEREAS, The continued admission of undesirable immigrants into the United States under the operation of our present laws taken in connection with the vast number of non-naturalized, non-assimilated persons heretofore admitted through lax laws and lax administration of our immigration laws, constitutes a vital and growing menace to American institutions and American ideals; and

WHEREAS, Obviously, the admission as immigrants of aliens who, under our laws are ineligible to citizenship, must create in our midst communities of non-assimilables having interests and ideals of their own and offering more or less of danger to American institutions and citizenship; therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to so amend the present laws as to prohibit absolutely the entrance as immigrants or permanent residents of all aliens ineligible to citizenship; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit copies of this resolution to the President of the Senate and Speaker of the House of each state legislature now in session.

Senate Joint Resolution No. 15—Relative to industrial disputes.

Senate Joint Resolution No. 15 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 15 finally adopted by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fulwider, Hornblower, Johnson, Jones, Lyman, McDowell, McMillan, Miller, Morris, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Dozier, and Graves—2.

Title read and approved.

Senate Joint Resolution No. 15 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 15.

Relative to industrial disputes.

WHEREAS, On July 1, 1922, approximately 400,000 railway shopmen went on strike in the United States (for reasons which we as a legislative body neither condemn nor condone) and which strike affected and stagnated the commerce of the United States, and,

WHEREAS, On July 1, 1922, the President of the United States offered his good offices as mediator to end the industrial dispute between the shopmen and the railroad management offering terms of settlement and, it is reported, stated to the "Federated Shop Crafts" that if they would accept the same and the railroad management should refuse he would carry his position to the American people; and,

WHEREAS, The terms offered by the President of the United States were accepted by the "Federated Shop Crafts" yet refused by the railroad management which seems that his efforts were unavailing and that said strike is not ended at this time; and,

WHEREAS, Owing to the fact that the State of California is in a great measure dependent upon railroad transportation facilities and efficiency owing to the nature of its fruitgrowing industries and therefore can not permit of further losses such as those suffered during the past period of the strike, and,

WHEREAS, It is reported that the interstate commerce commission reports show a marked increase in the amount of defective railroad equipment and motive power customary at this period of the year, so much so that it appears unavoidable that stagnation of United States commerce will continue and grow worse unless the former skilled railroad employees be returned to service; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature urgently request that the President of the United States use his offices to bring about a settlement of this industrial struggle and that each of California's senators and representatives in Congress be and they are hereby urged to use their good offices in their endeavor to bring about the desired results and that the Secretary of the Senate be and he is hereby directed to forward copies of this resolution to the President of the United States and to each of California's Senators and Representatives in Congress.

Senate Joint Resolution No. 19—Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

Senate Joint Resolution No. 19 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 19 finally adopted by the following vote:

AYES—Anderson, Badham, Broughton, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fox, Fulwider, Hornblower, Johnson, Lyman, Lyons, McDowell, McMillan, Miller, Morris, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—44.

NOES—Graves—1.

Title read and approved.

Senate Joint Resolution No. 19 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 19.

Relative to proposal of an amendment to the constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry.

WHEREAS, The supreme court of the United States has decided against the constitutionality of a law regulating the minimum wage to be paid women engaged in trade or industry; and

WHEREAS, The advancement of social and industrial conditions in this country demands the regulation provided by such a law; and

WHEREAS, The purpose of the Industrial Welfare Commission act of this State, which is the bettering of the conditions of women and children engaged in trade or industry, will be in many respects nullified by such decision of the supreme court of the United States, and

WHEREAS, The validity of such a law is dependent upon an amendment to the constitution of the United States; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the legislature of the State of California hereby memorializes congress to propose an amendment to the constitution of the United States which will permit the states of the union to enact legislation fixing a minimum wage for women engaged in trade or industry, and be it further

Resolved, That our senators and representatives in Congress be and are hereby requested to use all honorable means to secure the adoption of a measure proposing such an amendment to the constitution of the United States, and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly be and are hereby instructed to forward duly certified copies of these resolutions to each of our senators and representatives in Congress and to the President of the United States.

Senate Bill No 157—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 157 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Broughton, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 474—An act to add a new section to the Penal Code to be numbered 258, relative to furnishing false information to publishers of newspapers or other printed publications, or their agents, for publication.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 474 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Fulwider, Graves, Johnson, Jones, Kline, McDowell, McMillan, Miller, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock noon, on motion of Mr. Kline, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.
Speaker Merriam in the chair.
Assistant Clerk Waestman reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

DAVIS, Chairman.

The above reported joint resolution ordered on file for adoption.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 153—An act to amend sections 20, 40 and 47 of an act entitled "An act to make uniform the law of warehouse receipts," approved March 19, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 153 finally passed by the following vote:

AYES—Badham, Ball, Bromley, Carter, Christian, Clarke, Cleary, Connolly, Dean, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMullan, Miller, Moore, Morrison, Noves, Pedrotti, Pomeroy, Prendergast, Rock, Saylor, Smith, Spalding, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 216 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Smith, Spalding, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 74—An act to add a new title to part IV of division I of the Civil Code to be known as title 11*b*, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 74 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, McDowell, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 136—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Moore moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the words "married women have" and insert in lieu thereof the words "a married woman has".

AMENDMENT NUMBER TWO.

On page 1, line 20 of the printed bill, strike out the word "they" and insert in lieu thereof the word "she".

AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, strike out the word "their" and insert in lieu thereof the word "his".

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, strike out the word "women" and insert in lieu thereof the word "woman".

Motion carried.

The Speaker appointed Mr. Moore as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 136, with instructions, reports that the instructions of the Assembly have been carried out.

MOORE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 498—An act to amend section 16 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 498 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Noyes, Pedrotti, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Carlson, Cleary, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—43.

NOES—Badham, Bromley, Carter, Christian, Coombs, Emme, Foster, Graves, Hawes, Johnston, Kline, Lyons, Mathews, Morris, Pedrotti, Pomeroy, Roberts, and Weller—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 562—An act to amend the Civil Code by adding thereto a new section to be numbered section 2769, relating to insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 562 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Carlson, Carter, Christian, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dozier, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Scott, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Broughton, Cleary, Dorris, Fellom, and Stow—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 456—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 456 finally passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Donohue, Dozier, Emme, Erb, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 650—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 650 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Emme, Erb, Foster, Fox, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine,

Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—54.

NOES—Graves, Jones, and Prendergast—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Donohue moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after line 15, insert the following: "Children who are so definitely deficient in mentality as to be unteachable may be excluded from the regular elementary schools after examination initiated by a city or a county superintendent of schools and conducted before a superior court or a juvenile court of the county by at least two medical examiners, and such other witnesses as the court may require, and upon certification of such mental deficiency by such court to said city or county superintendent of schools."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 16 to 51 inclusive.

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, strike out all of lines 1 to 31 inclusive.

Motion carried.

The Speaker appointed Mr. Donohue as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 311, with instructions, reports that the instructions of the Assembly have been carried out.

DONOHUE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child and conferring jurisdiction upon the juvenile court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Crittenden, Dawson, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fox, Graves, Hawes, Johnson, Jones, Lyman, Mathews, McMillan, Miller, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Cleveland, Coombs, Dozier, Eksward, Fulwider, Hornblower, Pomeroy, Scott, and Snyder—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 250—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Carter, Cleary, Coombs, Crittenden, Dawson, Dean, Dorris, Emme, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, McDowell, McMillan, Miller, Mitchell, T. A., Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rock, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—Clarke, Cleveland, Dozier, and Eksward—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 220—An act to define and prohibit bucketing and bucket shopping and bucket shops; to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping, to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping; to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 220 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Carlson, Carter, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Emme, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 142—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, by amending section 32 thereof to authorize the Railroad Commission to determine facilities necessary to meet public requirements and fix the rates therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Bernard, Bromley, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Emme, Erb, Fellom, Fox, Graves, Heisinger, Hornblower, Johnson, Jones, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Badham, Dawson, Dozier, and Johnston—4.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN BROMLEY IN THE CHAIR.

At four o'clock and twenty-one minutes p.m., Hon. Elmer P. Bromley, member from the seventy-third district, was called to the chair.

Senate Bill No. 716—An act authorizing incorporated cities and towns to acquire by gift, purchase, or condemnation, certain lands for garbage disposal sites, and rights of way for roadways thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 716 finally passed by the following vote.

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bromley, Clarke, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, McDowell, McPherson, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Smith, Snyder, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Dozier—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 289—An act to amend section 3 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 289 finally passed by the following vote:

AYES—Badaracco, Badham, Ball, Bernard, Bromley, Cleary, Cleveland, Crittenden, Dawson, Dean, Dorris, Dozier, Emme, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Moore, Mor-

rison, Noyes, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams Woodbridge, and Wright—45.

NOES—Mr. Speaker—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 290—An act to amend section 13 of an act entitled "An act to be known as the Juvenile Court Law and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 290 finally passed by the following vote:

AYES—Badham, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Wright—47.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 141 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Cleary, Connolly, Coombs, Crittenden, Dorris, Emme, Erb, Fox, Graves, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Moore,

Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Carter, Cleveland, Dawson, Dozier, Heisinger, Johnston, Noyes, and Prendergast—8.

Title read and approved.

Bill ordered transmitted to the Senate.

THE SPEAKER IN THE CHAIR.

At five o'clock p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

Senate Bill No. 488—An act to amend sections 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* of the Political Code, relating to agriculture.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Connolly moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 12, of the printed bill as amended in the Assembly May 7, 1923, strike out all of line 23 after the word "dollars" and lines 24 to 28, both inclusive, and in lieu thereof insert a period.

AMENDMENT NUMBER TWO

On page 10, line 2, of the printed bill, after the word "thousand" insert the words "four hundred".

Motion carried.

The Speaker appointed Mr. Connolly as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 488, with instructions, reports that the instructions of the Assembly have been carried out.

CONNOLLY, Select Committee.

Report of Select Committee of One and amendments adopted.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Kline moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 8, line 4, of the printed bill as amended May 7, 1923, strike out the words "three thousand six" and insert in lieu thereof the following: "two thousand eight".

AMENDMENT NUMBER TWO

On page 8, line 11, of the printed bill as amended May 7, 1923, strike out the words "two thousand" and insert in lieu thereof the following: "one thousand eight hundred".

AMENDMENT NUMBER THREE.

On page 8, lines 20 and 21, of the printed bill as amended May 7, 1923, strike out the words "seven hundred sixty".

AMENDMENT NUMBER FOUR

On page 8, line 24, of the printed bill as amended May 7, 1923, strike out the words "thirty-five" and insert in lieu thereof the following: "ten".

AMENDMENT NUMBER FIVE

On page 8, line 25, of the printed bill as amended May 7, 1923, insert a period following the word "employed" and strike out all of line 25 following the word "employed" and strike out all of lines 26, 27 and 28.

Motion carried.

The Speaker appointed Mr. Kline as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 488, with instructions, reports that the instructions of the Assembly have been carried out.

KLINE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

RE-REFERENCE OF BILLS.

On motion of Mr. Stow, Senate Bill No. 12 and Senate Bill No. 73 were withdrawn from the Committee on Agriculture and re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Kline moved that Senate Bill No. 744 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Senate Bill No. 744 re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Weller moved that Senate Bill No. 656 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Senate Bill No. 656 re-referred to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Whitacre asked for and was granted unanimous consent to take up Senate Bill No. 212, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWELVE.

Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731*a*, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Whitacre moved that the Speaker appoint a Select Committe of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed bill, strike out the period and in lieu thereof insert a comma and the following matter: "*provided* that in consolidated districts formed from union or joint union high school districts consisting of more than two elementary school districts not more than two members of the board of education shall be elected or appointed from any one of such elementary districts."

Motion carried.

The Speaker appointed Mr. Whitacre as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 212, with instructions, reports that the instructions of the Assembly have been carried out.

WHITACRE, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Emme asked for and was granted unanimous consent to take up Senate Bill No. 229, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED TWENTY-NINE.

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose; declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the attorney general, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts

and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Emme moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 4, line 4, of the printed bill, after the comma insert the following "which action or proceeding was commenced prior to the sixteenth day of June, 1913.".

Motion carried.

The Speaker appointed Mr. Emme as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 229, with instructions, reports that the instructions of the Assembly have been carried out.

EMME, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

RECESS.

At five o'clock and fourteen minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1a, providing for the excusing of children from school for two hours each week—has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

BAKER, C. C., Chairman.
MILLER.
MOORE.
McMILLAN.
HEISINGER.
WHITACRE.
FOSTER.
SCOTT.
ROBERTS.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 446—An act to amend sections 1770, 1771, 1772, and 1773 of the Political Code, and to repeal sections 1774, 1775, 1776, 1777, and 1778 of the Political Code pro-

viding for the certification of teachers and other persons to serve in the public schools of the State.

Also Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BAKER, C. C., Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, to empower and direct the board designated as the State Board for Vocational Education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission, to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation, to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921:

Also Senate Bill No. 444—An act to amend section 1519a of the Political Code, relative to the powers and duties of the State Board of Education.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

BAKER, C. C., Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751a, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates.

Also Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property.

Also Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings.

Also Assembly Bill No. 495—An act to amend section 927c of the Code of Civil Procedure, relating to the small claims court.

Also Assembly Bill No. 496—An act to amend section 927a of the Code of Civil Procedure, relating to the small claims court;

Also Assembly Bill No. 1324—An act to amend section 1926 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911 and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the twenty-sixth class.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts.

Also Assembly Bill No. 472—An act to amend section 1588 of the Political Code, relating to the appointment and election of union and joint union elementary school trustees.

Also Assembly Bill No. 473—An act to amend sections 1589, 1589*a*, 1590, 1591, 1591*a* of the Political Code, and to repeal section 1589*b* of the Political Code, relating to union elementary school districts.

Also Assembly Bill No 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended.

Also Assembly Bill No 685—An act to provide for the formation and establishment of county toll road districts, the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads, defining the term county toll road, providing for the establishment of grades and routes of such toll roads for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds, providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act, and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies;

Also Assembly Bill No 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits.

Also Assembly Bill No 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the State officers in relation thereto, and appropriating the interest received and to be received on said deposits

Also Assembly Bill No 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof

Also Assembly Bill No. 1177—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat

Also Assembly Bill No 1159—An act to amend sections 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1356—An act to amend section 19*f* of an act

entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 810—An act to amend sections 2, 3 and 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 16, 1919, relating to age and time of employment of certain minors.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate on May 8, 1923, refused adoption of Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new article thereto to be numbered 24, relative to boxing and sparring matches or exhibitions.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 829—An act to amend section 1557 of the Penal Code relating to accounts for returning fugitives—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 829?

AMENDMENT NUMBER ONE

On page 1, line 25, of the printed bill, after the word "fugitive" strike out the period and insert the following: "; *provided, further*, that no disbursements shall be made from any such fund so advanced without a receipt being obtained therefor showing the amount, purpose for which said sum was expended, place, date and to whom paid. Such receipts must be filed by such person with the county auditor or state board of control, as the case may be, together with an affidavit by such person that the expenditures represented by said receipts were necessarily made in the performance of duty. In every case where the expenses of such person so employed to bring back such fugitive as herein provided, are less than the amount advanced on the recommendation of the district attorney, such person so employed to bring back such fugitive shall return to the county treasurer the difference in amount between the aggregate amount of receipts so filed by him as herein provided and the amount advanced to such person upon the recommendation of the district attorney."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Smith moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Baker, C. C., Ball, Christian, Dozier, Fulwider, Graves, Johnson Lyman, McDowell, Miller, Mitchell, T. A., Noyes, Saylor, Smith, Woodbridge, and Mr. Speaker—16.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

NOYES, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfer subject to defeasance—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1166?

AMENDMENT NUMBER ONE.

On line 1 of the title of the printed bill as amended, after the word "section" insert the words "two thousand nine hundred twenty-four and".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill as amended in the Senate, after line 12, insert the following:

"SEC. 2. Section two thousand nine hundred twenty-four of the Civil Code is hereby amended to read as follows

Sec. 2924. Every transfer of an interest in property, other than in trust, made only as a security for the performance of another act, is to be deemed a mortgage, except when in the case of personal property it is accompanied by actual change of possession, in which case it is to be deemed a pledge"

AMENDMENT NUMBER THREE.

In line 6 of the amended bill, as amended in the Assembly, after the word "sale" insert the word "of".

AMENDMENT NUMBER FOUR.

In line 7 of the amended bill, after the comma following the word "condition" insert the following: "notice of sale shall be given as in case of sale of real property under execution, and the property so sold".

AMENDMENT NUMBER FIVE.

In line 10 of the amended bill, strike out the words "in no case exceed" and insert in lieu thereof the words "be within".

AMENDMENT NUMBER SIX.

In line 10 of the amended bill, strike out the word "six" and insert in lieu thereof the word "three".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1166 by the following vote:

AYES—Broughton, Graves, and Smith—3.

NOES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dozier, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Prendergast, Saylor, Schmidt, Scott, Stevenot, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—40.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 792—An act to amend section 626o of the Penal Code, relating to the shooting from moving boats—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 792?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, strike out the "period" and insert the following: "moving vehicles or airplanes, also relating to use of certain guns and nets".

AMENDMENT NUMBER TWO.

On page 1, line 9, strike out the word "skull" and insert in lieu thereof the word "scull".

The roll was called, and Senate amendments to Assembly Bill No. 792 were concurred in by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Emme, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Lyman, Mathews, McDowell, Miller, Moore, Mueller, Noyes, Prendergast, Saylor, Schmidt, Scott, Smith, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED)

Senate Bill No. 325—An act to amend section 57*a* of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, relating to the powers of the Superintendent of Banks in respect to certain loans and investments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Carlson, Christian, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Emme, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Lyman, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Prender-

gast, Roberts, Saylor, Scott, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Crittenden gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 325 was this day passed.

ASSISTANT CLERK WAESTMAN READING

Senate Bill No. 553—An act to amend section 1142*a* of the Political Code, relating to election laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 553 finally passed by the following vote:

AYES—Ball, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Reindollar, Roberts, Saylor, Scott, Snyder, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Anderson, Carter, Croter, Prendergast, and Smith—5.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 554—An act to add a new section to the Political Code, to be numbered 1257*a*, relating to the duties of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 554 finally passed by the following vote:

AYES—Ball, Bernard, Burns, Christian, Cleary, Cleveland, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Anderson, Carter, Pedrotti, and Prendergast—4.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK POWERS READING.

Senate Bill No. 448—An act to amend sections 6, 8, 11, 12, 13, 14 and 17 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, referring to teachers' retirement salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 448 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Dorris, Dozier, Emme, Fellom, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMil-

lan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Snyder, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Wright—48.

NOES—Bromley, Carter, Cleveland, Erb, Foster, Graves, Heisinger, Scott, Stow, and Mr. Speaker—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dozier gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 448 was this day passed.

Senate Bill No. 160—An act to repeal title I, and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 36, 658, 660, 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive, and to add six new sections to said code to be known as sections 35*a*, 1097, 1098, 1099, 1100, and 1624*a*, all relating to sale of goods, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 160 finally passed by the following vote:

AYES—Anderson, Ball, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Crittenden, Croter, Dawson, Dean, Dorris, Emme, Erb, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Bernard, Coombs, Fellom, Reindollar, Stow, Weller, and Williams—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 324—An act to add a new section to the Political Code to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustee.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 324 refused passage by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Carter, Clarke, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Prendergast, Roberts, Saylor, Schmidt, West, Whitacre, and Woodbridge—37.

NOES—Anderson, Baker, C. C., Bromley, Cleary, Cleveland, Connolly, Dawson, Dozier, Duval, Erb, Foster, Fox, Fulwider, Graves, Johnson, McMillan, Pedrotti, Reindollar, Rock, Scott, Spalding, Stevenot, Stow, Williams, Wright, and Mr. Speaker—26.

NOTICE OF RECONSIDERATION.

Mr. Spalding gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 324 was this day refused passage.

Senate Bill No. 714—An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and

the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 714 finally passed by the following vote:

AYES—Anderson, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Noyes, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 24—An act to add two new sections to the Penal Code to be numbered 1280*a* and 1280*b*, relating to justification of bail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 24 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Carter, Christian, Cleary, Cleveland, Crittenden, Dawson, Donohue, Dorris, Dozier, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McPherson, Miller, Moore, Morris, Mueller, Pedrotti, Prendergast, Roberts, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Badaracco, Broughton, Carlson, Clarke, Connolly, Hornblower, McMillan, Mitchell, T. A., Noyes, Reindollar, Scott, and West—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 652—An act to add a new section to the Code of Civil Procedure to be designated as section 1248*a*, relating to proceedings for the condemnation of property when there are adverse or conflicting claims in and to such property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 652 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C, Bernard, Bromley, Carlson, Carter, Christian, Cleary, Coombs, Croter, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—57

NOES—Clarke, Connolly, Dozier, and Johnson—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973*a*, relating to agreements in writing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 686—An act confirming, ratifying and declaring valid the formation and organization of reclamation district number 2063, and also, all the acts and proceedings of said district.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 686 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 698—An act dedicating certain portions of Balboa Park, in the city of San Diego, California, for public street purposes.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 698 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McPherson, Miller, Moore, Mueller,

Noyes, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 718—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 718 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—68.
NOES—Dozier—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 174—An act declaring and establishing a State highway between Alturas, in Modoc County, and New Pine Creek on the California-Oregon state line.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 174 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.
NOES—Carter, and Dawson—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rock, Rosenshine, Schmidt, Smith, Snyder, Spalding,

Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—Badaracco, Croter, Fox, Graves, Lyons, Scott, and Weller—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices.

Bill read third time.

Urgency clause read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—60.
NOES—None

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 9 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, Miller, Moore, Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Wright gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 9 was this day passed.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and six minutes p.m., Mr. Stow moved that further proceedings under the call of the House be dispensed with.

Motion lost.

Senate Bill No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the district attorney.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 finally passed by the following vote:

AYES—Badham, Ball, Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Morrison, Mueller, Noyes, Prendergast,

Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—47.
NOES—Carlson—1

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 510 finally passed by the following vote:

AYES—Anderson, Badham, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dozier, Emme, Erb, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 305—An act declaring the public highway extending from the city of Needles in San Bernardino County, California, to a point on the boundary line between the State of California and the state of Arizona opposite the town of Topoc, Arizona, to be a State highway.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 305 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—54.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committes were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR SPEAKER Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CARTER, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER. Your Committee on Corporations, to which was referred Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance

of bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JOHNSTON, Chairman.
LYMAN.
WELLER.
CROTER.
SNYDER.
NOYES.
CARLSON.

The above reported bill ordered on file for second reading.

ON NORMAL SCHOOLS.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER. Your Committee on Normal Schools, to which was referred Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921,

Also: Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SNYDER, Chairman.

The above reported bills ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER. Your Committee on Ways and Means to which was referred Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate, etc.;

Also: Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, etc.;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and eighteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 829 was concurred in by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Dozier asked for and was granted unanimous consent to take up Senate Bill No. 274, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Dozier moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 6 of the printed bill, as amended May 9, 1923, strike out lines 46 to 52, both inclusive, and all of page 7 of the printed bill.

Motion carried.

The Speaker appointed Mr. Dozier as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 274, with instructions, reports that the instructions of the Assembly have been carried out.

DOZIER, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 15, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 15, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVES OF ABSENCE.

On motion of Mr. Graves, Mr. Baker, Edwin, was granted leave of absence for the day.

On motion of Mr. West, Mr. Eksward was granted leave of absence for the day.

On motion of Mr. Pomeroy, Mr. Mitchell, A. G., was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. West, Miss Florence Wire, Mrs. N. Wire, and Mr. E. H. Murphy of Sacramento were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Croter, Mrs. Henry Claudius of San Francisco was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Rosenshine, Judge Matt I. Sullivan, former Chief Justice of the Supreme Court, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Rosenshine, Miss Mary Margaret Morgan, Supervisor, of San Francisco, was extended the privilege of the floor of the Assembly for this day and her name ordered printed in the Journal.

Through the courtesy of Mr. Fellom, Messrs. Marcus Lafee, Albert Springer, Jr., and Chas. Cochrane of San Francisco, representatives of the State Order of Foresters of America, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Crittenden, Prof. R. E. Richards, Miss Leila Sloan, and Miss Minerva Turner, of the faculty of the West Side Union High School of Tracy, and the following students, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal:

Ruth Cooley, Eva Miljarak, Carson Willis, Arthur Affonso, John McCusker, Doreen Barber, Jessie Allen, Leland Tschierschky, Malcolm Tisher, Maxwell Conklin, Lawrence Moore, Celestyne Richards, Blythe Richards, Bertha Gibson, Georgia Brandeman, Annie Rustan, Mary Tyson, Mae Mullaly, Ethel Von Sosten, Mary Telonich, Evelyn Geni, Margaret Stoan, Katherine Taylor, Dorothy De Nier, Charles Payne and Francis Stone.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Roberts, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture—has had the same under

consideration, and respectfully reports the same back, and recommends that it *do pass*, and be re-referred to Committee on Ways and Means.

STOW, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS.

Senate Bill No 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1*a*, providing for the excusing of children from school for one hour each week.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772 and 1773 of the Political Code; and to repeal sections 1774, 1775, 1776, 1777 and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

Bill read second time, and ordered on file for third reading.

Senate Bill No 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations.

Bill read second time, and ordered on file for third reading

Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 26, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3*a*.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and

game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof,' approved May 26, 1917, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1227?

AMENDMENT NUMBER ONE

On page 1, line 22, of the printed bill, and on page 2, lines 1 and 2 up to and including the word "road" following the word "said", strike out the words "thence along the exterior boundary of the lands of said district in such a way as to include the same, to a point in the abandoned portion of the Fairfax and Bolinas county road, thence northerly along said road" and insert in lieu thereof the following "thence northwesterly, northeasterly, and easterly along the southwesterly and the northwesterly boundary line of the watershed lands of the said Marin municipal water district to a point therein where the boundary line of that certain tract of land known as the Lagunitas dairy tract crosses the old county road formerly leading from Fairfax to Bolinas, thence northerly along said road"

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out the words "state highway between Alta and Belvedere" and insert in lieu thereof the following "road or highway immediately south of Alta station, thence following the southerly line of said road or highway to its intersection with the southerly line of the state highway between Alto and Belvedere".

AMENDMENT NUMBER THREE

On page 2, line 18, of the printed bill, insert before the word "to" the word "northerly".

AMENDMENT NUMBER FOUR.

On page 2, line 19, of the printed bill, before the word "line" insert the words "and southwesterly".

AMENDMENT NUMBER FIVE

On page 2, line 19, of the printed bill, after the word "highway" insert the words "to the end of said highway, thence southwesterly along the northwesterly line of the county road".

The roll was called and Senate amendments to Assembly Bill No. 1227 were concurred in by the following vote:

AYES—Anderson, Badaracco, Bullard, Ball, Bernard, Clarke, Cleary, Cleveland, Coombs, Dawson, Dean, Dollis, Dozier, Duval, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McMillan, Miller, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Smith, Spalding, Stevenot, Weller, West, Wintacre, Williams, Woodbridge, Wright, and Mr. Speaker—42

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, MAY 14, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1064?

AMENDMENT NUMBER ONE

On page 1, line 8, of the printed bill, beginning with the word "For" strike out the remainder of line 8 and all of lines 9 to 19, inclusive, and insert in lieu thereof the following: "For this purpose he may require of the county auditor a report of the amount of all school moneys on hand to the credit of the several school funds of the county not already apportioned; and it is hereby made the duty of the auditor to furnish such report when so required. If at the beginning of any school year any school district shall have an unincumbered balance in its maintenance funds which combined with its total estimated income to be received for maintenance purposes from all sources other than district taxes during the current year shall

exceed a sum of money sufficient to maintain and conduct the schools of the district during the current year, then the county superintendent of schools shall in the month of August of that school year transfer a sum of money from the maintenance funds of that district to the unapportioned school funds of the county, or city and county, equal to eighty per cent of the excess estimated as herein provided."

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, after the word "blank" insert the following: "prescribed by the county superintendent of schools and".

AMENDMENT NUMBER THREE.

On page 2, line 43, of the printed bill, strike out the words "an intermediate school course" and insert in lieu thereof the words "a junior high school".

AMENDMENT NUMBER FOUR.

On page 2, lines 46 and 47, of the printed bill, strike out the words "intermediate school course" and insert in lieu thereof the words "junior high school".

AMENDMENT NUMBER FIVE.

On page 2, lines 50 and 51, of the printed bill, strike out the words "intermediate school course" and insert in lieu thereof the words "junior high school".

AMENDMENT NUMBER SIX.

On page 2, line 52, of the printed bill, strike out the word "intermediate" and insert in lieu thereof the word "junior".

AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the printed bill, strike out the words "school course" and insert in lieu thereof the words "high school".

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the printed bill, strike out the words "intermediate school course" and insert in lieu thereof the words "junior high school".

AMENDMENT NUMBER NINE.

On page 3, line 30, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "or a credential issued by the state board of education recommending the holder to receive a kindergarten-primary certificate."

AMENDMENT NUMBER TEN.

On page 3, line 35, of the printed bill strike out the period and insert in lieu thereof a comma and the following: "or to the holder of a credential issued by the state board of education recommending the holder to receive an elementary school certificate, or to the holder of an official statement issued by the president of a California state teachers college vouching for the fact that such holder is a graduate of the elementary school teachers' course in such teachers college."

AMENDMENT NUMBER ELEVEN

On page 3, line 42, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "or to the holder of a statement issued by the dean of a school of education accredited for high school certification by the state board of education vouching for the fact that such holder has been recommended by such school of education for a high school certificate."

AMENDMENT NUMBER TWELVE

On page 3, after line 53, of the printed bill, add the following:

"(e) A temporary health and development certificate, or an attendance officer certificate, or a junior high school certificate, to the holder of a credential granted by the state board of education recommending the holder to receive such certificate."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 17, of the printed bill, strike out the words "normal school" and insert in lieu thereof the following "teachers college, or a recommendation from an institution accredited by the state board of education for high school or junior high school certification."

AMENDMENT NUMBER FOURTEEN.

On page 5, line 49, of the printed bill, after the period after the word "district" insert the following: "Any required amount of money so received may be used to provide suitable housing quarters for the teacher or teachers and to meet the necessary expenses of erecting, equipping and caring for the school property, and also for the purpose of purchasing food or clothing or both for pupils in cases of absolute necessity and want."

AMENDMENT NUMBER FIFTEEN.

On page 6, line 6, of the printed bill, beginning with the word "and" strike out the remainder of line 6 and all matter in line 7 down to and including the word

"education" and insert in lieu thereof the following; "at a salary which shall be fixed annually by the county board of education."

AMENDMENT NUMBER SIXTEEN.

On page 6, line 26, of the printed bill, after the period insert the following: "Such supervisory certificate shall be granted by the county board of education under regulations prescribed by the state board of education. No member of a county board of education shall be eligible for appointment under the provision of this subdivision."

The roll was called, and Senate amendments to Assembly Bill No. 1064 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Duval, Emme, Erb, Fellom, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McMillan, Miller, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 27—Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington.

Senate Concurrent Resolution No 27 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No 27 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Dawson, Dean, Donohue, Duval, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 27 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 27.

Relative to the establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington.

WHEREAS, The establishment of the Huntington Foundation at San Marino, Los Angeles County, California, by Mr. Henry E. Huntington for the educational, artistic and cultural benefit of the people of the State of California and the United States is recognized as one of the most outstanding endowments of the century; and

WHEREAS, The Huntington Foundation, munificently endowed by its creator with ample properties and funds to insure its perpetual maintenance and extension, includes the renowned Huntington library, acknowledged to be the most complete and valuable assembling of literature known to the world and containing the rarest of editions and prints; a collection of paintings by masters which rivals the great galleries of Europe, the Huntington home, an edifice that in majesty of beauty and availability as a permanent art gallery would, alone, be a most notable gift, and a botanical garden of more than five hundred acres of surrounding land planted with a collection of trees and plants from all parts of the world and classed among the most noted and complete in existence; and

WHEREAS, This benefaction is, in its extent and educational and artistic value to the American people, one of the greatest gifts of an individual to a state or nation known in all history; and

WHEREAS, Through the Huntington Foundation, the people of California and the United States are afforded access to literary sources and an opportunity to study and enjoy the greatest works of art, and to use the extensive botanical gardens provided with unlimited facilities for the experimental research and study of every form of vegetation, all of which could not be enjoyed save by journeying to distant lands where even the same resources could not be found to the same extent and perfection; and

WHEREAS, The State of California is thus provided with artistic, literary and botanical facilities that are equal to the best and highest provided in the cultural centers of the world, therefore, be it

Resolved by the Senate, the Assembly concurring, That the California Legislature, at its forty-fifth session, hereby commends this gift of Mr. Henry E. Huntington to the people of the State of California and the United States, and commends the donor as a benefactor who is deserved well of his State and his nation, and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward an engrossed copy of this resolution to Mr. Henry E. Huntington as a testimonial of the appreciation and gratitude of the people of the State of California.

Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Christian moved a call of the House.

Motion carried.

Time, ten o'clock and twenty-six minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Coombs, Dawson, Dean, Donohue, Duval, Emme, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Lyman, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 407—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 407 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Duval, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Miller, Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Pedrotti—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act

entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McPherson, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 436—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 436 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Duval, Emme, Fellom, Foster, Fulwider, Graves, Johnson, Lyman, McMillan, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 581—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 581 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Dawson, Dean, Donohue, Emme, Erb, Fellom, Foster, Fulwider, Graves, Johnson, Lyman, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, County of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 625 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Emme, Fellom, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Moore, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Christian.

The roll of absentees was called, and Senate Bill No. 34 passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Mueller, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Badaracco, Dawson, Emme, Johnston, Jones, Mitchell, T. A., Noyes, Pedrotti, Smith, and Snyder—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lyman gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 34 was this day passed.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 9 of article XI thereof, relating to the compensation of city, county, town or municipal officers.

Senate Constitutional Amendment No. 15 read.

The question being on the adoption of the amendment.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Moore moved a call of the House.

Motion carried.

Time, eleven o'clock and thirty-four minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—62.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SPECIAL ORDERS SET.

On motion of Mr. Heisinger, the consideration of Senate Bills Nos. 744 and 743 were made special orders for Tuesday, May 15, 1923, at two o'clock and thirty minutes p m.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the Judicial Department, and providing for the establishment of municipal courts.

Senate Constitutional Amendment No. 25 read.

COMMITTEE AMENDMENTS.

During reading of the constitutional amendment, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 47, of the printed bill, strike out the following: "twenty-five" and insert in lieu thereof the following, "seventy-five".

AMENDMENT NUMBER TWO.

On page 3, line 48, of the printed bill, strike out the word "two" and insert in lieu thereof the following: "three".

AMENDMENT NUMBER THREE.

On page 5, line 16, of the printed amendment after the word "employment" insert the following: "than a judicial office or employment".

Amendments adopted.

Senate Constitutional Amendment No. 25 ordered to reprint, and on file for adoption.

Senate Bill No. 633—An act declaring the existing public highway extending from the northerly end of the present State highway in Inyo County to the boundary line between California and Nevada to be a State highway, and placing it under the jurisdiction and control of the State Highway Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Dorris, Emme, Fellom, Graves, Heisinger, Johnson, Jones, Lyman, McMillan, McPherson, Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 687—An act to add a new section to the Political Code to be numbered 738cc, relating to the salaries of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 687 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bromley, Carlson, Carter, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Fulwider, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 288—An act to amend section 19c of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 288 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Carlson, Carter, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, Miller, Moore, Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 689—An act to be known as the "Pure Milk Law" of California; to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Carlson, Cleveland, Coombs, Crittenden, Davis, Dean, Donohue, Emme, Erb, Fox, Fulwider, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty-nine minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Moore.

The roll of absentees was called, and Senate Constitutional Amendment No. 15 adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—60.

NOES—Christian, Cleveland, Connolly, Dawson, Dozier, Foster, Johnston, Mitchell, T. A., Morrison, Pedrotti, Rock, and Mr. Speaker—12.

Title read and approved

Senate Constitutional Amendment No 15 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section nine of article eleven thereof, relating to the compensation of city, county, town or municipal officers.

Resolved by the Senate, the Assembly concurring. That the legislature of the State of California, at its forty-fifth regular session commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the people of the State of California that section nine of article eleven of the constitution of this State be amended to read as follows

Sec. 9. The compensation of any city, county, town or municipal officer shall not be increased after his election or during his term of office *provided, however,* that the Legislature may provide by general laws that such additional deputies or assistants as may be necessary and proper be allowed to the principal in any county office during his term and that the Legislature may also provide that the compensation of such deputy or assistant be increased during the term of office of such principal The term of any such officer shall not be extended beyond the period for which he is elected or appointed.

RECESS.

At twelve o'clock and two minutes p.m., on motion of Mr. Bromley, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 452—An act to amend section 7 of, and to add a new section to be numbered 2a to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

DONOHUE, Chairman
POMEROY.
BADHAM.
EMME
LYONS.
ANDERSON.
PEDROTTI.
CARLSON

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 17—Relative to the increase of armament—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

DAVIS, Chairman
MORRISON.
HEISINGER.
WRIGHT.
CLEARY
POMEROY.
WHITACRE

The above reported joint resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Stevenot asked for and was granted unanimous consent to take up Senate Bill No. 506, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED SIX.

Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Stevenot moved that the Speaker appoint a Select Committe of One to amend the bill as follows:

AMENDMENT NUMBER ONE

On page 1, line 16, of the printed bill, strike out the words "October and the fourteenth day of" and insert in lieu thereof the words "and the twenty-fifth day of".

Motion carried.

The Speaker appointed Mr. Stevenot as such Select Committee

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 506, with instructions, reports that the instructions of the Assembly have been carried out.

STEVENOT, Select Committee

Report of Select Committee of One and amendment adopted. Bill ordered to reprint, and on file for passage.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 15, 1923.

To the Assembly of the State of California

Assembly Bill No. 676 is returned herewith without my approval

This bill defines collection agencies and purports to regulate them. It appears to have for its purpose the stifling of competition and putting collections in the hands of a few agencies. This bill is against public policy as many men too old to work at ordinary business avocations can make an honest living by collecting.

Although this bill was received within ten days of the end of the session, I have decided to waive my right of a pocket veto, and am returning the bill without my approval so you may, if you desire, pass it over my veto

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 15, 1923.

To the Assembly of the State of California.

Assembly Bill No. 847 is returned herewith without my approval.

This bill declares the present county roads from Willows to Westport to be State highways and under the supervision and control of the State Highway Commission. Section 2 of the act provides that the counties shall provide for the upkeep and maintenance until such time as the State Highway Commission shall see fit to assume entire supervision and control of such roads.

The Highway Commission has recommended that no more roads be added to the State system at the present time. To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it At the present time there are hundreds of miles of highways put in the system by legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system. To lay the matter of this road over for two years can do no harm.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 14, 1923.

To the Assembly of the State of California

Assembly Bill No. 257 is returned herewith without my approval.

This is an amendment to the Statutes of 1913 regulating advertising and solicitation for employees during strikes, lockouts and other labor troubles. The present law makes it necessary for all advertisements or solicitations for the employment of men when there are strike conditions, other than in the locality affected, to state plainly that there is a strike and that service is solicited in the face of such strike. At the time of the adoption of this law in 1913 it was commended generally by those interested in such legislation and has been pointed to with pride by them ever since. Nothing has occurred to indicate that the present law is inadequate to serve the purpose intended.

The proposed law, as far as I can see, adds nothing which will be of benefit to men seeking employment. The bill attempts to regulate advertisements where the employer "anticipates" labor troubles. It would be difficult or perhaps impossible to prove "anticipation" since that involves the secret mental operations of the individual who employs labor. This bill attempts to govern situations outside of the State and in that particular is probably unconstitutional, or at least an ineffective exercise of legislative power. If it is unconstitutional in that particular, the result would be to leave the repeal of the 1913 statute in effect and thus the present law would be wiped out. Evidently those who sponsored and secured the enactment of this legislation did not note this possibility. It is desirable under strike conditions that prospective employees should know in advance, and before they go to any expense or trouble, that their employment is under such conditions. The proposed act does not give these employees any additional protection but simply adds to the difficulties under which they seek employment.

If this bill had been proposed by those who are hostile to labor it would undoubtedly have been assailed by the labor lobby as a very vicious measure.

I am firmly convinced that it is for the best interests of working men that this bill should not become a law and that the Statute of 1913, which has proved of benefit, should be left unimpaired.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 17 is returned herewith without my approval.

This bill declares a county road between San Rafael and Point San Quentin to be a State highway. The State Highway Commission advises me that to put this road into the highway system at this time would mean practically an abandonment of it as the State has no funds with which to improve it and the county would cease to keep it up. This bill would result in an injury to the people of this locality and to the general public if it became a law at the present time.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 9, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 1148 is returned herewith without my approval.

This bill provides that a county road in Marin County near Sausalito and Corte Madera shall be a State highway. The State Highway Commission advises me that to put this road into the highway system at this time would mean practically an abandonment of it as the State has no funds with which to improve it and the county would cease to keep it up. This bill would result in an injury to the people of this locality and to the general public if it became a law at the present time.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 10, 1923.

To the Assembly of the State of California.

Assembly Bill No. 915 is returned herewith without my approval.

This bill appears to be unnecessary as present legislation covers the subject. A city ordinance would fit the situation aimed at by the author. The statutes should not be encumbered by special legislation of this kind. No public demand has been shown for this bill to become a law.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 10, 1923.

To the Assembly of the State of California.

Assembly Bill No. 880 is returned herewith without my approval.

This bill authorizes supervisors to pay indemnity from the general fund of the county for the slaughtering of cattle found by the tuberculin test to be diseased. This would establish a policy that would undoubtedly lead to embarrassing consequences. It is not wise for the State to concede that in exercising its police powers it is under any obligation to repay persons who may be damaged thereby.

The government refused to reimburse slave owners when slavery was abolished. Neither the nation nor the State has admitted any obligation to reimburse vineyardists or manufacturers of liquors on account of the adoption of prohibition. In the enforcement of the pure food laws, vegetables, fruits, meats and fish are condemned without any remuneration to the owners. Nursery stock or fruit trees infested with pests are condemned without any assumption of obligation. This bill is unsound in policy and theory.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 10, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 590 is returned herewith without my approval.

This bill conflicts with Senate Bill No. 146 and the author has, therefore, requested me to return it.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 9, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 448 is returned herewith without my approval.

This bill provides that the Kings River Canyon Highway shall be a part of the State highway system and shall be completed out of the seven per cent federal funds. The federal government decided where road aid shall be expended and the Legislature has no authority to act. The State Highway Commission advises me that to put this road into the highway system at this time would mean practically an abandonment of it as the State has no funds with which to improve it and the county would cease to keep it up. This bill would result in an injury to the people of this locality and to the general public if it became a law at the present time.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 7, 1923.

To the Assembly of the State of California.

Assembly Bill No. 941 is returned herewith without my approval.

The title of this bill contains an error which would make it of doubtful validity, and those interested have requested me not to sign it. I am informed that a new bill covering this subject has been introduced.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 8, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 276 is returned herewith without my approval.

This bill adds a new section to the Code of Civil Procedure requiring justices of the peace to continue cases pending before them during sessions of the Legislature, and for fifteen days after adjournment, where the parties are represented by attorneys who are legislators. It has not been shown that legislators, belonging to the legal profession, practice in the justices court to such an extent as to obstruct the wheels of legislation or justice if they are not relieved during sessions. There appears need for such legislation in superior courts but not in justice's courts. In the inferior courts such a rule might delay justice. The bill is ambiguous in its terms and the title does not express the purport of the bill.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 8, 1923.

To the Assembly of the State of California.

Assembly Bill No. 942 is returned herewith without my approval.

This adds a new section to the Penal Code providing that "any building which is occupied by any person lodging therein at night is 'an inhabited building or dwelling' within the meaning of this chapter." The effect of this bill would be to declare a building which is occupied by any person lodging therein in the daytime is not an inhabited building or dwelling. This is one of the series of bills in regard to crime.

I have signed the others but return this for the reason that it is incorrectly drawn and those responsible for the introduction approve of the veto.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 4, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 160 is returned herewith without my approval.

This bill appears to be an attempt to protect those who refuse to pay their just debts and is evidently designed for that purpose.

I have heard of no public demand for the passage of this bill.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 4, 1923.

To the Assembly of the State of California.

I am returning herewith Assembly Bill No. 291 without my approval.

This act provides that when any minor receives a legacy or bequest of the value of $1,000.00 or less, the court may direct the delivery of such property to the parent of such minor with or without bond. As the law now stands the parent or other proper person must be appointed guardian of such minor and must give a bond. Such guardian is from that time on under the control of the superior court and must account to the court for the proper administration of the minor's property and its delivery when he becomes of age.

This act would permit the property of children to pass into the hands of their parents without security being given for its proper administration and delivery when they become of age. This would remove a very valuable safeguard of the property rights of children and would permit them to be defrauded by unscrupulous or careless parents.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 4, 1923.

To the Assembly of the State of California.

I am returning herewith Assembly Bill No. 292 without my approval.

This bill fixes the time within which creditors must file their claims against estates at six months when the estate exceeds in value the sum of $10,000.00, and three months when it does not, after publication of the notice. Under the law as it now stands the time is fixed at ten months and four months, respectively. The times thus fixed are periods of limitation and unless claims are filed within such time they are barred forever. Statutes of limitations must therefore be very carefully enacted. This bill might cause holders of just claims to lose their money, especially those who live outside the county in which the estate is being probated, who have no opportunity to see the publication of the notice. Furthermore, practically all estates require all the time now fixed in order to be probated.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 4, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 1032 is returned herewith without my approval.

This bill requires polling places at elections to be on the ground floor unless in buildings having elevators. Supervisors and other officials who fix polling places have given the people general satisfaction and there is no public demand for the passage of this bill. The law and public sentiment afford ample protection to electors.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 2, 1923.

To the Assembly of the State of California.

I am returning herewith Assembly Bill No. 205 without my approval.

This bill provides that all county high school districts shall become union high school districts after September 1, 1923. As the law now stands any county high school district can become a union high school district if it so desires, while this bill would force all county high school districts to become union high school districts, whether they wished to or not.

I can see no reason for taking away from these districts the power to decide this matter for themselves. There is no public demand for this change.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 3, 1923.

To the Assembly of the State of California.

Assembly Bill No. 896 is returned herewith without my approval.

Only one isolated case has been found where it is claimed this bill is needed. It does not seem good public policy to pass a new general law of the kind prepared unless there is some general demand for it. This bill would permit another tax upon the people.

Section 3 gives the board of supervisors the dangerous power of changing the boundaries of districts without giving notice by publication.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 100 is returned herewith without my approval. This bill is incomplete in form and the author asked it to be vetoed.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 101 is returned herewith without my approval. This bill is incomplete in form and the author asked it to be vetoed.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 256 is returned herewith without my approval. This bill on page 4, in section 1, line 1, uses the word "unlawfully" instead of the word "willful" and thus raises a question as to enforcement under its provisions. As it might make the present law inoperative the Attorney General advises that this bill be vetoed

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 338 is returned herewith without my approval. This bill provides that certain county roads between Tracy and Fresno via Dos Palos shall be a State highway. The State Highway Commission advises me that to put this road into the highway system at this time would mean practically an abandonment of it, as the State has no funds with which to improve it, and the county would cease to keep it up. This bill would result in an injury to the people of this locality and to the general public if it became a law at the present time.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 725 is returned herewith without my approval. This bill removes the present wise restrictions preventing clerks and bailiffs of courts to act as appraisers.

It is important that appraisements should be made by persons other than those connected with the court.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 748 is returned herewith without my approval. Due to amendments in the Assembly after its introduction this bill contains serious defects and the author asks it to be vetoed.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 5, 1923.

To the Assembly of the State of California.

GENTLEMEN: Assembly Bill No. 972 is returned herewith without my approval. This bill provides that a county road in Calaveras County shall be a State highway. The State Highway Commission advises me that to put this road into the

highway system at this time would mean practically an abandonment of it as the State has no funds with which to improve it and the county would cease to keep it up. This bill would result in an injury to the people of this locality and to the general public if it became a law at the present time.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 14, 1923.

To the Assembly of the State of California.

Assembly Bill No. 124 is returned herewith without my approval

The general act which this bill was intended to supplement has been declared unconstitutional and a new bill is before the Legislature covering the same subject. This bill is vetoed at the request of the author.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 11, 1923.

To the Assembly of the State of California.

Assembly Bill No. 362 is returned herewith without my approval.

This bill amends the present law in regard to registration of minors for school purposes. There has been no request for this change but there has been complaint from school authorities at the whole plan of registration. This amendment would increase instead of decrease the objections to the present act.

Under the present law principals and teachers must serve as registrars, but this bill provides for compensation for registrars and assistant registrars, thus adding a tax burden upon the people of the school districts. The bill also adds a penalty not mentioned in the title The author says this bill came from the State School Department and is evidently an attempt to put an additional load upon the taxpayers.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 10, 1923.

To the Assembly of the State of California.

Assembly Bill No. 375 is returned herewith without my approval

This bill amends section 1859 of the Political Code increasing the number of days of teaching required to enable any school to receive apportionment of state or county money from 160 to 170 There has not been a single request for the signing of this bill. There appears no public demand or reason for it. The author contents himself with a statement of the purpose of the bill but makes no argument in its favor.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER Your Committee on Fish and Game, to which was referred Senate Bill No 214—An act to amend section 626e of the Penal Code, relating to the protection of game,

Also: Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

GRAVES, Chairman.

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054a, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action

is in attendance upon a session of the Legislature as a member thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

(Signed out)

MORRIS, Chairman.
ROSENSHINE.
BAKER, C. C.
CRITTENDEN.
FULWIDER.
SPENCE.
WEST
MUELLER
SMITH
WELLER.
SNYDER.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

MORRIS, Chairman
ROSENSHINE.
BAKER, C. C.
CRITTENDEN.
FULWIDER
SPENCE.
WEST
MUELLER.
SMITH
WELLER.
SNYDER.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MORRIS, Chairman
ROSENSHINE.
BAKER, C. C.
CRITTENDEN.
FULWIDER
SPENCE.
WEST.
MUELLER.
SMITH
WELLER
SNYDER

The above reported bill ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 146—An act to amend sections 2, 5, 7, 8, 9 and 10 of an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and

vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled 'An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith,' approved May 27, 1919," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 146 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Dean, Duval, Emme, Erb, Fellom, Foster, Fox, Graves, Hawes, Johnson, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 378—An act to amend section 1734*b* of the Political Code, relating to high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 378 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Emme, Erb, Fellom, Fox, Fulwider, Jones, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Smith, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 457—An act to amend section 460 of the Penal Code relating to the degrees of burglary.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Crittenden, Croter, Davis, Dean, Emme, Fellom, Fox, Fulwider Hawes, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Morrison, Noyes, Pedrotti, Pomeroy, Roberts, Rock, Smith, Spalding, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 346—An act to add a new section to the Political Code to be numbered 1608*e*, to authorize the governing boards of school

districts to rent, purchase, or build, and furnish school buildings to house pupils or employees of the school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 346 refused passage by the following vote:

AYES—Badham, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Fellom, Foster, Hawes, Heisinger, Johnson, Lyons, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Mueller, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Spalding, Spence, Whitacre, Williams, Woodbridge, and Wright—35.

NOES—Baker, C. C., Ball, Bernard, Burns, Carter, Cleveland, Connolly, Davis, Fox, Graves, Johnston, Jones, Morrison, Pedrotti, Pomeroy, Prendergast, Smith, Snyder, Stevenot, Weller, and Mr. Speaker—21.

Senate Bill No. 72—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Lyman, Lyons, Mathews, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPECIAL ORDERS.

The hour of two o'clock and thirty minutes p.m. having arrived, the special orders heretofore set for this hour were taken up for consideration.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-FOUR.

Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read second time.

MOTION TO AMEND.

During the second reading of the bill, the following amendments were offered by Mr. Cleveland:

AMENDMENT NUMBER ONE.

On page 5, line 25, of the printed bill, after the period following the figure "13" insert the following: "It shall be the duty of every distributor under this act to furnish to the state controller on or before the fifteenth day of each month a statement showing the amount of motor vehicle fuel distributed by such distributor in each county and city and county in the state for the preceding month."

AMENDMENT NUMBER TWO.

On page 5 of the printed bill strike out all of line 32 following the word "provided", all of lines 33 to 38, both inclusive, and all of line 39 preceding the word "All" and insert in lieu thereof the following: ". The amount so paid to the counties shall be one-half of the amount of the license tax on the total number of gallons of motor vehicle fuel distributed in said county as shown by the statements furnished to the controller as above provided."

REQUEST FOR ROLL CALL.

On request of Messrs. Cleveland, Donohue, Baker, C. C., Moore, and Crittenden, the Speaker ordered a roll call taken on the amendments offered by Mr. Cleveland.

The question being on the amendments offered by Mr. Cleveland.

The roll was called, and the amendments offered by Mr. Cleveland refused adoption by the following vote:

AYES—Baker, C. C., Christian, Clarke, Cleveland, Donohue, Dozier, Foster, Heisinger, Johnson, McMillan, McPherson, Noyes, Stevenot, West, and Mr. Speaker—15.

NOES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Johnston, Jones, Lyman, Miller, Mitchell, T. A., Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, and Wright—48.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-THREE.

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts of motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Bill read second time.

MOTION TO AMEND.

During the second reading of the bill the following amendment was offered by Mr. Heisinger:

AMENDMENT NUMBER ONE

On page 25, line 2, of the printed bill, following the comma after word "unladen", strike out the word "ten" and insert in lieu thereof the word "twelve".

Amendment refused adoption.

MOTION TO AMEND.

During second reading of the bill the following amendment was offered by Mrs. Dorris:

AMENDMENT NUMBER ONE.

On page 26 of the printed bill as amended in the Assembly May 14, 1923, commencing with the word "when" in line 35, strike out all down to and including the word "conditions" in line 37, and, in lieu thereof, insert the following: "whenever in the judgment of such board local causes or conditions render such action necessary".

REQUEST FOR ROLL CALL.

On request of Messrs. Stow, Donohue, Cleary, Duval and Connolly, the Speaker ordered a roll call taken on the amendment offered by Mrs. Dorris.

The question being on the amendment offered by Mrs. Dorris.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr Bromley moved a call of the House.

Motion carried.

Time, four o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

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

Anderson, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON PUBLIC UTILITIES

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHRISTIAN, Chairman.

The above reported bill ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill

No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure to be numbered 260, relating to the salary of court commissioners in counties of the first class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

(Signed out)

MORRIS, Chairman.
ROSENSHINE.
BAKER, C. C.
CRITTENDEN.
FULWIDER
SPENCE.
WEST.
MUELLER.
SMITH.
WELLER.
SNYDER.

The above reported bill ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH

At four o'clock and thirty-three minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mrs. Dorris.

The roll of absentees was called, and the amendment offered by Mrs. Dorris to Senate Bill No. 743 adopted by the following vote:

AYES—Ball, Bernard, Broughton, Christian, Clarke, Cleary, Connolly, Crittenden, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Reindollar, Rosenshine, Saylor, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Wright—39.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Bromley, Burns, Carlson, Carter, Coombs, Croter, Davis, Dawson, Emme, Erb, Graves, Hawes, Hornblower, Lyman, Lyons, McPherson, Mitchell, T. A., Morris, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, and Mr. Speaker—35.

MOTION TO AMEND

During second reading of the bill the following amendments were offered by Mr Coombs:

AMENDMENT NUMBER ONE.

On page 48 of the printed bill, strike out all of section 146 and all of section 148.

AMENDMENT NUMBER TWO.

Renumber all the sections of said bill after section 145, as the same has been amended, by numbering the present section 147 as section 146, section 149 as section 147 and all subsequent sections consecutively.

REQUEST FOR ROLL CALL.

On request of Messrs. Coombs, Christian, West, Bernard, and Scott, the Speaker ordered a roll call taken on the amendment offered by Mr. Coombs.

The question being on the amendment offered by Mr. Coombs

The roll was called, and the amendment offered by Mr. Coombs adopted by the following vote:

AYES—Baker, C. C., Ball, Bernard, Broughton, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dean, Donohue, Dorris, Dozier, Fellom, Foster, Heisinger, Johnson, Lyons, McDowell, McMillan, Miller, Mueller, Noyes, Scott, West, Whitacre, and Wright—28.

NOES—Anderson, Badham, Bromley, Burns, Carter, Emme, Fulwider, Graves, Jones, Lyman, Mitchell, T. A., Morris, Pomeroy, Prendergast, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Williams, Woodbridge, and Mr. Speaker—23.

MOTION TO AMEND.

During second reading of the bill the following amendment was offered by Mr. Foster:

AMENDMENT NUMBER ONE.

On page 20, line 30, of the printed bill, strike out the word "three" and insert in lieu thereof the word "eight".

Amendment refused adoption.

Bill read second time, ordered to reprint, and on file for third reading

SPECIAL ORDERS SET.

On motion of Mr. Morris the consideration of Senate Bills Nos. 744 and 743 were made special orders for Wednesday, May 16, 1923, at ten o'clock a.m.

RECESS.

At four o'clock and fifty-seven minutes p.m., on motion of Mr. Graves, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1334—An act authorizing and directing the California Highway Commission to lay out and acquire a right of way or rights of way for a highway or highways from the county line of the city and county of San Francisco, in, to and through San Mateo County, and to construct the same at a location or locations to be selected by said commission; declaring and establishing the same as a State highway or State highways; authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway or highways, authorizing the California Highway Commission to accept said contributed money or property and to place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created;

Also: Assembly Bill No. 568—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 32*a*, relating to the issuing of funding or refunding bonds of such districts.

Also: Assembly Bill No. 388—An act to add a new section to the Political Code, to be numbered 1764*c*, relating to powers and duties of high school boards.

Also: Assembly Bill No. 628—An act to amend section 4294 of the Political Code, relating to statement of fees;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1124—An act to amend an act entitled "An act to furnish arms for the use of military academies in the State," approved February 20, 1872;

Also: Assembly Bill No. 588—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 409—An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith.

Also: Assembly Bill No. 1321—An act to amend section 4219 of the Political Code, relating to the duties of the county surveyor;

Also Assembly Bill No. 564—An act to amend section 39 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the levying of assessments

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919;

Also: Assembly Bill No. 1199—An act to amend sections 1, 4, 7 and 9 of an act entitled "An act to enable incorporated 'cities and counties' and 'cities' and 'towns' to acquire, maintain, and improve public parks and boulevards, approved March 19, 1889";

Also Assembly Bill No. 1201—An act to amend an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets and boulevards from the boundaries of such cities and towns to, into, and through such parks, and to acquire lands for that purpose", which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

Also: Assembly Bill No. 795—An act to amend section 1587 of the Penal Code, relating to the treatment of prisoners;

Also: Assembly Bill No. 1122—An act to amend section 2107 of the Political Code, relating to the national guard of the State of California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 823—An act to validate and authorize county bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Also. Assembly Bill No. 316—An act to amend an act of the Legislature entitled "An act to provide for the formation, management and dissolution of county waterworks districts for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts, and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto;

Also. Assembly Bill No. 317—An act authorizing counties, cities and cities and counties to provide public entertainments and to charge admission therefor;

Also Assembly Bill No. 1314—An act to add two new sections to the Political Code, to be numbered 4149e and 4149f, providing for the appointment of a traffic officer in each county and prescribing his duties and term of office;

Also Assembly Bill No. 1331—An act defining and regulating the sale of manufactured articles from cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, color, size and use of fillers or other preparations, and prescribing penalties for violations hereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 924—An act to amend section 15 of an act entitled "An act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such act to be known as 'the Local Improvement Act of 1901,' which became a law without the approval of the Governor on February 26, 1901, as amended;

Also Assembly Bill No 1074—An act to amend sections 2 and 15 of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921

Also Assembly Bill No. 1198—An act to amend an act entitled "An act to extend the jurisdiction and authority of cities and towns over parks owned by them situated beyond the limits of such cities and towns, and over streets and avenues leading to the same," which became a law, under constitutional provision, without Governor's approval, March 1, 1897;

Also Assembly Bill No. 1311—An act to recognize and declare valid all proceedings in Mendota Irrigation District.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 815—An act revising an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, and amending the title thereof to relate to institutions of industry.

Also: Assembly Bill No. 364—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913;

Also: Assembly Bill No. 392—An act to amend section 4305 of the Political Code, relating to salary fund;

Also: Assembly Bill No. 881—An act to add a new section to the Political Code to be numbered 4041*g*, relating to powers of supervisors;

Also Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience, by incorporated towns, incorporated cities and incorporated cities and counties;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 298—An act to add a new section to the Code of Civil Procedure to be numbered 629, and to amend section 963 of the said code, relating to motions for judgment notwithstanding the verdict;

Also: Assembly Bill No. 1107—An act defining the term, lowest responsible bidder.

Also Assembly Bill No. 1137—An act to amend section 4256 of the Political Code, relating to the salaries and fees of officers in counties of the twenty-seventh class;

Also: Assembly Bill No. 1121—An act to amend section 2078 of the Political Code, relating to the national guard of the State of California;

Also Assembly Bill No. 485—An act to amend an act entitled "An act for the protection of miners," approved March 16, 1872, by amending sections 1 and 2 of said act, and adding two new sections to be known as sections 5 and 6 of said act, and providing for the construction of secondary modes of ingress and egress from mines and providing for a penalty for violation of said act;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 196—An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof;

Also: Assembly Bill No. 304—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal;

Also: Assembly Bill No. 250—An act to require the furnishing of seats for elevator operators;

Also Assembly Bill No. 367—An act to amend the title of and to revise an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties and upon property and rights of way owned by counties and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to repre-

sent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, and to include therein provisions for work in, under and upon, and for establishing and changing the grades of highways, streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether such highways, streets, alleys, avenues lanes, courts and places be partly or wholly within or without the boundaries of such municipality, and in, under and upon property and rights of way owned by counties, for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds, for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses and for county aid in all of such work.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 799—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," as amended;

Also Assembly Bill No. 798—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913;

Also Assembly Bill No. 797—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Also, Assembly Bill No. 800—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 401—An act to amend the title and sections 1, 3, 4, 6, 7, 8, 9, 18, 27, 28 and 29 and the title of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved March 21, 1907, as amended, and to include therein provision for work upon property and rights of way owned by counties, and for work upon streets, avenues, boulevards, lanes, alleys, courts, places and other public property within incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof, and upon streets, avenues, boulevards, lanes, alleys, courts and places forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundaries of such municipality, and to add a new section to said act to be known as section 3½;

Also: Assembly Bill No. 775—An act to amend section 1664 of the Code of Civil Procedure, relating to procedure in probate matters;

Also: Assembly Bill No. 407—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class;

Also: Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 985—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class.

Also: Assembly Bill No. 830—An act to amend section 4253 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-fourth class.

Also: Assembly Bill No. 790—An act to amend section 4250 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-first class.

Also: Assembly Bill No. 597—An act to amend section 3 of an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, to provide special State aid for the promotion of agricultural education in the junior colleges of the State.

Also: Assembly Bill No. 199—An act to add a new section to the Political Code, to be numbered 3805c, providing for the cancellation of assessments on certain lands of the State;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 198—An act to amend section 3408*d* of the Political Code, relating to indemnity selections in lieu of losses in grants made to the State, where the State is entitled to make such selections for any reason; providing a method for the sale of indemnity certificates or scrip entitling the owner to have selected for him government lands in lieu thereof.

Also: Assembly Bill No. 39—An act to amend section 4308 of the Political Code, relating to district attorney's special fund.

Also: Assembly Bill No. 116—An act to legalize bonds heretofore issued and sold, or to be issued or sold, by sanitary districts where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such sanitary districts voting upon the question of incurring such indebtedness.

Also: Assembly Bill No. 998—An act to amend sections 1, 5, 6, 7, 8 and 10 of an act entitled "An act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term bodlevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts, providing for the election of such commission, their terms of office, and of elections to be held in such districts, and repealing an act entitled 'An act to provide for the formation of boulevard districts and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the act amendatory thereof, approved April 15, 1909", approved May 1, 1911, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to section 23 of article IV of the constitution of the State of California, relating to compensation of members of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and be re-referred to Committee on Constitutional Amendments.

FULWIDER, Chairman.

The above reported constitutional amendment ordered re-referred to Committee on Constitutional Amendments.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 13—An act to amend section 3247 of the Political Code, relating to preference on public contracts and furnishing supplies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 447—An act creating the Peninsula Development District, conferring certain powers thereon and providing for the exercise thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GRAVES, Chairman.

The above reported bill ordered on file for second reading.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SPENCE, Vice Chairman.
ANDERSON.
BROMLEY.
CHRISTIAN.
ROBERTS.
WEST.
ROCK.
MITCHELL, T. A.
MOORE.

The above reported bill ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1293—An act prohibiting the doing of any public work costing in excess of $10,000 by day's labor or force account until plans, specifications and estimates of cost therefor have first been prepared and, except in the case of public work which is now authorized by law to be done by convict or prison labor without first advertising for bids, until bids therefor have first been advertised for, opened and rejected.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 510—An act creating the California military reserve, providing for the appointment of officers therein, and when said reserve may be called into active service,

Also Senate Bill No. 685—An act to amend section 860 of the Penal Code relating to examinations before committing magistrates and filing of informations by the district attorney,

Also: Senate Bill No. 158—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973*a*, relating to agreements in writing;

Also, Senate Bill No. 628—An act to amend section 3 of an act known as the "Building and Loan Commission Act," approved April 5, 1911.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 192—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended;

Also Senate Bill No. 202—An act to amend section 270 of the Penal Code, providing punishment for failure to support a minor child;

Also Senate Bill No. 126—An act to regulate the registering and licensing of dental technicians and to promote education, efficiency and skill among dental technicians;

Also, Senate Bill No 74—An act to add a new title to part IV of division I of the Civil Code to be known as title XI*b*, relating to corporations for the purpose of receiving and maintaining a fund or funds, and applying the income and principal thereof to promote the well being of mankind.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 749?

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the word "husbandry" insert the following: "and other farm necessities"

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, after the word "from" insert the words "and to".

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, before the word "loading" insert the words "and from".

AMENDMENT NUMBER FOUR.

In the title strike out the concluding period and add a comma followed by the words "as amended".

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, after the figures "1917" add the following: "as amended".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill strike out all of line 23 after the word "point".

AMENDMENT NUMBER SEVEN

On page 2, line 24, of the printed bill, strike out the word "miles", also the comma following the word "miles".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and eighteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Ball, Crittenden, Dawson, Fulwider, Graves, Johnson, Lyman, McDowell, Mitchell, T. A., Moore, Rosenshine, Schmidt, Spalding, Spence, Weller, West, and Mr. Speaker—17.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 141—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, providing for the regulation of vessels operating on the inland waters of this State

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California that the constitution of said state be amended by adding to article XIII thereof a new section, to be numbered 12½, relative to revenue and taxation.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported constitutional amendment ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No 331—An act to add a new section to the Political Code to be numbered 1608*d* to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

Also Assembly Bill No. 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices;

Also Assembly Bill No 1359—An act regulating the manufacture and packing of alimentary pastes, prohibiting the use of second-hand boxes for packing such pastes, prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect,

Also Assembly Bill No. 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended;

Also Assembly Bill No. 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor;

Also Assembly Bill No. 509—An act to amend section 4307 of the Political Code, relating to county charges.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 728—An act to amend section 67*b* of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 728 finally passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Carter, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Fellom, Foster, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge and Wright—44.

NOES—Graves, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 334—An act to amend section 626*g* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 334 finally passed by the following vote:

AYES—Badham, Baker, C. C., Ball, Bernard, Burns, Cleary, Coombs, Croter, Davis, Dean, Dorris, Fellom, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Lyons, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 488—An act to amend sections 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* of the Political Code, relating to agriculture.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Baker, C. C., moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 16, line 48, of the printed bill, after the comma following the word "annum", strike out all of the matter up to the semicolon in line 50, and insert in lieu thereof the words "together with the amount of his actual traveling expenses."

AMENDMENT NUMBER TWO.

On page 16, line 52, of the printed bill, strike out the word "inspectors" and insert in lieu thereof the word "inspector."

AMENDMENT NUMBER THREE.

On page 17, line 3, of the printed bill, strike out the word "two" and insert in lieu thereof the word "one."

AMENDMENT NUMBER FOUR.

On page 17, line 4, strike out the word "each."

AMENDMENT NUMBER FIVE.

On page 17, after the word "for" in line 5, strike out the words "all such inspectors" and insert in lieu thereof the words "such inspector."

AMENDMENT NUMBER SIX.

On page 17 of the printed bill, strike out all of lines 8, 9, 10 and 11.

AMENDMENT NUMBER SEVEN.

On page 11, line 29, of the printed bill, after the word "annum", strike out the comma and the balance of the bill to the semicolon, and insert in lieu thereof the words "and eight cents per mile one way for every mile actually traveled in the performance of his duty as commissioner."

AMENDMENT NUMBER EIGHT.

On page 11, line 38, of the printed bill, after the word "office", add the words "of commissioner."

Motion carried.

The Speaker appointed Mr. Baker, C. C., as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 488, with instructions, reports that the instructions of the Assembly have been carried out.

BAKER, C. C., Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr Fellom.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 749 were concurred in by the following vote:

AYES—Badham, Ball, Bernard, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Wright, and Mr. Speaker—51.

NOES—Graves—1.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 90—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers of the Labor Commissioner and his deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 90 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Burns, Carter, Cleary, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Schmidt, Scott, Smith, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Badham, Dawson, and Dozier—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 651—An act to amend section 1 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 651 finally passed by the following vote:

AYES—Ball, Bernard, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Badham, and Graves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 592 finally passed by the following vote:

AYES—Ball, Burns, Carter, Christion, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dorris, Doziet, Duval, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WAESTMAN READING.

Senate Bill No. 420—An act to amend section 791 of the Political Code, relating to notaries public.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Scott moved a call of the House.

Motion carried.

Time, nine o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Ball, Burns, Carter, Christian, Coombs, Crittenden, Davis, Dean, Dorris, Fellom, Fulwider, Heisinger, Johnson, Mathews, McPherson, Miller, Mueller, Prendergast, Reindollar, Roberts, Scott, Smith, Snyder Spalding, Spence, Stevenot, Stow, West, Whitacre, Wright, and Mr. Speaker—31

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

ASSISTANT CLERK POWERS READING.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 finally passed by the following vote:

AYES—Ball, Bernard, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Mathews, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker—44

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 701—An act to amend section 1766 of the Code of Civil Procedure, relating to guardianships.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 701 finally passed by the following vote:

AYES—Ball, Bernard, Burns, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Duval, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 629 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Burns, Carter, Christian, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Lyman, Mathews, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Duval—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 248—An act to amend sections 7 and 8*g* of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be numbered section 5*a*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 finally passed by the following vote:

AYES—Anderson, Badaracco Baker, C. C., Ball, Burns, Christian, Cleary, Connolly Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Lyman, Mathews, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 227—An act to amend sections 12, 13, 14, 17 and 19 of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its

tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 227 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Burns, Christian, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Predergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Whitacre, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 491—An act to amend section 7 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 491 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Ball, Bernard, Burns, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 723—An act authorizing the leasing of certain portions of the waterfront of San Francisco for postoffice purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 723 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Burns, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Lyman, Mathews, McDowell, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing

for the petition for the planting thereof by a majority of the abutting property owners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 438 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Burns, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Lyman, McDowell, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Spalding, Spence, Whitacre, Woodbridge, and Wright—43.

NOES—Duval, Jones, Smith, Stevenot, Stow, Weller, and Mr. Speaker—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district; providing for an election to determine whether said district shall be organized; providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments; and providing for the issuance and payment of bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 83 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Burns, Christian, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Donohue, Fellom, Fox, Fulwider, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the power, duties and authority of said commission and its members; providing for the filing of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission; providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment

of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated; providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights; providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights; specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 229 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Burns, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Dozier, Fellom, Foster, Fox, Graves, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 102—An act to amend section 1610 of the Political Code, relating to the attendance of children in public elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 102 finally passed by the following vote:

AYES—Baker, C. C., Ball, Bernard, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Dozier—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 102 was this day passed.

Senate Bill No. 705—An act to amend sections 1 and 10 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Carter, Christian, Cleary, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Mathews, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 599—An act to add a new section to the Political Code to be numbered 737*cce*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 599 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 132—An act to add a new section to the Political Code to be numbered 737*ce*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 132 finally passed by the following vote:

AYES—Badaracco, Baker, C C, Ball, Bernard, Broughton, Burns, Carter, Christian, Cleary, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 42—An act to add a new section to the Political Code to be numbered 737*f*, relating to salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 42 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Duval, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—59.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 66 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 455—An act to amend section 5 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in

that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 455 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Carter, Christian, Clarke, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fulwider, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class.

Bill read third time.

The question being the passage of the bill.

The roll was called, and Senate Bill No. 274 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Broughton, Carter, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 738—An act to amend section 19*x*5 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 738 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 425—An act to amend section 626*s* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 425 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Burns, Carter, Clarke, Connolly, Croter, Dawson, Dean, Dorris, Dozier, Emme, Fellom, Foster, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 515—An act to add a new section to be numbered 637-1 to the Penal Code, to prevent the waste of fish in inland waters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Burns, Carter, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—58

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 511—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 511 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Cleary, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti,

Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 627*c*, relating to fish and game.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 604 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—54.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 507—An act to amend section 626*m* of the Penal Code, relating to the protection of game.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 507 finally passed by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 506 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Burns, Carter, Christian, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Wright, and Mr. Speaker—49.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 678 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Mathews, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 603—An act to amend sections 1, 2, 2½, 3, 5, 7, 15, 17, 21¾, 22, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the state of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add seven new sections to be numbered 2*a*, 14*a*, 14*b*, 21*a*, 21*b*, 22*a* and 29*a*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 603 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Burns, Carter, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Mathews, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 486—An act to provide an alternative method of voting in irrigation districts organized under the California Irrigation District Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Baker, C. C., gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 486 was this day passed.

Senate Bill No. 39—An act to amend an act entitled, "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended by adding a new section to be known as section 26*a* relative to the qualification of directors, and by repealing section 32½ of said act

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 39 finally passed by the following vote:

AYES—Badaracco, Baker, C. C., Ball, Bernard, Broughton, Burns, Christian, Cleary, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Emme, Fellom, Foster, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Dawson—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Baker, C. C., gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 39 was this day passed.

Senate Bill No. 729—An act authorizing the creation of development districts between the counties of this State or parts thereof; providing a method for the creation, enlargement and dissolution thereof; providing for the government of such districts and prescribing the powers and functions thereof; authorizing the levy of taxes, the issuance and sale of bonds and the payment of the cost and expenses of works and improvement by special assessment; providing a method of letting contracts; declaring the bonds issued by such districts to be legal investment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 729 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Christian, Clarke, Coombs, Crittenden, Croter, Dawson, Donohue, Dozier, Duval, Emme, Fellom, Fulwider, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Baker, C. C., moved that Senate Bill No. 7 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Senate Bill No. 7 re-referred to Committee on Ways and Means.

MOTION TO RE-REFER.

Mr. Moore moved that Senate Bill No. 130 be withdrawn from the file, and ordered re-referred to Committee on Fish and Game.

Motion carried.

Senate Bill No. 130 re-referred to Committee on Fish and Game.

RECONSIDERATION WAIVED.

Mr. Wright waived his motion to reconsider the vote whereby Senate Bill No. 9 was passed.

Senate Bill No. 9 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Crittenden waived his notice to reconsider the vote whereby Senate Bill No. 325 was passed.

Senate Bill No. 325 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Senate Bill No. 420 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Ball, Burns, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Duval, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Pomeroy:

WHEREAS, Additional State buildings are being constructed which will undoubtedly relieve the crowded conditions in the present State buildings: therefore, be it

Resolved, That those in charge of the assignment and disposition of space in the State buildings be requested to provide suitable rest and cloak rooms for the women members of the Assembly.

Resolution read, and ordered printed in the Journal.

MOTION TO RECONSIDER.

Mr. Dozier moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 448 was passed be continued until the next legislative day.

Motion carried.

MOTION TO RECONSIDER.

Mr. Spalding moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 324 was refused passage be continued until the next legislative day.

Motion carried.

ADJOURNMENT

At eleven o'clock and forty-four minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, May 16, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 16, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Assistant Clerk Reynold A. Waestman, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

LEAVE OF ABSENCE.

On motion of Mr. Graves, Mr. Baker, Edwin, was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mrs. Woodbridge, Miss Vivian Mezger of Roseville and Mrs. Nellie D. Patton of Sacramento were extended the privilege of the floor of the Assembly for this day, and their names ordered printed in the Journal.

Through the courtesy of Mr. Christian, Judge Ralph V. Richmond of Niles was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Christian, Messrs. Louis Silver, G. E. Vierria and Joseph L. Vargas of Hayward were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Rock, Mr. Irving Lyons, a prominent business man of San Francisco, was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Coombs, Justice Kerrigan of the Supreme Court was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Wright, Prof. C. B. Wing of Stanford University, Vice President of the California Redwood Park Commission, and Mr. F. J. Hoffman of Santa Cruz, executive officer of the California Redwood Park Commission, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Hornblower, Judge Frank Dunne, Mr. James Carroll, and Mr. A. J. Beirne of San Francisco were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Bernard, its further reading was dispensed with.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

(Signed out) McPHERSON, Chairman.
FELLOM.
MORRISON.
JOHNSON.
MUELLER.
BADARACCO.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work, and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917—has had the same under consideration, and

respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

(Signed out)

McPHERSON, Chairman.
FELLOM.
MORRISON.
JOHNSON
MUELLER.
BADARACCO.

The above reported bill ordered re-referred to Committee on Ways and Means.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SMITH, Chairman.
DAVIS
LYMAN
CHRISTIAN.
DOZIER.
CLEARY.
JOHNSON
McDOWELL.
NOYES.
HEISINGER.
CROTER
PRENDERGAST.
STEVENOT.
WHITACRE.

The above reported bill ordered on file for second reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported joint resolution ordered to enrollment.

SECOND READING OF SENATE BILLS.

Senate Bill No. 452—An act to amend section 7 of, and to add a new section to be numbered 2*a* to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 214—An act to amend section 626*c* of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 1, of the engrossed bill, strike out the letter "i" following the word "twenty-six" and insert in lieu thereof the letter "e".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054*a*, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, after the word "gill" insert the following "or trammel".

AMENDMENT NUMBER TWO

On page 2, line 5, of the printed bill, after the word "gill" insert the following: "or trammel".

AMENDMENT NUMBER THREE

On page 2, line 7, of the printed bill, strike out the word "season" and insert in lieu thereof the word "seasons".

AMENDMENT NUMBER FOUR

On page 2, line 24, of the printed bill, after the word "net" insert the following: "*provided further*, that any trammel net found in any boat at any time in fish and game district twelve shall be prima facie evidence that the owner of such net was using same in said fish and game district".

AMENDMENT NUMBER FIVE.

On page 2, line 40, of the printed bill, strike out the word "thirteen" following the word "eleven".

AMENDMENT NUMBER SIX.

On page 2, line 51, of the printed bill, after the word "twelve" insert the following: "and thirteen".

AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the printed bill, after the letter "B" insert the following: "and thirteen".

AMENDMENT NUMBER EIGHT.

On page 3, line 6, of the printed bill, after the word "gill" insert the following: "or trammel".

AMENDMENT NUMBER NINE.

On page 3, line 14, of the printed bill, strike out the word "thirteen" following the word "eleven".

AMENDMENT NUMBER TEN

On page 4, line 17, of the printed bill, after the word "five" insert the following: ", five "A" ".

AMENDMENT NUMBER ELEVEN

On page 4, line 28, of the printed bill, after the word "five" insert the following: ", five "A" ".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 166—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence, or fine, or both, or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, in cities and counties

and counties of the second, third, fourth, fifth and sixth class, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out lines 11 and 12 of the title of the printed bill and in lieu thereof insert the following: "probation officer in counties of the sixth class, and fixing their".

AMENDMENT NUMBER ONE AND ONE-HALF.

In line 14 of the title of the printed bill strike out the words "counties and cities and counties" and in lieu thereof insert the word "county".

AMENDMENT NUMBER TWO.

On page 4 of the printed bill, strike out lines 42, 43 and 44 and in lieu thereof insert the following: "committed in any county of the sixth class in which county the adult probation officer, assistant and deputy".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out lines 1 and 2 and insert in lieu thereof the following.

"(g) In said county of the sixth class, the judges presiding in the".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, strike out lines 47 to 52, both inclusive.

AMENDMENT NUMBER FIVE.

On page 6 of the printed bill, strike out lines 1 to 9, both inclusive, and in lieu thereof insert the following.

"In counties of the sixth".

AMENDMENT NUMBER SIX.

On page 6, line 15, of the printed bill, strike out the words "third, fourth, fifth and sixth" and in lieu thereof insert the words "sixth class".

AMENDMENT NUMBER SEVEN.

On page 6, line 20, of the printed bill, strike out the words "or city and county".

AMENDMENT NUMBER EIGHT.

On page 7, line 23, of the printed bill, strike out the words "of cities and counties and".

AMENDMENT NUMBER NINE.

On page 7, line 25, of the printed bill, strike out the words "or city and county".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure, to be numbered 260, relating to the salary of court commissioners in counties of the first class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "the" and insert in lieu thereof the word "all".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, strike out the words "referee as" and insert in lieu thereof the following: "the referee".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, strike out the word "appointed" and insert in lieu thereof the word "designated".

AMENDMENT NUMBER FOUR.

On page 2, line 46, of the printed bill, strike out the words "such salary shall be" and all of lines 47 and 48 and insert in lieu thereof the following. "All fees charged and collected by him for the performance of official acts as herein provided, and all other compensation for his services otherwise fixed by law shall not be retained by him for his own use and benefit, but he shall account for and pay the same to the city and county or county treasurer in the same manner as provided by law in the case of county officers who charge and collect fees for official acts."

AMENDMENT NUMBER FIVE.

On page 3, line 3, of the printed bill, after the word "compensation" insert the following: "from the county".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 13—An act to amend section 3247 of the Political Code relating to preference on public contracts and furnishing supplies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 447—An act creating the Peninsula development board, conferring certain powers thereon and providing for the exercise thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill strike out the word "district" and insert in lieu thereof the word "board".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to

insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended May 10, strike out lines 15 and 16 and on page 2 strike out lines 1 to 30, inclusive, and insert in lieu thereof the following

"Sec. 5. It shall be unlawful for any person, firm or corporation to buy or sell or receive or use any kind or species of food fish for the manufacture of fish oil, fish meal, or other fishery bi-products, *provided*, that any person, firm or corporation engaged in the business of taking, catching, or dealing in fresh fish or fishery products thereof for human consumption, or any person, firm or corporation engaged in the business of canning, packing, preserving or selling fish for human consumption, desiring to sell or deliver to or use in a reduction plant or a plant manufacturing fish oil or fish meal or other bi-products any fish except fish offal, shall file an application in writing with the fish and game commission, setting forth the kind or species and the quantity of fish to be sold, delivered or used for any purpose other than canning, packing and preserving for human consumption, and upon said application being filed said commission shall fix a time and place for hearing upon said application, which shall not be more than twenty days from the date of filing said application with said fish and game commission. A notice of the time and place of said hearing shall be served on said applicant at least two days before said hearing which shall be held in the county in which the plant or place of business of said applicant is located. At such time and place designated in said notice testimony under oath shall be taken by any member of the board of fish and game commissioners or any assistant or employee designated by them, who shall have power to administer oaths, take affidavits and issue subpœnas for the attendance of witnesses.

If after hearing evidence upon said application it shall appear that there is no market for the fish referred to in said application and that the taking or using of said fish in a reduction plant or in the manufacture of fish oil or fish meal or other bi-products will not tend to impair or deplete said species of fish, an order may be made by the board of fish and game commissioners granting the privilege to take, catch, sell or deliver to a reduction plant, or use in a reduction plant in the manufacture of fish oil or fish meal or other bi-products not more than ten per cent of whole fish received during any calendar week by any canning, packing or preserving plant while actually engaged in canning, packing or preserving fish for human consumption

Said order shall not be granted for a period longer than a seasonal run of said kind or species of fish mentioned in said order.

No person, firm or corporation engaged in the canning, packing or preserving of fish for human consumption shall receive or accept more fish than such canning, packing and preserving plant can can, pack or preserve for human consumption at the time and with the equipment actually in operation at the time any fish are received;"

AMENDMENT NUMBER TWO

On page 2 of the printed bill as amended May 10 strike out lines 40 to 53, inclusive, and on page 3 strike out lines 1 to 34, inclusive, and insert in lieu thereof the following

"Sec. 6. Complaint may be made by any officer charged with the enforcement of the fish and game laws or any person having knowledge of a violation, against any person, firm or corporation violating any of the provisions of this act or violating any of the rules or regulations made by the fish and game commissioners under the provisions of this act Said complaints shall be in writing setting forth the particular offense charged to have been committed a copy of which shall be filed with the board of fish and game commissioners and a copy served on said person, firm or corporation charged, together with a notice of time and place of hearing, which hearing must be held in the county in which said violation was alleged to have been committed Said complaint and notice must be served not less than five days before the date of hearing The person, firm or corporation may make an oral or file a written answer to said charge any time before or at the time of said hearing or if the person, firm or corporation fails to appear and answer the board of fish and game commissioners or a commissioner or any assistant or any employee appointed by the board of fish and game commissioners, may proceed to take testimony offered by either party. If the testimony is taken by a commissioner an assistant or an employee, said testimony must be submitted to said board of fish and game com-

missioners and if the person, firm or corporation is found guilty of the charges made in said complaint the board of fish and game commissioners may suspend for a period not to exceed six months any license issued by any state board or officer to such person, firm or corporation to take, catch, buy, sell, can, pack or preserve fish or manufacture fishery bi-products, and should the license of such person, firm or corporation expire before said period of suspension no new license shall be issued during the period of suspension, and during the period of suspension the canning, packing or preserving plant or plants or the plant or plants for the manufacture of fish oil, fish meal or other bi-products, shall not be used by said offending licensee or any other person, firm or corporation for the canning, packing or preserving of fish for human consumption or the manufacture of fish oil, fish meal or other bi-products."

AMENDMENT NUMBER THREE.

On page 3 of the printed bill as amended May 10, in line 44 after the word "court" insert the following: "of the county".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 567—An act to amend section 453*e* of the Civil Code, relating to insurance.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 783?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "February" insert a comma.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "except" and insert in lieu thereof the word "including".

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "this" insert the word "shall".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Mueller moved a call of the House.

Motion carried.

Time, nine o'clock and fifty-six minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Ball, Bernard, Carter, Clarke, Dean, Dorris, Erb, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, Miller, Moore, Mueller, Saylor, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—24.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At ten o'clock a.m., Hon. Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THE SPEAKER IN THE CHAIR.

At ten o'clock and twelve minutes a.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 84—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 84?

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after and following the comma after the word "indefinite" strike out the word "and" and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 3, line 14, of the printed bill, strike out the comma and the word "or" and all of the balance of said line and all of lines 15 and 16, and insert in lieu thereof a period.

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, after the word "employment" insert the following "as shown by the statement of the prospective employer".

AMENDMENT NUMBER FOUR.

On page 3, line 11, of the printed bill, after the word "agency" insert the following, ", knowingly,".

The roll was called, and Senate amendments to Assembly Bill No. 84 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Davis, Dean, Dorris, Dozier, Emme, Erb, Fellom, Foster, Fox, Heisinger, Hornblower, Johnson, Johnston, Jones, McMillan, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rock, Rosenshine, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Graves—1.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Miss Broughton asked for and was granted unanimous consent to take up Senate Bill No. 165, at this time, without reference to file for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-FIVE.

Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Miss Broughton moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "proceeding" insert the words "except to prove a will".

Motion carried.

The Speaker appointed Miss Broughton as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 165, with instructions, reports that the instructions of the Assembly have been carried out.

BROUGHTON, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and twenty-four minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Mueller.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 783 were concurred in by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Davis, Dawson, Dean, Dorris, Duval, Erb, Foster, Fox, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, McDowell, Miller, Moore, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 424—An act to add two new sections to the Penal Code, to be numbered 1599*a* and 1599*b*, relating to property taken from persons detained in city, county, or city and county jails—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 424?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "two new sections" and in lieu thereof insert the words "a new section".

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out the words "and one thousand five hundred ninety-nine *b*".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 4 to 11, both inclusive.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out the number "1599*b*" and in lieu thereof insert the number "1599*a*".

The roll was called and Senate amendments to Assembly Bill No. 424 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Emme, Erb, Fox, Hersinger, Johnson, Johnston, Jones, McDowell, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, Whitaker, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McDowell asked for and was granted unanimous consent to take up Senate Bill No. 348, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FORTY-EIGHT.

Senate Bill No. 348—An act recognizing and declaring valid the Lakeland Irrigation District, and approving and declaring valid all proceedings on formation and organization of said district.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. McDowell moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended May 10, 1923, strike out all of line 1 following the period, all of lines 2 to 20, both inclusive, and all of line 21 preceding the word "Lakeland".

Motion carried.

The Speaker appointed Mr. McDowell as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 348, with instructions, reports that the instructions of the Assembly have been carried out.

McDOWELL, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 853—An act to amend section 632 of the Penal Code, relating to protection of trout—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 853?

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, after the semicolon add a paragraph as follows

"Every person who, in fish and game district seven A, between the first day of August and the thirty-first day of March of the year following, both dates inclusive, takes, catches, kills or has in his possession any trout or salmon is guilty of a misdemeanor."

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, strike out the word "seven" and the letter "A" in line 34.

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed bill, strike out the words "December thirty-first of the same year" and insert in lieu thereof the words "January thirty-first of the succeeding year."

The roll was called and Senate amendments to Assembly Bill No. 853 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fox, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Snyder, Spalding, Spence, Weller, West, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 10, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and adopted as amended, Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 51?

AMENDMENT NUMBER ONE.

On page 5, line 22, of the amended bill, strike out the words "Until the year 1918 the", and insert in lieu thereof the word "The".

AMENDMENT NUMBER TWO.

On page 5, line 24, of the amended bill, strike out the word "railroad".

AMENDMENT NUMBER THREE.

On page 5, line 25, of the amended bill, strike out the word "railroad", and insert in lieu thereof the word "such".

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 51 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, McDowell, McMillan, Miller, Moore,

Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—59.
NOES—None.

The above reported constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended as a case of urgency Assembly Bill No. 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1339?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 1, strike out the word "seventy-five" and in lieu thereof insert the word "ninety-five".

The roll was called and Senate amendment to Assembly Bill No. 1339 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Ball, Broughton, Burns, Carter, Christian, Cleary, Cleveland, Coombs, Crofer, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Moore, Morris, Morrison, Mueller, Prendergast, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—56.
NOES—None.

The above reported bill ordered to enrollment.

SPECIAL ORDERS.

The hour of ten o'clock a.m. having arrived, the special orders heretofore set for this hour were taken up for consideration.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-THREE.

Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out

the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 743 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Broughton, Burns, Carter, Christian, Cleary, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, Lyons, McDowell, Miller, Moore, Morris, Mueller, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Woodbridge, Wright, and Mr Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 744 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Ball, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, Miller, Moore, Morris, Mueller, Noyes, Prendergast, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Wright, and Mr. Speaker—51.

NOES—Badaracco, Hornblower, Johnson, Rosenshine, and Schmidt—5.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dozier gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 744 was this day passed.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Spalding moved that the vote whereby Senate Bill No. 324 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Broughton, Burns, Clarke, Coombs, Crittenden, Davis, Dean, Dorris, Duval, Emme, Erb, Fellom, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, T. A., Morris, Morrison, Noyes, Prendergast Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48

NOES—Cleveland, Dozier, Fox, Graves, Lyons, Saylor, and Stow—7.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED TWENTY-FOUR.

Senate Bill No. 324—An act to add a new section to the Political Code, to be numbered 3464, relating to the liability of reclamation districts for negligence of their trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 324 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Ball, Bernard, Carter, Clarke, Coombs, Crittenden, Croter, Dean, Donohue, Dorris, Duval, Emme, Erb, Fulwider, Hawes, Johnston, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr Speaker—47.

NOES—Cleary, Cleveland, Connolly, Dawson, Fox, Graves, Lyons, Rock, Scott, Stow, and Weller—11.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS.

Senate Bill No. 733—An act to regulate the sale of agricultural minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 733 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Carter, Christian, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Duval, Emme, Erb, Fellom, Foster, Fox Fulwider, Hawes, Heisinger, Johnson, Johnston, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr Speaker—52.

NOES—Graves—1.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California to amend section 13, article XX of the constitution of said State, relating to elections.

Senate Constitutional Amendment No. 13 read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 13 refused adoption by the following vote:

AYES—Bernard, Broughton, Clarke, Crittenden, Dean, Dorris, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, McDowell, Miller, Mitchell, T. A., Morrison, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spalding, West, and Whitacre—25.

NOES—Anderson, Badham, Baker, C. C., Carter, Christian, Cleary, Cleveland, Connolly, Davis, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Jones, Lyman, Lyons, McMillan, McPherson, Noyes, Pedrotti, Pomeroy, Smith, Spence, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—31

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923

MR. SPEAKER Your Committee on Labor and Capital, to which was referred Senate Bill No. 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended—has had the same under consideration, and respectfully

reports the same back without recommendation, and that it be re-referred to Committee on Governmental Efficiency and Economy.

(Signed out)

BURNS, Chairman.
WELLER.
FOSTER.
GRAVES.
HAWES.
MATHEWS.
WILLIAMS

The above reported bill ordered re-referred to Committee on Governmental Efficiency and Economy.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

COOMBS, Chairman.
BROUGHTON.
WRIGHT.
HAWES.
FELLOM.
BERNARD.
FULWIDER.
CHRISTIAN.
DAWSON.
MORRIS.
BADARACCO.
SMITH.
BROMLEY.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 739—An act to amend an act entitled "An act to be known as the 'Inheritance Tax Act,'" approved May 23, 1917—has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

COOMBS, Chairman.
CHRISTIAN.
BROUGHTON.
FULWIDER.
BERNARD.
MORRIS.
HAWES.
BADARACCO.
SMITH.
BROMLEY.
FELLOM.
WRIGHT.

The above reported bill ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

WHEREAS, Our esteemed fellow-member, John B. Badaracco, representative from San Francisco, has served in this Assembly for six years, and has at all times faithfully, loyally, and intelligently worked for the highest welfare and best interests of the people of his district and of the State of California, and

WHEREAS, Mr. Badaracco at this time is a candidate for election to the supervisorship of San Francisco;

THEREFORE, We members of the State Assembly, elected to the forty-fifth session of the California Legislature, desire at this time to attest our appreciation for the valuable service of Mr. Badaracco and to express our confidence that in electing him as a supervisor the people of San Francisco will obtain a tireless worker and a

public-spirited official whose contribution to the progress and well-being of San Francisco will be of the highest order.

HARRY F. MORRISON.
AL. ROSENSHINE.
THOS. A. MITCHELL.
WM. B. HORNBLOWER.
JOS. F. BURNS
WALTER J. SCHMIDT.
R. FELLOM.
WALTER J. ROCK.
W. S SCOTT.
L. F. ERB.
F. B. HAWES.
CLARENCE W. MORRIS.

Resolution read, and ordered printed in the Journal.

RECESS.

At twelve o'clock noon, on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULWIDER, Chairman.

The above reported bill ordered on file for second reading.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 16, 1923.

To the Assembly of the State of California.

Assembly Bill No. 603 is returned herewith without my approval.

This bill amends section 200 of the Code of Civil Procedure relating to persons exempt from jury duty, by adding the wives of attorneys Why they should be exempt from jury duty is not explained by the author and there has been no demand for this exemption. It would appear to be good public policy for the wives of attorneys to become familiar with jury duty.

This bill also eliminates the present exemption in favor of practicing licensed dentists. As physicians and druggists are exempt from jury duty, I see no reason why the present exemption in favor of dentists should not stand.

Respectfully submitted

FRIEND WM. RICHARDSON, Governor.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of

disputes arising under such contracts or in the performance of the work thereunder between the contracting parties—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1100?

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

The roll was called, and Senate amendment to Assembly Bill No. 1100 was concurred in by the following vote:

AYES—Badham, Bernard, Bromley, Broughton, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Duval, Erb, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 2½, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

MITCHELL, A. G., Chairman.
FOX.
CLARKE
BERNARD.
CRITTENDEN.
NOYES.
COOMBS.
SNYDER.
STEVENOT.

The above reported constitutional amendment ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

(Signed out)

MITCHELL, A. G., Chairman.
SNYDER.
NOYES
CRITTENDEN.
BERNARD.
MORRIS.
KLINE
STEVENOT.
FOX.
COOMBS

The above reported constitutional amendment ordered on file for adoption.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 136 finally passed by the following vote:

AYES—Badham, Bernard, Broughton, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 538—An act to add a new section, to be numbered section 467*a*, to the Civil Code of the State of California, providing for the construction of additional tracks by railroad corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 538 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Carlson, Carter, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Erb, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 291 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Erb,

Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof" and approved May 31, 1917, Statutes of California of 1917, page 1473; and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and

counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 29 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Ekswaird, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Baker, C. C., Christian, Cleveland, Davis, and Graves—5

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610*a*, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Badham moved a call of the House.

Motion carried.

Time, two o'clock and forty-seven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badham, Baker, C. C., Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Morris, Noyes, Pomeroy, Reindollar, Roberts, Rock, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—55.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, by amending sections 20, 21, 29, 32, 45 and 52 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 482 finally passed by the following vote:

AYES—Badham, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Lyman, McDowell, McMillan, Miller, Moore, Morris, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and fifty-six minutes p m, further proceedings under the call of the House were dispensed with, on motion of Mr. Smith.

The roll of absentees was called, and Senate Bill No. 342 finally passed by the following vote:

AYES—Badham, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Fellom, Foster, Fox, Hawes, Heisinger, Hornblower, Johnson, Lyman, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morris, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Woodbridge, and Wright—43.

NOES—Anderson, Baker, C. C., Bernard, Christian, Cleveland, Dozier, Erb, Fulwider, Graves, Johnston, McMillan, Noyes, Prendergast, Snyder, Stow, Weller, West, Williams, and Mr. Speaker—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 82—An act to regulate the occupation of barbering to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service, and provide penalties for violations thereof.

Bill read third time.

The question being on the passage of the bill.

ASSEMBLYMAN SMITH IN THE CHAIR.

At three o'clock and twenty minutes p m, Honorable Edward J. Smith, member from the thirty-sixth district, was called to the chair.

The question being on the passage of Senate Bill No. 82

THE SPEAKER IN THE CHAIR

At three o'clock and thirty-two minutes p m., Honorable Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on the passage of Senate Bill No. 82.

The roll was called, and Senate Bill No. 82 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Broughton, Burns, Carlson, Carter, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McPherson, Miller, Morris, Morrison, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, West, Woodbridge, and Wright—45.

NOES—Baker, C. C., Christian, Clarke, Cleary, Cleveland, Connolly, Dozier, Graves, McMillan, Moore, Noyes, Pomeroy, Prendergast, Stow, Weller, Williams, and Mr. Speaker—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 finally passed by the following vote:

AYES—Badham, Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dean, Dorris, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Lyons Mathews, McDowell, McMillan, Miller, Moore, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Anderson, Christian, Cleveland, Coombs, Dawson, Dozier, Fox, Graves, Scott, and Stow—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 184—An act to add two new sections to the Political Code to be numbered 4463 and 4464, relating to newspapers of general circulation

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 184 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Coombs, Crittenden, Davis, Dawson, Dorris, Fellom, Foster, Fulwider, Hawes, Hornblower, Johnson, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spence, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr Speaker—43.

NOES—Clarke, Dean, Ekswaard, Graves, Jones, Noyes, Pomeroy, Spalding, and West—9.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Christian moved that Senate Bill No. 44 be withdrawn from the file, and ordered re-referred to Committee on Education.

Motion carried.

Senate Bill No. 44 re-referred to Committee on Education.

Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 540 finally passed by the following vote:

AYES—Badham, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Dozier, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Hornblower, Johnson, Jones, Kline, Mathews, McMillan, Miller, Mitchell, A. G., Moore, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 138—An act to add three new sections to the Political Code, to be numbered 1780, 1620*a*, and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read third time.

The question being on the passage of the bill.

ASSEMBLYMAN KLINE IN THE CHAIR.

At four o'clock and three minutes p.m., Hon. Chester M. Kline, member from the seventy-seventh district, was called to the chair.

The question being on the passage of Senate Bill No. 138.

THE SPEAKER IN THE CHAIR.

At four o'clock and twenty-three minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on the passage of Senate Bill No. 138.

ASSEMBLYMAN DOZIER IN THE CHAIR.

At four o'clock and twenty-nine minutes p.m., Hon. Earnest Dozier, member from the third district, called to the chair.

The question being on the passage of Senate Bill No. 138.

THE SPEAKER IN THE CHAIR.

At four o'clock and thirty-eight minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The question being on the passage of Senate Bill No. 138.

DEMAND FOR PREVIOUS QUESTION.

Messrs Carter, Anderson, Christian, Dawson and Scott demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 138.

The roll was called, and Senate Bill No. 138 refused passage by the following vote:

AYES—Baker, C. C., Bernard, Broughton, Clarke, Cleveland, Davis, Dean, Donohue, Dorris, Fellom, Graves, Heisinger, Johnson, Mathews, McMillan, Miller, Pomeroy, Reindollar, Roberts, Saylor, Williams, Woodbridge, and Mr. Speaker—23.

NOES—Anderson, Badham, Bromley, Burns, Carlson, Carter, Christian, Coombs, Crittenden, Dawson, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Hornblower, Johnston, Jones, Lyman, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Rosenshine, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, and Wright—35.

NOTICE OF RECONSIDERATION.

Mr. Stevenot gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 138 was this day refused passage.

RECONSIDERATION WAIVED.

Mr. Dozier waived his notice to reconsider the vote whereby Senate Bill No. 744 was passed.

Senate Bill No. 744 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Dozier waived his notice to reconsider the vote whereby Senate Bill No. 448 was passed.

Senate Bill No. 448 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Lyman waived his notice to reconsider the vote whereby Senate Bill No. 34 was passed.

Senate Bill No. 34 ordered transmitted to the Senate

RECONSIDERATION WAIVED.

Mr. Hornblower waived his notice to reconsider the vote whereby Senate Bill No. 102 was passed.

Senate Bill No. 102 ordered transmitted to the Senate.

RECESS.

At four o'clock and forty-nine minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CLARKE, Chairman.

The above reported bill ordered on file for second reading.

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER Your Committee on Elections, to which was referred Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921;

Also: Senate Bill No. 750—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

POMEROY, Chairman.
PRENDERGAST.
MITCHELL, A. G.
SCHMIDT.
BROUGHTON.
CARTER.

The above reported bills ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BROMLEY, Chairman.
REINDOLLAR.
CARLSON.
GRAVES.
DOZIER.
SCOTT.
PRENDERGAST.
LYMAN.
SPENCE.
BADHAM.
MITCHELL, A. G.
POMEROY.
DAWSON.
CLEVELAND.
BURNS.

The above reported bill ordered on file for second reading.

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 466—An act to amend section 4292*a* of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SMITH, Chairman.
CLEARY.
CHRISTIAN.
CROTER.
NOYES
HEISINGER
JOHNSON
STEVENOT.
LYMAN
DOZIER.
PRENDERGAST.
DAVIS.
BAKER, C. C.

The above reported bill ordered on file for second reading.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1923.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydro-carbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

FOSTER, Chairman.
BADHAM.
ANDERSON.
BADARACCO.
CARLSON.

The above reported bill ordered on file for second reading.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER. Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No 23—A resolution proposing to the people of the State of California an amendment to sections 23 and 23*a* of article IV of the constitution of the State of California, relating to compensation of members of the Legislature—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

MITCHELL, A. G., Chairman.
FOX
SNYDER
STEVENOT.
MORRIS.
BERNARD

The above reported constitutional amendment ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1923.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 40—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*k*, 4236*l*, 4236*m*, 4236*n*, 4236*o*, 4236*p* inclusive of the Political Code, relating to county and township officers in counties of the seventh class; the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 430—An act to prevent the propagation by seed of certain plants hereby declared noxious and a menace to agriculture, making violation of the provisions of this act a misdemeanor and repealing that certain act entitled "An act to prevent the propagation by the production of seed of that certain plant known as sorghum halepense, otherwise known as Johnson grass, approved March 20, 1903," and all acts amending or supplementing said act;

Also: Assembly Bill No 1333—An act withdrawing certain State land from sale or lease and setting the same aside for the use and benefit of Indians;

Also Assembly Bill No. 142—An act to amend section 18 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended by permitting injured employee to attach property of employer where the employer has failed to secure the payment of compensation;

Also Assembly Bill No 432—An act to add a new section to the Penal Code, to be numbered 654*d*, relating to cooperative business corporations or associations;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 289—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 19, 21 and 26 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919;

Also: Assembly Bill No 260—An act to amend section 29 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended to permit the revocation of certificates of self-insurance, to make failure to secure the payment of compensation a misdemeanor, and to require employers to furnish the Industrial Accident Commission with statements showing the name of their insurance carrier or how they have secured the payment of compensation;

Also, Assembly Bill No 900—An act to provide for the change of name of the California Polytechnic School to California Vocational Institute.

Also: Assembly Bill No 1116—An act to amend section 633*b*, of the Political Code, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance, or surety bonds shall show the correct premium consideration and the risks insured thereunder, prohibiting the giving or receiving of rebates on insurance or surety bonds and providing penalty therefor, and for the suspension of certificate of authority of any insurance or surety company and the revoking or suspension of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto and providing a penalty for misrepresenting the pay roll upon which an insurance premium is based or for accepting a pay roll, which is known to be false, upon which a premium is based, and restricting the time of credit for the payment of premiums;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No 488—An act to amend section 19*x*12 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereot and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also Assembly Bill No. 547—An act to amend section 19*x*32 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof, and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, approved June 2, 1921, as amended, relating to juvenile courts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 366—An act to repeal chapter CCX, Statutes of 1893, chapter XCIX, Statutes of 1897, chapter CCCXXI, Statutes of 1909, chapter CDLXXVII, Statutes of 1921, and sections 1745, 1746, 1746*a*, 1747, 1748, 1749, 1880, 1881, 1882, 1883, 1884, 1885, 1885*a*, 1886, 1887, 1888, 1888*a*, and 1889 of the Political Code, and to add new sections to the Political Code to be numbered 1880, 1881, 1882, 1883, 1883*a*, 1883*b*, 1883*c*, 1883*d*, 1883*e*, 1883*f*, 1883*g*, 1884, 1885, 1885*a*, 1886, 1887, and 1888, relating to the issuance of school bonds, high school bonds and junior college bonds—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 434—An act to repeal section 1617½ of the Political Code, relating to the selling or leasing of school property unoccupied by any public school; to add a new section to the Political Code to be numbered 1617½ relating to the selling or leasing of any real property upon which no public school is being maintained;

Also: Assembly Bill No. 796—An act to amend section 4300*a* of the Political Code, relating to the fees of the county clerk;

Also: Assembly Bill No. 723—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the publication of annual reports and courses of study by city boards of education;

Also: Assembly Bill No. 354—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 179—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 807—An act to amend section 69 of the Civil Code, relating to marriage licenses;

Also: Assembly Bill No. 499—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class;

Also: Assembly Bill No. 744—An act to abandon and relinquish any and all claim to portions of streets designated as Railroad Avenue, Humboldt Avenue, B, C, D and E streets in the town of Sausalito and providing for the transfer and recession thereof to said town of Sausalito;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 631—An act to amend section 2470 of the Civil Code, relating to register of firms;

Also: Assembly Bill No. 579—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered section 32*b*, relating to the creation of an irrigation district bond security fund;

Also: Assembly Bill No. 563—An act to amend section 31 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to form of bonds to be issued by irrigation districts;

Also: Assembly Bill No. 259—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Assembly Bill No. 1163—An act to amend section 12 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof" approved April 16, 1915, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 190—An act creating a sanitation district to be called Los Angeles Metropolitan Sanitation District, prescribing the purposes and powers of such district, including among others the acquisition, construction and maintenance of sewerage systems and sewage disposal and treatment plants, the issuance of bonds and the levy and collection of taxes and providing for the government of such district—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1323—An act to amend "An act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes, from time to time, for such purposes, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, by the addition thereto of a new section to be numbered 24½, providing for the annexation of unincorporated territory to a fire district—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 879—An act to refer to its provisions as the General Dairy Law of California, to provide for the maintenance of a uniform high standard of quality in California dairy products, to prevent the manufacture and sale of unwholesome or adulterated dairy products, to prevent deception and fraud in the production and sale of dairy products and in the manufacture, advertising and sale of imitation milk, renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products and their substitutes, to provide for the issuance and revocation of licenses for dairy products plants and to provide for the accumulation of dairy statistics, to provide for rules and regulations to carry out the provisions of this act, to provide for the enforcement of its provisions and punishment of violators thereof, to repeal an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese, to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act." Approved April 21, 1911; and to repeal all parts of acts in conflict herewith—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 29—An act authorizing the establishment and government of port districts, providing for the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, providing the method of payment therefor, providing for the levy and collection of taxes and special assessments therefor and for the issuance of bonds therefor and for the payment thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 21—Relating to investigation by the Legislature of the California Polytechnic School—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 16, 1923.

To the Assembly of the State of California.

Assembly Bill No. 501 is returned herewith without my approval.

This bill makes it mandatory upon incorporated towns, cities, and cities and counties to erect and maintain comfort stations for public use. The provisions of the act are ambiguous and uncertain. This bill appears to me to attempt an unnecessary and unwise interference with the affairs of the various cities of the State. City trustees will take care of these matters whenever there is a public demand and they have full power to do so. This bill further provides in detail as to how the floors shall be built, and other details of construction which appears to me to be entirely out of place in a bill of this kind.

There has been not a single request from any source for the signing of this bill, and the author has not presented any argument in its favor although numerous general requests have been made upon members for such statements.

Although this bill was received within ten days of the end of the session, I have decided to waive my right of a pocket veto, and am returning the bill without my approval so you may, if you desire, pass it over my veto.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 16, 1923.

To the Assembly of the State of California.

Assembly Bill No. 516 is returned herewith without my approval.

This bill as originally introduced added a new section to the Political Code giving supervisors the power to expend money to keep up abandoned cemeteries, and was to relieve a condition in Orange County. As amended in committee, this bill amends the Cemetery Act of 1909 and provides for formation of abandoned cemetery districts. I have asked the supervisors of that county to approve the bill in its present form but they have not done so.

This bill appears unnecessary and in its present form is entirely different from the author's original bill.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 16, 1923.

To the Assembly of the State of California.

Assembly Bill No. 359 is returned herewith without my approval.

This bill makes a number of changes in the wording of the act of 1901 creating the California Polytechnic School. The words "including agriculture, mechanics, engineering, business methods, domestic economy, and such other branches" are eliminated and the word "vocations" is substituted. This might change the present character of the school.

Its title states that the bill amends the act, while the body of the bill shows that it amends only four sections of the act. This bill appears unnecessary and questionable in its apparent change of the purpose of the school.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

SENATE MESSAGE.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 596?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "seventy" and insert in lieu thereof the word "sixty".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, eight o'clock and thirty-three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Bernard, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Emme, Erb, Foster, Fulwider, Graves, Johnson, Johnston, Jones, Lyman, McDowell, Miller, Moore, Noyes, Saylor, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 139—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 139?

AMENDMENT NUMBER ONE.

On page 3, line 25, of the printed bill as amended, after the word "trustee" insert the word "or".

AMENDMENT NUMBER TWO

On page 3, line 29, of the printed bill as amended, after the word "California" insert the words "or against an irrigation district, which action involves only the right of such district to use or divert water".

The roll was called, and Senate amendments to Assembly Bill No. 139 were concurred in by the following vote:

AYES—Badham, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED)

Senate Bill No. 200—An act to amend section 1394½ of the Political Code relating to fees and rates of tuition of non-resident students of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 finally passed by the following vote:

AYES—Badham, Broughton, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Dorris, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 113—An act to amend sections 51 and 52 of the Civil Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 113 finally passed by the following vote:

AYES—Badham, Bernard, Broughton, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 refused passage by the following vote:

AYES—Bernard, Broughton, Clarke, Cleary, Coombs, Crittenden, Dean, Dorris, Eksward, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McMillan, Miller, Mitchell, T. A., Mueller, Noyes, Pedrotti, Reindollar, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, West, Whitacre, and Woodbridge—35.

NOES—Badham, Baker, C. C., Christian, Connolly, Davis, Dawson, Dozier, Foster Fulwider, Graves, Lyman, McPherson, Moore, Pomeroy, Snyder, Stow, Weller, Williams, Wright, and Mr. Speaker—20.

NOTICE OF RECONSIDERATION.

Mr. Wright gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 524 was this day refused passage.

Senate Bill No. 583—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 583 finally passed by the following vote:

AYES—Badham, Bernard, Broughton, Carter, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Christian, Dawson, and Dozier—3

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 673—An act to amend section 502½ of the Penal Code, relating to the removal of improvements from mortgaged or encumbered real property.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 673 finally passed by the following vote:

AYES—Badham, Baker, C. C., Broughton, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Eksward, Emme, Erb, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Scott, Snyder, Spalding, Spence, Stevenot, Weller West, Williams, Woodbridge, and Mr. Speaker—47.

NOES—Graves, and Stow—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 287—An act to amend section 361*a* of the Civil Code, relative to the consent of stockholders to the transfer of franchise, business and property of corporations, and protecting minority holders in said corporation.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Spence moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out all of lines 18 to 27, inclusive, and insert in lieu thereof the following: "except when the owners of the capital stock holding a majority of the issued capital stock of a real estate holding corporation, and of a mercantile corporation are the same, no lease shall be made by said real estate corporation to said mercantile corporation exceeding one year without the consent in writing of the owners of the capital stock of the real estate corporation holding at least two-thirds of the issued capital stock of said real estate corporation and after thirty days written notice setting forth the terms and conditions of said lease to all of the owners of the capital stock as shown on the records of said real estate corporation of the time and place of a meeting of the board of directors of said corporation at which said board of directors may authorize said lease."

Motion carried.

The Speaker appointed Mr. Spence as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 287, with instructions, reports that the instructions of the Assembly have been carried out.

SPENCE, Select Committee.

Report of Select Committee of One and amendment adopted
Bill ordered to reprint, and on file for passage

Senate Bill No. 303—An act to amend section 2552 of the Political Code, relating to the salary of wharfingers.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 303 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Broughton, Burns, Carlson, Carter, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Emine, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Christian—1.

Title read and approved

Bill ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Baker, C. C., waived his motion to reconsider the vote whereby Senate Bill No. 486 was passed.

Senate Bill No. 486 ordered transmitted to the Senate.

RECONSIDERATION WAIVED.

Mr. Baker, C. C., waived his motion to reconsider the vote whereby Senate Bill No. 39 was passed.

Senate Bill No. 39 ordered transmitted to the Senate.

SENATE MESSAGE—(OUT OF ORDER).

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended as a case of urgency, Assembly Bill No. 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1346?

AMENDMENT NUMBER ONE.

On page 3, line 46, of the printed bill, strike out the word "then".

AMENDMENT NUMBER TWO.

On page 3, line 46, of the printed bill, after the word "Treasury" insert the words "which may legally be used for the purpose of cancelling such unsold bonds as hereinbefore provided".

AMENDMENT NUMBER THREE.

On page 3, line 47, of the printed bill, strike out the first word "the" and insert in lieu thereof the word "such".

AMENDMENT NUMBER FOUR.

On page 4, line 25, of the printed bill after the word "created" insert the words "To the extent thereof and the reclamation board shall provide in the manner now or hereafter prescribed by law therefor any further funds required to complete said work and to pay and discharge the outstanding obligations of said project".

The roll was called, and Senate amendments to Assembly Bill No 1346 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Broughton, Burns, Carlson, Carter, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenhine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—61.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 727—An act relating to the assessment of real or personal property used by the State of California, or political subdivisions thereof for the benefit of the public.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 727 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Broughton, Burns, Carlson, Carter, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—52.

NOES—Graves, Jones, Lyman, and Mr Speaker—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Dozier gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 727 was this day passed.

Senate Bill No. 688—An act to amend section 17 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, and to add a new section to said act to be numbered 17*a*, relating to the entering upon tide, overflowed or submerged land by littoral or riparian owners of such land, the drilling, deepening and operation of producing wells thereon, the granting of leases thereto and providing for the rents and royalties to be paid by such littoral or riparian owners

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 688 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Burns, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Foster, Fulwider, Hawes, Hornblower, Johnson, Johnston, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 708—An act to amend section 2893 of the Political Code, relative to toll ferries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Broughton, Carter, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Foster, Fulwider, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Scott, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 412—An act to amend section 629*a* of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 412 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Broughton, Burns, Carter, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, Miller, Mitchell, T. A., Moore, Morrison, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Williams—1.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Pomeroy moved that his resolution as printed on page 52, of the Journal of Tuesday, May 15, 1923, be taken up for adopttion at this time

Motion carried.

RESOLUTION.

By Mr. Pomeroy:

WHEREAS, Additional State buildings are being constructed which will undoubtedly relieve the crowded conditions in the present State buildings; therefore, be it

Resolved, That those in charge of the assignment and disposition of space in the State buildings be requested to provide suitable rest and cloak rooms for the women members of the Assembly.

Resolution read, and on motion of Mr. Pomeroy, adopted.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 731—An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and creating a State board to be known as the "State Irrigation Board," and defining its powers and duties, and the methods and procedure of exercising such powers and duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 731 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Bernard, Broughton, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Dean, Dorris, Duval, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyman, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—Badham, Burns, Christian, Connolly, Dawson, Donohue, Dozier, Eksward, Emme, Fox, Graves, Johnson, Mathews, McMillan, Pedrotti, Rock, Rosenshine, Stow, Weller, and Whitacre—20.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and forty-two minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Christian.

The roll of absentees was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Schmidt, Mitchell, T. A., West and Christian, the Speaker ordered a roll call taken on the motion for a call of the House.

The question being on the motion for a call of the House.

The roll was called, and the motion for a call of the House carried by the following vote:

AYES—Bernard, Broughton, Carlson, Clarke, Cleary, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Heisinger, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spence, Stevenot, West, Whitacre, Woodbridge, and Mr. Speaker—34.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Burns, Carter, Christian, Connolly, Coombs, Dawson, Dozier, Eksward, Foster, Fox, Fulwider, Graves, Johnston, Kline, Mathews, Moore, Noyes, Pedrotti, Pomeroy, Roberts, Scott, Smith, Spalding, Stow, Weller, Williams, and Wright—31.

Time, ten o'clock and fifty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

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

Badham, Baker, C. C., Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

RECONSIDERATION WAIVED.

Mr. Dozier waived his motion to reconsider the vote whereby Senate Bill No. 727 was passed.

Senate Bill No. 727 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At ten o'clock and fifty-six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Stevenot.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 596 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Pomeroy, Reindollar, Rock, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—55.

NOES—None.

The above reported bill ordered to enrollment.

MOTION TO WITHDRAW BILL.

Mr. Stevenot moved that Senate Bill No. 118 be withdrawn from the Committee on Ways and Means and be placed upon the file for passage.

MOTION TO LAY ON TABLE.

Mr. Kline moved that the motion by Mr. Stevenot withdrawing Senate Bill No. 118 from Committee on Ways and Means be laid upon the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Whitacre, Emme, Pomeroy, Weller and Christian, the Speaker ordered a roll call taken on the motion to lay on table.

The question being on the motion to lay on table.

The roll was called, and the motion to lay on table lost by the following vote:

AYES—Badham, Baker, C. C., Christian, Connolly, Davis, Dawson, Dozier, Eksward, Fulwider, Graves, Kline, Lyons, McMillan, Miller, Moore, Noyes, Pomeroy, Roberts, Scott, Snyder, Weller, Williams, and Mr. Speaker—23.

NOES—Anderson, Broughton, Clarke, Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Foster, Fox, Hawes, Hornblower, Jones, Lyman, Mathews, McDowell, McPherson, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—33.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Lyons, Jones, Davis and Foster demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the motion by Mr. Stevenot to withdraw Senate Bill No. 118 from the Committee on Ways and Means.

The roll was called.

MOTION FOR CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Fellom moved a call of the House.

Motion lost.

The roll of absentees was called, and the motion to withdraw Senate Bill No. 118 lost by the following vote:

AYES—Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Dean, Dorris, Emme, Fellom, Fox, Hawes, Hornblower, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Morrison, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Whitacre, and Woodbridge—33.

NOES—Anderson, Badham, Baker, C. C., Carter, Christian, Connolly, Davis, Dawson, Donohue, Dozier, Eksward, Foster, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, Moore, Noyes, Pomeroy, Roberts, Scott, Snyder, Weller, Williams, Wright, and Mr. Speaker—28.

MOTION TO WITHDRAW BILL.

Miss Broughton moved that Senate Bill No. 84 be withdrawn from the Committee on Public Utilities, and placed upon the file for passage.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Fulwider, Christian, Spalding, Carter and Moore, demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the motion by Miss Broughton to withdraw Senate Bill No. 84 from the Committee on Public Utilities

The roll was called, and the motion to withdraw Senate Bill No. 84 lost by the following vote:

AYES—Broughton, Burns, Carlson, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Hawes, Hornblower, Johnston, Lyman, Lyons, McPherson, Miller, Mitchell, T. A., Morrison, Reindollar, Saylor, Schmidt, Smith, Stevenot, West, and Wright—25.

NOES—Anderson, Baker, C. C., Carter, Christian, Cleary, Connolly, Coombs, Davis, Dawson, Dozier, Eksward, Foster, Fox, Graves, Jones, Kline, Mathews, McDowell, McMillan, Moore, Noyes, Pomeroy, Roberts, Rosenshine, Scott, Spalding, Spence, Weller, Williams, and Mr. Speaker—30.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, May 7, 1923, Tuesday, May 8, 1923, Wednesday, May 9, 1923, Thursday, May 10, 1923, and Friday, May 11, 1923, be approved as corrected by the minute clerk.

Motion carried.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your special committee appointed under resolution of February 1, 1923, to make a full and complete investigation of alleged violation of the civil

service law by officers and employees of the State, respectfully reports that the work of said committee has been completed; that a report of the proceedings of the committee has been filed with the Assembly and a remedial measure embodied in Assembly Bill No 1111 has passed the Assembly

The committee further reports that of the $2,500 authorized for said investigation the expenditures of said committee amounted to the sum of $1,198.21, leaving a balance unexpended of $1,301.79.

CARTER, Chairman.
ERB.
CHRISTIAN.
McDOWELL.
STOW.

Report read, and on motion of Mr. Carter, adopted.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

RESOLUTION BY THE ASSEMBLY COMMITTEE ON FISH AND GAME.

WHEREAS, Mr J. S Hunter, assistant executive officer of the California Fish and Game Commission, and N B Schofield, Superintendent of the Department of Commercial Fisheries for the Commission, have been of great assistance to the Assembly Committee on Fish and Game of the Forty-fifth Session of the California Legislature, be it

Resolved by the committee, That its collective thanks and the individual thanks of its members be extended to Mr. Hunter and to Mr. Schofield for their unfailing patience and courtesy and for the assistance their wide experience and thorough knowledge have made available to the work of the committee Be it further

Resolved, That the Chairman of the Committee on Fish and Game be authorized to transmit a copy hereof to the California Fish and Game Commission, and to each of the gentlemen named herein, and that leave be asked of the Assembly to insert these resolutions in its official Journal

GRAVES, Chairman.
STOW
WHITACRE.
KLINE.
EMME
BAKER, C. C.
BADARACCO
MATHEWS.
JOHNSTON.
ERB.
MOORE
DAWSON.
CARTER.
CONNOLLY.
DONOHUE.
ROCK.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for and was granted unanimous consent to take up Senate Bill No 531, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED THIRTY-ONE.

Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Hornblower moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "nor more than", and insert in lieu thereof the word "or"

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the comma after the word "day" and insert in lieu thereof the following, "or more than forty-eight hours in any one calendar week,".

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, after the word "hours", insert the following "in any one calendar day or more than forty-eight hours in any one calendar week".

Motion carried.

The Speaker appointed Mr. Hornblower as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 531, with instructions, reports that the instructions of the Assembly have been carried out.

HORNBLOWER, Select Committee.

Report of Select Committee of One and amendments adopted.

Bill ordered to reprint, and on file for passage.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Pomeroy asked for and was granted unanimous consent to take up Senate Bill No. 717, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED SEVENTEEN.

Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Pomeroy moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 14 and 15, of the printed bill, omit the words "file the same with", and insert in lieu thereof the words "deliver the same to".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, after the word "not" insert the words "earlier than the third Monday in November of each odd-numbered year nor".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the word "not" insert the words "earlier than the second Monday in December of each odd-numbered year nor".

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, after the word "request" insert the word "from".

Motion carried.

The Speaker appointed Mr. Pomeroy as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 717, with instructions, reports that the instructions of the Assembly have been carried out.

POMEROY, Select Committee.

Report of Select Committee of One and amendments adopted. Bill ordered to reprint, and on file for passage.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

DOZIER, Chairman.
FULWIDER.
SPALDING.
KLINE.
GRAVES.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California, providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Also Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California, to authorize promotion and development of the goat industry in California to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act, and to prescribe penalties for violation of the provisions hereof;

Also Senate Bill No 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by authorizing the appointment of three additional deputies in such office, and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventy-sixth fiscal years;

Also Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, by authorizing the appointment of two additional clerks and four additional stenographers in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano,

Also Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California at Davis;

Also Senate Bill No. 7—An act to add a new section to the Political Code to be numbered 1534*a*, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

McPHERSON, Chairman.
MUELLER.
BADHAM.
JOHNSON.
MORRISON.
BADARACCO.

The above reported bill ordered on file for second reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles;

Also: Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State Harbor improvement fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building;

Also: Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof;

Also: Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California;

Also: Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district;

Also: Senate Bill No. 406—An act appropriating $500 for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California;

Also: Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor;

Also: Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California;

Also: Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California;

Also: Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son;

Also: Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education;

Also, Senate Bill No. 206—An act making an appropriation to pay the claim of Geo. A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California;

Also: Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Also: Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated;

Also: Senate Bill No. 585—An act to provide additional land and buildings for use in connection with the Department of Agriculture of the University of California at Berkeley and making an appropriation therefor;

Also: Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Senate Bill No. 584—An act making an appropriation for improvements, including repairs and equipment at the University of California;

Also, Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 647—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also, Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the First Agricultural District;

Also: Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California;

Also: Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the Capitol grounds and used by the Division of Printing of the Department of Finance;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in

Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission, to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation, to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Senate Concurrent Resolution No. 26—Relative to the creation of the "Legislative Tax Committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

KLINE, Chairman.

The above reported concurrent resolution ordered on file for adoption.

ADJOURNMENT.

At eleven o'clock and forty-nine minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, May 17, 1923.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 17, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Schmidt, Messrs. L. P. Peterson, and E. S. Blazer of San Francisco, delegates to the state convention of the Foresters of America, were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

Through the courtesy of Mr. Williams, Rev. Bob Schuler of the Trinity M. E. Church of Los Angeles was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal.

Through the courtesy of Mr. Badaracco, Mr. Victor A. Sbragia of San Francisco was extended the privilege of the floor of the Assembly for this day and his name ordered printed in the Journal.

Through the courtesy of Mr. Schmidt, Mrs. Lillian Baston, Mrs. Nellie O'Brien, and Mr. Mathew O'Brien of San Francisco were extended the privilege of the floor of the Assembly for this day and their names ordered printed in the Journal.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Duval, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Foster:

The undersigned teachers, whose addresses and teaching positions are given, wish to express their disapproval of the proposed Retirement Salary Law which is to amend the act entitled "An act to provide for the payment of retirement salaries to public school teachers of this state, creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds", which is to be presented at the next session of the legislature establishing the two funds and arranging for the contributions from various sources.

We believe that teachers desiring insurance can secure adequate insurance by payment of premium not greatly in excess of the proposed $24.

We thoroughly disapprove of the proposed plan of collecting the $24 at one time, as it will work a hardship on the teachers greater than the present plan and we deem it entirely unfair that all teachers should contribute so great a sum of money for the benefit of the few.

ETHELYN SEXTON,
And 28 others.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorneys' fees to attorneys representing claimants before appellate courts, authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers.

Also Assembly Bill No. 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps.

Also Assembly Bill No. 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways;

Also Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property.

Also Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon avenue" within the corporate city limits of East San Diego from Boundary street to Euclid avenue, in San Diego County, California, to be a State highway.

JOSEPH A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California;

Also: Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California;

Also: Assembly Bill No. 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton water sheds between San Dimas and San Gabriel canyons in the San Gabriel Mountains and to make an appropriation therefor;

Also: Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California;

Also: Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also: Assembly Bill No. 741—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

JOSEPH A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 11—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judges;

Also: Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff. McElvaine against the State of California;

Also: Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the laws of 1921;

Also: Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville;

Also: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California;

Also: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County;

Also: Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California;

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also: Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads, providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts, providing for a forfeiture of such compensation, providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor, providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith.

Also: Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897 as amended;

Also: Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant.

JOSEPH A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State;

Also: Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians;

Also: Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property.

Also: Assembly Bill No. 1248—An act to amend section 274*a* of the Code of Civil Procedure, relating to matter to be taken down in shorthand by official reporter or other stenographer;

Also: Assembly Bill No. 1249—An act to amend sections 852, 855, 857*a*, and 858, and to repeal section 857 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court;

Also: Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording.

JOSEPH A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1208—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class;

Also: Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto;

Also: Assembly Bill No. 619—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian;

Also: Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure, relating to transfer of proceedings from one county to another county;

Also: Assembly Bill No. 622—An act to repeal section 927*n* of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof;

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for; warrant of arrest; certificate of service;

Also: Assembly Bill No. 645—An act to amend section 1313 of the Political Code, relating to charitable bequests.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund";

Also: Assembly Bill No. 1059—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Also: Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1307—An act to amend section 597 of the Political Code, relating to insurance companies;

Also: Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act, to be numbered 40*a*, relating to the refunding and correction of assessments;

Also: Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3*b* thereof, relating to consent of commission for expenditure of funds;

Also: Assembly Bill No. 129—An act to amend an act entitled "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled "An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act are supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5*a* and 5*b*, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants;

Also: Assembly Bill No. 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4, and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys, courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended.

Also: Assembly Bill No. 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots, held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868";

Also: Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363 and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions; to provide the method of counting and tallying the votes of such qualified elector or electors; to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof;

Also: Assembly Bill No. 1007—An act to amend section 1687 of the Political Code relating to public school teachers.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 27—Relative to federal taxes.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 13—Relative to the indorsement of H. R. 13298 and Senate Bill 4142, to amend the War Risk Insurance and the Vocational Rehabilitation Act so as to include disabled veterans, of all the wars of the United States, and their dependents.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported joint resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No 625—An act to authorize the State Board of Control to convey and exchange certain lands formerly owned and used by the Woman's Relief Corps Home of California, in Evergreen, County of Santa Clara, and to receive in exchange therefor certain lands adjoining the present site of the Woman's Relief Corps Home of California in Santa Clara County,

Also Senate Bill No. 215—An act to amend section 626*f* of the Penal Code, relating to the protection of game;

Also: Senate Bill No 3—An act to increase the number of judges of the superior court of the State of California, in and for the county of Orange, to provide for the appointment of an additional judge and for his compensation,

Also: Senate Bill No. 9—An act to add a new section to the Political Code to be numbered 4235*a*, relating to county recorders of counties of the sixth class and the expenses of their offices,

Also Senate Bill No. 66—An act to add a new section to the Political Code to be numbered 737*dd*, relating to the salary of superior court judges;

Also. Senate Bill No. 274—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class,

Also: Senate Bill No. 325—An act to amend section 57 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 420—An act to amend section 791 of the Political Code relating to notaries public;

Also Senate Bill No 603—An act to amend sections 1, 2, 2½, 3, 5, 7, 15, 17, 21¾, 22, 27, 29, 30, 31, 32, 38, 39, 45 and 46 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, and to add seven new sections to be numbered 2*a*, 14*a*, 14*b*, 21*a*, 21*b*, 22*a* and 29*a*

Also. Senate Bill No. 506—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also Senate Bill No. 438—An act to permit the planting of trees along a public highway for the purpose of forming windbreaks and providing for the petition for the planting thereof by a majority of the abutting property owners;

Also. Senate Bill No. 729—An act to authorize and provide for the formation of municipal harbor districts by cities for the purpose of improving, repairing, and maintaining their harbors for the construction of wharves and piers, sea wall, State or municipal railroad and spurs there along, betterments, appurtenances, dredging and filling necessary in connection therewith; and to provide for the holding of elections for the adoption of district laws and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance, improvement, or construction of any part thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 678—An act to amend section 629 of the Penal Code, relative to placing and maintaining screens in pipes, flumes, irrigating ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been planted or may exist;

Also: Senate Bill No 629—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents

Also Senate Bill No. 227—An act to amend sections 12, 13, 14, 17 and 19 of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to

pay the expenses of such examinations and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended;

Also, Senate Bill No. 83—An act creating an irrigation and water conservation district to be known as Santa Clara County Irrigation District, subject to the approval of the electors residing in said district, providing for an election to determine whether said district shall be organized, providing for the election of a board of trustees and the management and control of said district by said board of trustees and defining the powers and duties of said board; authorizing said district to acquire water rights, to acquire and hold property, to sue and be sued and to have and exercise all rights and powers of a public corporation; providing for the levy and collection of assessments, and providing for the issuance and payment of bonds.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 378—An act to amend section 1734*b* of the Political Code, relating to high school districts.

Also Senate Bill No. 457—An act to amend section 460 of the Penal Code relating to the degrees of burglary;

Also Senate Bill No. 534—An act to add sections 290*b*, 290*c*, 290*d*, and 290*e*, and 290*f* to the Civil Code, relating to the issuance of shares of corporate stock without nominal or par value, and to repeal an act entitled "An act relating to corporations and to the issuance of shares by them without a nominal or par value," approved May 29, 1917;

Also Senate Bill No 689—An act to be known as the "Pure Milk Law" of California, to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, groups of cities and counties, to establish milk inspection service; to authorize the department of agriculture of the State of California to approve milk inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof, and to repeal all acts or parts of acts in conflict with this act

Also, Senate Bill No. 633—An act declaring the existing public highway extending from the northerly end of the present State highway in Inyo County to the boundary line between California and Nevada to be a State highway, and placing it under the jurisdiction and control of the State Highway Commission.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

SECOND READING OF SENATE BILLS.

Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read second time, and ordered on file for third reading.

Senate Bill No 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years

Bill read second time, and ordered on file for third reading.

Senate Bill No. 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act.

Bill read second time, and ordered on file for third reading

Senate Bill No 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof

Bill read second time, and ordered on file for third reading

Senate Bill No 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the state and providing penalties for violation of the provisions hereof," approved June 1, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 750—An act to amend section 1188 of the Political Code providing for nominations other than at a primary election.

Bill read second time, and ordered on file for third reading.

Senate Bill No 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read second time, and ordered on file for third reading

Senate Bill No 466—An act to amend section 4292*a* of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydro-

carbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out all of line 1 following the period after section 1, and all of lines 2 to 13, inclusive, and insert in lieu thereof the following "That wherever under the provisions of the laws of the State of California, the board of health or any board, tribunal or constituted authority shall have jurisdiction or authority to inspect hotels, boarding houses, apartment houses and restaurants, that the power of the State Board of Health is hereby extended to include drug stores and department stores serving food, and that wherever any restrictions are applied to hotels, boarding houses, apartment houses and restaurants regarding sanitary conditions and inspection, that the same restrictions, inspections and conditions shall be applied to drug stores and department stores serving food for profit."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act; and to prescribe penalties for violation of the provisions hereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by authorizing the appointment of three additional deputies in such office; and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventy-sixth fiscal years.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, by authorizing the appointment of two additional clerks and four additional stenographers

in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 7—An act to add a new section to the Political Code, to be numbered 1534*a*, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, strike out the word "hydroplane" and insert in lieu thereof the word "hydroaeroplane".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 338—An act appropriating money for the purchase of land adjacent to the southern branch of the University of California in Los Angeles.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of" strike out the remainder of the line and all of lines 2 to 8 both inclusive, and insert in lieu thereof the following "one hundred thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be expended by the regents of the University of California toward the purchase of not less than ten acres of land adjacent to the campus of the southern branch of the University of California in Los Angeles, and the buildings thereon.

SEC. 2. The state controller is directed to draw his warrants at such times and in such amounts not exceeding in the aggregate the amount hereby appropriated as the regents of the University of California shall present claims for, and the state treasurer is directed to pay the same.

SEC. 3. The purpose of this act is to authorize the regents of the University of California to enter into a contract of sale for said land and buildings, final payments to be made by later appropriations of the legislature.

SEC. 4. Upon completion of payments, the said land and buildings shall be purchased in the name of the regents of the University of California, and shall be under their control and direction in connection with and as a part of the southern branch of the University of California."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan," including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill and in lieu thereof insert the following:

"An act to add a new section to the Political Code, to be numbered two thousand five hundred twenty-six *a*, relating to the powers of the board of state harbor commissioners."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill strike out lines 1 to 24, both inclusive, and in lieu thereof insert the following:

"2526*a*. The board of state harbor commissioners shall have power to contract with the city and county of San Francisco for the use of the two fire boats, the "Dennis Sullivan" and the "David Scannell", owned by said city and county of San Francisco, as long as such boats remain in commission, for use on San Francisco Bay for protection against fires of shipping and for the protection of the property of the state or any political subdivision thereof on the water-front of San Francisco, one-half of the expense of maintenance of said fire boats to be paid by the city and county of San Francisco and one-half to be paid out of the San Francisco harbor improvement fund, but in no event shall the total amount so expended out of said San Francisco harbor improvement fund exceed the sum of one hundred and thirty thousand dollars in any two years or the sum of sixty-five thousand dollars in any one year.

The board of fire commissioners of the city and county of San Francisco shall each month make an itemized account of the expenses of maintenance of said fire boats, including the salaries of the officers, firemen and crews thereof, and file two copies thereof with the state board of harbor commissioners and one copy thereof with the state board of control. It shall be the duty of the board of state harbor commissioners of San Francisco to audit such account and certify to the same, whereupon it shall transmit such account so audited and approved to the said board of control.

In addition to the amounts which may be collected for the purposes specified in this article by the board of state harbor commissioners there shall be collected an amount sufficient to carry out the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending sections 2, 4, 11, 22 and 26 thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 406—An act appropriating $500 for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 582—An act appropriating money to pay the claim of R. R. Veale against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No 100—An act appropriating money to pay the claim of Williard H. Stimson and Son.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

Bill read second time, and ordered on file for third reading.

Senate Bill No 206—An act making an appropriation to pay the claim of Geo A. Hart and Dwight H. Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P. Story against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No 724—An act making an appropriation to pay the claim of B. F. Coulter Association, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 585—An act to provide additional land and buildings for use in connection with the Department of Agriculture of the University of California at Berkeley and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 584—An act making an appropriation for improvements, including repairs and equipment at the University of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 647—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the first agricultural district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 730—An act making an appropriation to pay the claim of George W. Howe against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the Capitol grounds and used by the Division of Printing of the Department of Finance.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled,

to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act: to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purposes of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 422—An act to amend section 1 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 422?

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the words "section one" and insert in lieu thereof the words "sections one, two, four and five".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, after line 21, add the following:

"SEC. 2. Section two of said act approved April 20, 1915, as amended, is hereby amended to read as follows

Sec. 2 Whenever a petition signed by not less than ten per cent of the qualified electors residing in the territory which is proposed to be formed into a municipal improvement district, setting forth a general description of the improvement, work or public utility to be acquired or constructed and a general description of the exterior boundaries of such proposed district, shall have been filed in the office of the clerk of the legislative body of said city, said legislative body may adopt an ordinance declaring its intention to call an election in said proposed district, or as the same may have been modified as herein provided, for the purpose of submitting to the qualified electors of said district the proposition of authorizing the issuance and sale of bonds of such district in the manner and for the purpose set forth in said ordinance of intention. Said legislative body shall have power to change or modify the boundaries of said district and the nature, character or extent of such proposed public improvement, work or public utility. Said ordinance of intention shall also contain:

1. An accurate description of the exterior boundaries of the proposed municipal improvement district;

2. A general description of the improvement, work or public utility proposed to be acquired or constructed;

3. An estimate of the cost of the proposed improvement, work or public utility and of the incidental expense in connection therewith;

4. That upon a certain date fixed therein an election will be held in said district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of such district to pay the cost and expenses of the proposed improvement, work or public utility, and that a map showing the exterior boundaries of said district with relation to the territory immediately contiguous thereto, and a general description of the proposed improve-

ment are on file in the office of the clerk of the legislative body of such city, which said map shall govern for all details as to the extent of the said district.

5. A date, hour and place fixed for the hearing of protests."

AMENDMENT NUMBER THREE

"SEC. 4. Section four of said act approved April 20, 1915, as amended, is hereby amended to read as follows:

Sec. 4. Any person interested, objecting to the formation of said district, or to the extent of said district, or to the proposed improvement, or work, or to the acquiring or construction of the proposed public utility, or to the inclusion of his property in said district, may file a written protest, setting forth such objection, with the clerk of the legislative body at or before the time set for the hearing of said petition. The clerk of said legislative body shall indorse on each such protest the date of its reception by him, and, at the time appointed for the hearing above provided for, shall present to said board all protests so filed with him. Said legislative body shall hear said protests at the time appointed or at any time to which the hearing thereof may be adjourned, and pass upon the same, and its decision thereon shall be final and conclusive. If any of such protests against the proposed improvement or work, or against the acquisition or construction of the public utility be sustained, no further proceedings shall be had or taken pursuant to the petition, but a new petition for the same or a similar purpose may be filed at any time after the expiration of six months from the date such protest was sustained. If any of such protests be against the extent of said district, or against the inclusion of property in said district, then the legislative body shall have power to make such changes in the boundaries of the proposed district as it shall find to be proper and advisable, and shall define and establish such boundaries, but said legislative body shall not modify such boundaries so as to include any territory which will not in its judgment, be benefited by said improvement, work or public utility.

Said legislative body shall not modify such boundaries except after notice of its intention so to do, given by one insertion in said newspaper, describing the proposed modification, and specifying a time for hearing objections to such modification, which time shall be at least ten days after the publication of said notice. Written objections to said proposed modification may be filed with the clerk of said legislative body by any interested person at or before the time set for hearing the same. Said legislative body shall hear and pass upon such objections at the time appointed, or at any time to which the hearing thereof may be adjourned, and its decision thereon shall be final and conclusive. If such objections, or any of them, be sustained, no further proceedings pursuant to such objection shall be taken, but a new petition for the same or a similar purpose may be filed at any time after the expiration of six months from the date such protest was sustained.

At the expiration of the time within which protests may be filed, if none be filed, or if protests be filed and after hearing be denied, or at the expiration of the time within which objections to the modification of the boundaries of the district, in case such modification be proposed, may be filed, if none be filed, or if such objections be filed, and, after hearing, be overruled, as above provided, then said legislative body shall be deemed to have acquired jurisdiction to proceed further in accordance with the provisions of this act."

AMENDMENT NUMBER FOUR.

"SEC. 5. Section five of said act approved April 20, 1915, as amended, is hereby amended to read as follows:

At any time after said legislative body shall have so acquired jurisdiction, it may call an election to be held within the district described in said ordinance, and provide for the submission to the qualified voters thereof, the proposition of incurring a debt by the issuance of bonds of such district, for the purposes set forth in said ordinance. The ordinance or resolution calling such election shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the nature of the improvement, work or public utility, contemplated thereby, the estimated cost thereof, the amount of the principal of the indebtedness to be incurred therefor and the rate of interest to be paid on said indebtedness; and shall fix the date on which such election shall be held, the manner of holding the same and the manner of voting for or against said proposition. The maximum rate of interest to be paid on such indebtedness shall be six per centum per annum, payable semi-annually." "In the ordinance or resolution calling such election and in the proposition printed on the ballots to be used at such election, it shall not be necessary to specify separately the incidental expense in connection with the proposed improvement, work or public utility, but the amount of such incidental expense may be considered and treated as a part of the estimated cost of such improvement, work or public utility."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carter moved a call of the House.

Motion carried.

Time, ten o'clock and thirteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Bernard, Carter, Clarke, Cleary, Dean, Donohue, Erb, Fellom, Foster, Fox, Johnson, Jones, Kline, McMillan, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Spalding, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—27.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by coowners—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1330?

AMENDMENT NUMBER ONE.

Amend the title by striking out the word "coowners" and inserting in lieu thereof the word "co-owners".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners". Also strike out the word "coowner" where it appears at the end of line and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER SIX.

On page 1, line 7, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER SEVEN.

On page 1, line 8, of the printed bill, strike out the words "coowners or coowners" and insert in lieu thereof the words "co-owner or co-owners".

AMENDMENT NUMBER EIGHT.

On page 1, line 10, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER NINE

On page 1, line 11, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

AMENDMENT NUMBER TEN.

On page 2, line 26, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

AMENDMENT NUMBER ELEVEN

On page 2, line 46, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

AMENDMENT NUMBER TWELVE.

On page 2, line 47, of the printed bill strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

AMENDMENT NUMBER THIRTEEN

On page 3, line 3, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER FOURTEEN

On page 3, line 4, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners"

AMENDMENT NUMBER FIFTEEN.

On page 3, line 8, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners"

AMENDMENT NUMBER SIXTEEN.

On page 3, line 20, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

AMENDMENT NUMBER SEVENTEEN

On page 3, line 22, of the printed bill, strike out the words "coowner or coowners" and insert in lieu thereof the words "co-owner or co-owners".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 25, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER NINETEEN

On page 3, line 26, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

AMENDMENT NUMBER TWENTY.

On page 3, line 35, of the printed bill, strike out the word "coowners" and insert in lieu thereof the word "co-owners".

AMENDMENT NUMBER TWENTY-ONE

On page 3, line 37, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 39, of the printed bill, strike out the word "coowner" and insert in lieu thereof the word "co-owner".

The roll was called and Senate amendments to Assembly Bill No. 1330 were concurred in by the following vote:

AYES—Badham, Bernard Carter, Clarke, Cleary, Cleveland, Coombs, Dean Donohue, Dozier, Duval, Eksward Emme, Erb, Foster, Fox, Graves, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the Army, Navy or Marine Corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921—and respectfully requests your honorable body to concur in said amendment.

J. A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 779?

AMENDMENT NUMBER ONE

On page 2, line 2, of the printed bill, after the word "the" strike out the words "prerequisites of which are" and insert in lieu thereof "prerequisite of which is".

The roll was called and Senate amendment to Assembly Bill No. 779 was concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Carter, Clarke, Cleary, Cleveland, Coombs, Dean, Donohue, Dozier, Duval, Emme, Erb, Foster, Graves, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 787?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "therefor," insert the following: "approved May 30, 1921,".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "the" strike out the words "prerequisites of which are" and insert in lieu thereof the words "prerequisite of which is".

AMENDMENT NUMBER THREE.

On page 6, line 8, of the printed bill, after the word "compounded" strike out the word "semiannually" and insert in lieu thereof the word "semi-annually".

AMENDMENT NUMBER FOUR.

On page 6, line 50, of the printed bill, after the words "it may" insert a comma.

AMENDMENT NUMBER FIVE.

On page 8, line 13, of the printed bill, after the word "sections" strike out the word "subsection" and insert in lieu thereof the word "subsections".

The roll was called, and Senate amendments to Assembly Bill No. 787 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Carter, Christian, Clarke, Cleary, Coombs, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Foster, Fox, Graves, Johnson, Johnston, Jones, Kline, McDowell, McMillan, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15a, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 781?

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, after the article "the" strike out the words "prerequisites of which are" and insert in lieu thereof the words "prerequisite of which is".

AMENDMENT NUMBER TWO.

On page 2, line 47, of the printed bill, after the word "right" insert the following: "and power".

AMENDMENT NUMBER THREE.

On page 2, line 49, of the printed bill, after the comma, insert the following: "contract,".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, after the word "rights" insert the following: "and powers".

AMENDMENT NUMBER FIVE.

On page 3, line 46, of the printed bill, after the words "tracts of" strike out the word "lands" and insert in lieu thereof the word "land".

AMENDMENT NUMBER SIX.

On page 4, line 22, of the printed bill, after the word "several" strike out the word "farms" and insert in lieu thereof the word "farm".

AMENDMENT NUMBER SEVEN.

On page 5, line 8, of the printed bill, after the word "act" insert a comma.

AMENDMENT NUMBER EIGHT.

On page 5, line 9, of the printed bill, after the word "purposes" insert a comma.

AMENDMENT NUMBER NINE.

On page 5, line 10, of the printed bill, after the word "allotments", insert a comma.

AMENDMENT NUMBER TEN.

On page 5, line 11, of the printed bill, strike out the first comma.

AMENDMENT NUMBER ELEVEN.

On page 5, line 12, of the printed bill, after the word "allotments" insert a comma.

AMENDMENT NUMBER TWELVE.

On page 5, line 13, of the printed bill, strike out the comma after the word "exceeding".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 36, of the printed bill, after the word "board" insert a comma.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 47, of the printed bill, after the article "the" strike out the word "balance" and in lieu thereof insert the word "amount".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 47, of the printed bill, after the word "land" strike out the words "shall be paid in" and insert in lieu thereof the following: "may be amortized".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 48, of the printed bill, strike out the words "amortizing payments extending".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 49, of the printed bill, after the word "board" insert the following: ", but".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 49, of the printed bill, after the word "years" insert a comma.

AMENDMENT NUMBER NINETEEN.

On page 6, line 52, of the printed bill, strike out the words "shall be paid in amortizing payments extending" and insert in lieu thereof the following: "may be amortized".

AMENDMENT NUMBER TWENTY.

On page 7, line 1, of the printed bill, after the word "board" insert the following: ", but".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 1, of the printed bill, after the word "years" insert a comma.

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 4, of the printed bill, after the word "loans" strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 10, of the printed bill, strike out the word "portion" and insert in lieu thereof the word "part".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 51, of the printed bill, after the word "fences," strike out the word "or".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 41, of the printed bill, after the words "in the event of" insert the article "a".

AMENDMENT NUMBER TWENTY-SIX.

On page 10, line 2, of the printed bill, after the word "board" insert a comma

AMENDMENT NUMBER TWENTY-SEVEN

On page 10, line 3, of the printed bill, after the word "expenses" insert a comma.

AMENDMENT NUMBER TWENTY-EIGHT

On page 10, line 4, after the word "dollars" insert a comma

The roll was called and Senate amendments to Assembly Bill No. 781 were concurred in by the following vote:

AYES—Badham, Bernard, Carter, Christian, Clarke, Cleary, Coombs, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Kline, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 358?

AMENDMENT NUMBER ONE.

On page 3, line 12, of the amended printed bill, strike out the words "one thousand eight hundred" and insert in lieu thereof the words "two thousand".

AMENDMENT NUMBER TWO.

On page 3, line 13, of the amended printed bill, strike out the words "six hundred twenty" and insert in lieu thereof the words "eight hundred

The roll was called, and Senate amendments to Assembly Bill No. 358 were concurred in by the following vote:

AYES—Badham, Bernard, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 236—An act to

provide for the treatment and surgical care of deformed crippled or injured children by the State of California in its general hospitals and institutions, and appropriating moneys therefor—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 236?

AMENDMENT NUMBER ONE

On page 2, lines 10 and 11, of the printed bill, strike out the words "in such years as the compilation of a great register of voters is required by law to be made" and insert in lieu thereof the words "in any year in which a general election is held".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, after the word "also" insert "in such years as the compilation of a great register of voters is required by law to be made".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 13, 14, 15, 16 and 17, inclusive, being all of subdivision 14, and insert in lieu thereof the following:

"14. The county traffic officer twenty-four hundred dollars per annum; *provided*, that in counties of this class there shall be and there are hereby allowed to the county traffic officer three deputies who shall each receive twenty-two hundred and eighty dollars per annum, which shall be paid by said county in monthly installments in the same manner at the same times and out of the same funds as the salary of the county traffic officer is paid. Said county traffic officer shall also be allowed five additional deputies who shall serve not to exceed sixty days each in any one year and who shall be paid a salary of eight dollars per day each when actually employed. Said deputies shall be appointed by said county traffic officer, and said county traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same and shall pay all the expense of maintaining said vehicles. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

The roll was called and Senate amendments to Assembly Bill No. 236 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 901?

AMENDMENT NUMBER ONE

On page 2 of the printed bill, strike out all of lines 5 to 9, both inclusive, and insert in lieu thereof the following:

"SEC. 4. Nothing herein contained shall be deemed to repeal any provision of law authorizing the payment of bounties on mountain lions."

The roll was called and Senate amendment to Assembly Bill No. 901 was concurred in by the following vote:

AYES—Anderson, Badham, Carter, Christian, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Foster, Fox, Graves, Heisinger, Johnson, Jones, Kline, McMillan, Miller, Mitchell, A. G., Moore, Mueller,

Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—43.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the state superintendent of banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-users of corporate power," approved June 13, 1913, as amended, by amending sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2*a*, 2*b*, 2*c*, 4*a*, 4*b*, 5*a*, 5*b*, 5*c*, 5*d*, 5*e*, 8*a*, 8*b*, 8*c*, 9*a*, 10*a*, 10*b*, 10*c*, 11*a*, 11*b*, 11*c*, and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage, connected with such irrigation—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 575?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended in Assembly April 16, 1923, in line 29 of the title on said page 1, strike out the word "two" and insert in lieu thereof the following: "one *a*, two, two *a*".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill as amended in Assembly April 16, 1923, strike out lines 1 and 2 of the title on said page 2, and insert in lieu thereof the following "thereto, numbered two *b*, two *c*, four *a*, four *b*, four *c*, five *a*, five *b*, five *c*, five *d*, five *e*, five *f*, five *g*, five *h*, five *i*, six *a*, six *b*, six and one-half, seven *a*, seven *b*, seven *c*, eight *a*, eight *b*, eight *c*, nine *a*,".

AMENDMENT NUMBER THREE.

On page 2, lines 29 and 30, of the printed bill, strike out the words "a majority" and insert in lieu thereof the following "one-fourth".

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, between lines 20 and 21, insert the following:

"SEC. 1*a*. Section one *a* of said act is hereby amended to read as follows:

Sec. 1*a*. A water district organized under the provisions of this act may be composed of or include land already in a district organized under any law of this state for the purpose of conserving or supplying water for irrigation purposes; *provided*, that the consent of the governing body of such other district to the inclusion of such lands in the water district is filed with the board of supervisors before the making of an order calling an election to determine whether said proposed water district shall be formed, *provided, further*, that no land within such other district which is also within the boundaries of a water district formed under the provisions hereof shall be released from any of the burdens, obligations, liabilities, or control of or under said other district by virtue of the formation of the water district, and all land in such water district which is also in such other district shall in every respect continue to be a part of said other district despite the formation of said water district; *provided, further*, that a water district that includes land that is within an irrigation district organized under the California irrigation district act

may not issue bonds in excess of such an amount as may be authorized and designated by the California bond certification commission."

AMENDMENT NUMBER FIVE.

On page 3, line 45, of the printed bill, strike out the word "districts" and insert in lieu thereof the word "district".

AMENDMENT NUMBER SIX.

On pages 4 to 9 of the printed bill, strike out lines 41 to 52, inclusive, on page 4, all of pages 5 to 8, inclusive, and lines 1 to 45, inclusive, on page 9, and insert in lieu thereof the following "determined upon the lands to be included within said proposed district, it shall make an order establishing and describing the exterior boundaries thereof and describing any lands within said boundaries which are to be excluded from the district, and designating a name for said district, which may be the name proposed in said petition or such other name as the board may determine. Said order shall be entered in full upon the minutes of said board. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California in a quo warranto proceeding brought by the attorney general. Any such proceeding must be commenced before the commencement of such a proceeding as is provided for in section three hereof, or within one year after the making and entry of the said order of the board of supervisors if such latter proceeding is not instituted, and not otherwise.

After making and entering such an order defining and establishing the boundaries of the proposed district, said board of supervisors shall forthwith call and give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this act. Said notice shall be published once a week for at least three weeks previous to such election, shall describe the boundaries so established, shall designate the name for the proposed district, and shall state that at said election the voters possessing the qualifications prescribed by this act shall cast ballots for or against said proposed organization and shall select a board of directors to serve in case said organization shall be effected.

SEC. 3. Section two *a* of said act is hereby amended to read as follows:

SEC. 2*a*. At such election there shall be elected a board of five directors; *provided*, that if so requested in the petition for the organization of the district the board of supervisors may order that the district board shall consist of three directors. The board of supervisors shall designate the polling place for such election and appoint from the persons eligible to the office of district director one inspector and two judges of election, who shall constitute a board of election for such district election. For the convenience of voters the board of supervisors may divide the proposed district into election precincts and establish the boundaries of such precincts, and in such case shall appoint a board of election as aforesaid for each precinct, and designate a polling place therein. The said election shall be held and the result thereof determined and declared as nearly as may be in accordance with the provisions of this act relating to general district elections; *provided*, that the returns of said election shall be forwarded to said board of supervisors, which shall meet on the second Monday following said election and canvass said returns and declare the results of said election. If by such canvass it appears that a majority of all the votes cast at such election are in favor of the organization of the district said board of supervisors shall by an order entered on its minutes declare the territory duly organized as a water district under the name theretofore designated, and said board shall cause certificates of election to be issued to the persons found to be chosen as directors of the district.

SEC. 4. A new section is hereby added to said act to be numbered two *b* and to read as follows:

SEC. 2*b*. Said board of supervisors shall then cause a copy of such order duly certified to be immediately filed for record in the office of the county recorder in each county in which any portion of the lands embraced in such district are situated. From and after such filing, the organization of such district shall be complete.

SEC. 5. A new section is hereby added to said act to be numbered two *c* and to read as follows:

SEC. 2*c*. The officers elected at the election hereinbefore provided for shall immediately enter upon their duties as such upon qualifying in the manner for such officers herein provided. Said officers shall hold office respectively until the date of the regular monthly meeting of the board of directors of the district in the month next following the month in which the next general district election is held; *provided*, that if the date fixed by law for said general election will occur within one year of the date of said special election, the directors first elected shall hold office until the regular monthly meeting of the board of directors in the month next following the month in which the second general election next succeeding is held. In all cases district directors shall continue to serve and hold office until their successors have qualified.

SEC. 6. Section four of said act is hereby amended to read as follows:

Sec. 4. The officers of the district shall be five directors (or three directors, if so ordered by the board of supervisors as hereinbefore provided), who shall be elected by ballot, and a secretary, who shall be appointed by the board of directors. The secretary shall hold office during the pleasure of the board. No person shall be qualified to hold the office of director unless he is the holder of title or evidence of title to lands in the district, or is an officer, director, member, stockholder or duly authorized representative of a corporation or of a public board or agency that is entitled to vote at district elections

SEC. 7 A new section is hereby added to said act to be numbered four *a* and to read as follows:

SEC. 4*a*. Within twenty days after he has notice of his election or appointment each officer shall take and subscribe an oath in substantially the form prescribed by law for the official oaths of county officers and file the same in the office of the district and execute and file the official bond if a bond is required. Each director shall execute an official bond in the sum of five thousand dollars to be approved by a judge of the superior court. The other officers and employees of the district, if required by the board, shall execute official bonds to be approved by the board of directors in such amounts as the board of directors may prescribe. All of such official bonds shall be in the form prescribed by law for official bonds of county officers, and when approved as herein provided, shall be filed with the secretary, who shall immediately file them for record in the office of the recorder of the county in which the district or the greater portion thereof is situated. The premiums on said bonds may be paid by the district.

SEC. 8 A new section is hereby added to said act to be numbered four *b* and to read as follows:

SEC. 4*b*. Any officer desiring to resign shall file his resignation in the office of the district In case of a vacancy in the office of director from any cause the board of directors shall call a special election to fill the vacancy. If by reason of any vacancy or vacancies or of the inability of any director or directors to act, the number of the directors shall be less than the quorum of the board, the board of supervisors of the county in which the district or the greater portion thereof is situated shall call a special election within the district to fill such vacancy or vacancies. The date fixed for any such special election shall be not more than forty days after the date of the order calling said election In case any such special election shall be called by a board of supervisors, said board shall cause notice of said election to be given and shall appoint the election officers and designate the polling place or places therefor, and the returns thereof shall be transmitted to said board of supervisors, which shall declare the result of said election and issue certificates of election to the persons declared elected.

SEC 9. A new section is hereby added to said act to be numbered four *c* and to read as follows

SEC. 4*c*. The officers of the district shall receive the following compensation for their services: The secretary, such sum as shall be fixed by the board of directors; the directors, six dollars each for each directors' meeting attended or for each day's service rendered as a director by order of the board of directors, together with any expenses incident to such services

SEC. 10. Section five of said act is hereby amended to read as follows

Sec. 5. An election which shall be known as the general district election shall be held in each water district the third Monday in September in each odd-numbered year, at which a board of directors for such district shall be chosen The five persons, if the board consists of five members, or the three persons, if the board consists of three members, receiving the highest number of votes cast for directors at such election shall be elected thereto. The term of office of each shall be two years, beginning at noon of the date of the regular monthly meeting of the board of directors in the month next following the month in which said election is held.

At any time not less than thirty days before any election, the board of directors may divide the district into a convenient number of election precincts or may change the number or the boundaries of any election precincts theretofore established

SEC. 11. A new section is hereby added to said act to be numbered five *a* and to read as follows

SEC. 5*a*. At least three weeks before any election held in any district under this act the secretary shall cause notices to be posted in three public places in the district of the time and place of holding the election and shall also post a like notice in the office of the district. Like notice of said election shall also be given by publication once a week for three weeks. Prior to the time for giving such notice the board must appoint for such election, or for each precinct if the district has been divided into precincts, a board of election consisting of one inspector and two judges, who must be voters of the district, and designate the polling place or places for such election. If the board fail to appoint a board of election, or any of the members appointed do not attend at the opening of the polls on the morning of election, the voters present at that hour may appoint the board, or supply the place of an absent member thereof

SEC. 12. A new section is hereby added to said act to be numbered five *b* and to read as follows:

SEC. 5*b*. Not less than ten days before any election at which directors are to be chosen, any ten or more persons entitled to vote at such election may file with the secretary of the district, or with the board of supervisors, if said election has been called by a board of supervisors, a petition requesting that the name of a certain person or the names of certain persons, specified in such petition, be placed on the ballot as candidates for the office or offices named in the petition. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots. But there shall be sufficient blank spaces left in which voters may write other names if they so desire.

SEC. 13. A new section is hereby added to said act to be numbered five *c* and to read as follows:

SEC. 5*c*. At any election held under the provisions of this act the inspector is chairman of the election board and may appoint judges if, during the progress of the election, any judge ceases to act. If during the progress of the election the inspector ceases to act, the judge shall appoint his successor. Any member of the board of election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls, each member of the board must take and subscribe an oath faithfully to perform the duties imposed upon him by law. Any voter of the district may administer and certify such oath. The polls must be opened at eight o'clock a. m. of the day of the election, and be kept open until four o'clock p. m. of said day, when the same must be closed.

SEC. 14. A new section is hereby added to said act to be numbered five *d* and to read as follows:

SEC. 5*d*. The ballots used at any election held under the provisions of this act shall be provided by the board by which the officers for such election are to be appointed. One of the judges of election shall deliver to each of the qualified voters one of the ballots so provided. The ballots shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square opposite each name. The names shall be arranged in groups, alphabetically, under the designation of the office for which each person named is a candidate. If any proposition is submitted to the voters at said election, the ballots shall contain a general statement of such proposition. Said statements shall be followed by the words "Yes" and "No" on separate lines, with a voting square opposite each of such words. Each voter shall stamp a cross, with a rubber stamp in the square opposite the name of each candidate he wishes to vote for and in the appropriate square following the statement of each proposition for or against which he wishes to vote. Each ballot cast shall contain the name of the person, and of the proxy, if any, casting the ballot with the number of votes cast by him. A list of the ballots cast shall be made by the board of election, showing the names of each voter, and if the ballot be cast by proxy the name of the person casting it and the number of votes cast by each voter.

SEC. 14*a*. A new section is hereby added to said act to be numbered five *e* and to read as follows:

SEC. 5*e*. Voting may commence as soon as the polls are opened, and".

AMENDMENT NUMBER SEVEN.

On page 10, line 20, of the printed bill, strike out the words "and if any qualified"; also strike out lines 21 to 29, inclusive, on said page and insert in lieu thereof the following: "*provided*, that in any proceeding to contest said election, brought in a court of competent jurisdiction, the court may order said ballots to be opened for inspection when deemed necessary to establish the proof of any material fact arising in the course of said proceeding. No list, tally paper or certificate returned from any election shall be set aside or rejected if it can be satisfactorily understood.

SEC. 14*b*. A new section is hereby added to said act to be number five *f* and to read as follows:

SEC. 5*f*. The board of directors must meet at its usual place".

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, strike out lines 1 to 32 inclusive, and insert in lieu thereof the following:

"SEC. 14*c*. A new section is hereby added to said act to be numbered five *g* and to read as follows:

SEC. 5*g*. If in any odd numbered year a general district election is not held as herein provided, then upon the filing of a petition with the secretary of the board of directors of such district signed by the holders of title or evidence of title to at least ten per cent in area of the land within such district, requesting that a special election be called for the election of directors, the board of directors of such district shall thereupon call a special election for the election of directors, such election to be held within not less than thirty nor more than sixty days after the filing of such petition.

No informalities in conducting any water district election, general or special, shall invalidate the same if the election shall have been otherwise fairly conducted.

Except as herein otherwise provided, special water district elections shall be held and conducted, notice thereof shall be given, and the results thereof shall be returned, canvassed and declared in the same manner, so far as practicable as herein provided for general water district elections.

SEC. 14*d*. A new section is hereby added to said act, to be numbered five *h* and to read as follows:

SEC. 5*h*. Any election held under the provisions of this act".

AMENDMENT NUMBER NINE.

On pages 11 and 12 of the printed bill, strike out lines 50 and 51 on page 11 and line 1 on page 12 and insert in lieu thereof the following:

"SEC. 14*e*. A new section is hereby added to said act, to be numbered five *i* and to read as follows:

SEC. 5*i*. To each petition or section of a petition presented or filed under the provisions of this act there may be attached the affidavit of a person in whose presence the signatures to such petition or section were affixed, stating that all the signatures thereto or certain specified signatures, were made in his presence and that each signature is the genuine signature of the person whose name it purports to be. Such affidavit shall be sufficient evidence that the signatures so verified are genuine.

Whenever any notice of publication, or notice of".

AMENDMENT NUMBER TEN.

On page 12 of the printed bill, strike out lines 11, 12 and 13, and insert in lieu thereof the following:

"SEC. 14*f*. Section six of said act is hereby amended to read as follows:

SEC. 6. After the formation of a district, as provided in this act, the board of directors thereof shall have the power to levy and collect an assessment upon the land within the district, not exceeding fifty cents per acre, for the purposes hereinafter specified. When instructed by the board of directors so to do, the secretary of the district shall prepare an assessment list, wherein he shall set forth in separate columns the name of each person assessed (if the name is unknown to the secretary, the property shall be assessed to "unknown owners"), a description of the property assessed and the number of acres in each parcel assessed, and shall provide on said list an additional column in which to show the assessment upon each parcel so assessed. The county assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description, and area of such parcel of land, but the secretary may change any name, description or area in accordance with facts of which he has knowledge.

SEC. 14*g*. A new section is hereby added to said act to be numbered 6*a* and to read as follows:

SEC. 6*a*. Upon the completion of the assessment list as provided in the preceding section the secretary shall submit said list to the board of directors, which shall fix a time, not less than fifteen days and not more than twenty-five days from the time of the meeting of said board at which said date is fixed, at which the board of directors shall meet to correct any errors in said assessment list. The secretary shall give notice of the time and place of said meeting, which shall be at the office of the district, by publication once a week for two successive weeks. The board of directors shall meet at said time and place and shall hear all objections which may be presented to it regarding the correctness of said assessment list, and shall hear all relevant testimony presented in support of or in opposition to said objections, and shall continue in session from day to day until all such objections and such evidence have been heard and acted upon, but said board shall not be required to consider any such objection unless the same was made in writing and filed with the secretary before the time fixed for said meeting. Upon the completion of the hearing of all objections and all evidence as provided herein, the board shall make such changes, if any are required, in said assessment list as may be in accordance with the facts presented to the board, and shall adopt said assessment list as submitted, or as changed by said board if any changes have been made. Said board shall then levy an assessment upon the land within the district at a uniform rate per acre, not exceeding fifty cents per acre for the purpose of paying the expenses incurred in forming the district and the expenses of preparing plans for and an estimate of the cost of works to be acquired or constructed and for the general expenses of the district.

SEC. 14*h*. A new section is hereby added to said act to be numbered 6*b* and to read as follows:

SEC. 6*b*. The secretary shall then compute and enter in the collumn for that purpose on the assessment list the respective sums in dollars and cents, at the rate fixed by the board of directors, to be paid as assessments on the property therein enumerated. A copy of said list, duly certified by the secretary as correct, shall then be filed by him in the office of the county recorder of the county in which the district is situated, or, if the district is situated in more than one county, there a certified copy of said list shall be filed by the secretary in the office of the county recorder in which any part of the district is situated. Said assessments shall thereupon become a lien upon the respective parcels of land

described in said list. The secretary shall then give notice by publication for at least three weeks that an assessment at the rate per acre fixed by the board of directors has been levied on the lands in the district, that said assessment is due and payable to the secretary at the office of the district, and that the assessment on any land which shall not be paid on or before five o'clock p.m., of a day fixed in said notice, will become delinquent, and a penalty of ten per cent thereof will be added thereto. The secretary shall receive and receipt for all of such assessments which may be paid to him, and, on or before the first Monday of each month shall pay all money so received by him to the county treasurer, who shall give the secretary receipts therefor and place said money in the general fund of the district. The secretary shall set down, in a column provided on the assessment list for that purpose, ten per cent of the amount of each assessment not paid before the time fixed in said notice as the time when unpaid assessments will become delinquent, and the respective amounts so set down shall be added to the respective delinquent assessments, and thereafter each such delinquent assessment and penalty shall bear interest at the rate of one per cent month until paid, or until the amount of such delinquent assessment, penalty and interest is added to an assessment by commissioners, as hereinafter provided, or until the land assessed is advertised for sale by the secretary. If an assessment is made in the district by commissioners as hereinafter provided within two years from the date when the assessments aforesaid shall have become delinquent, said commissioners shall assess upon the land covered by each such delinquent assessment the amount of said assessment, and the penalty and accrued interest thereon, in addition to any assessment upon said land for other purposes, and the amount of said delinquent assessment, penalty and interest so assessed shall become due and payable at the time when the first payment under said assessment by commissioners shall become due and payable. If an assessment by commissioners is not made in said district within said period of two years the secretary shall prepare a list of all such delinquent assessments and advertise the delinquent property for sale and sell the same in the same manner and with the same effect as is provided in this act for such procedure by county tax collectors. The district may be a purchaser at such sale under the same conditions and upon the same terms as provided in this act in other cases of sale for delinquent assessments. A certificate of sale or deed executed by the secretary shall have the same effect after such sale as such a certificate or deed executed by a county tax collector in other cases. Any person interested in said property may redeem the same within the same time and upon the same terms and conditions and with the same effect as herein provided for redemption of property sold by a county tax collector for a delinquent assessment.

SEC. 15. A new section is hereby added to said act, to be numbered six and one-half and to read as follows:

SEC. 6½. The board of directors shall choose from among its"

AMENDMENT NUMBER ELEVEN.

On pages 12 and 13 of the printed bill strike out lines 44 to 52 on page 12, and lines 1 to 37 inclusive on page 13, and insert in lieu thereof the following:

"SEC. 7. The board of directors shall have the power and it shall be their duty to manage and conduct the business and affairs of the district; make and execute all necessary contracts, employ and appoint such agents, officers and employees as may be required and fix their compensation and prescribe their duties. The board and its agents and employees shall have the right to enter upon any land and make surveys and may locate all or any of the works of the district on any lands which may be deemed best for such location. Said board shall also have the right to acquire by purchase, lease, contract, condemnation, or other legal means all lands, waters, water rights and other property or any interest therein or right to the use thereof, necessary for the lawful uses and purposes of the district, whether said property be in this state or in other states, including canals and other works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters, and all necessary appurtenances. Said board may construct any and all works necessary or proper for the lawful uses and purposes of the district, and may enter into and do any acts necessary or proper for the performance of any agreements with the United States, or any state, county, district of any kind, public or private corporation, association, firm or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair, or operation of any rights, works or other property of any kind which might lawfully be acquired or owned by the district, and may acquire the right to store water in any reservoirs or to carry water through any canal, ditch or conduit not owned or controlled by the district, and may grant to any owner or lessee of the right to the use of any water the right to store such water in any reservoir of the district, or to carry such water through any canal, ditch or conduit of the district.

The word "works" as used herein means and includes irrigation works necessary or proper to supply the lands contained in the district with sufficient water for irrigation and domestic purposes and such works as may be necessary or proper to provide for any drainage made necessary, or which in the judgment of the board

will be made necessary, by the operation of such irrigation works or by the irrigation of such lands or any of them, and also includes dams, reservoirs and works for the collection of water for the district. Said board may do any and every lawful act necessary to carry out fully the purposes of this act. In case mutual water companies have been organized to furnish water to certain specified lands within a water district, the district board of directors may contract for the delivery of water for such lands as lie within the territory served by said mutual water companies, through said mutual water companies only.

SEC. 16a. A new section is hereby added to said act to be numbered 7a and to read as follows:

SEC. 7a. The said board is hereby authorized and empowered to take conveyances, leases, contracts, or other assurances for all property acquired by it under the provisions of this act in the name of such water district for the uses and purposes herein expressed, and to institute, maintain and defend in person or by its attorneys in the name of the district any and all actions and proceedings, and suits at law or in equity, necessary or proper in order to fully carry out the provisions of this act, or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof.

The said board shall establish, print and distribute among the landowners of the district equitable rules and regulations for the distribution of water.

The legal title to all property acquired under the provisions of this act shall immediately and by operation of law vest in the water district, and shall be held by such district in trust for and is hereby dedicated and set apart to the uses and purposes set forth in this act. The board of directors of such district is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property as herein provided. The said board of directors shall have power to lease or sell for a valuable consideration any property, or right in property, belonging to the district and no longer necessary to its use and purpose.

SEC. 16b. A new section is hereby added to said act to be numbered seven b and to read as follows:

SEC. 7b. No district board of directors shall let or enter into a contract for the construction or irrigation or drainage works, nor shall said board construct the same by employees of the district until the issuance of bonds or the levy of an assessment for the acquisition or construction of such works has been authorized at an election called and held as in this act provided.

SEC. 16c. A new section is hereby added to said act to be numbered seven c and to read as follows:

SEC. 7c. Before letting any contract for, or proceeding with the work of construction of, drainage or irrigation works, the board of directors shall give notice, by publication thereof not less than twenty days calling for bids for the construction of such works, or of any portion thereof. If less than the whole work is advertised, then the portion so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the board, and that the board will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place for opening said proposals, which, at the time and place appointed, shall be opened in public. As soon as convenient thereafter the board shall let said work, either in portions or as a whole, to the lowest responsible bidder; or they may reject any or all bids and readvertise for proposals or may proceed to construct the work under their own superintendence; *provided*, that in case of emergency or urgent necessity for the construction, extension or repair of works for irrigation or drainage, the board of directors, by unanimous vote of those present at any regular or special meeting, may award contracts therefor without advertising for bids. Contracts for the purchase of material shall be awarded to the lowest responsible bidder. Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties to be approved by the board, payable to said district for its use, for twenty-five per cent of the amount of the contract price, conditioned for the faithful performance of said contract. The work shall be done under the direction and to the satisfaction of the engineer, and be approved by the board."

AMENDMENT NUMBER TWELVE

On page 14, line 13, of the printed bill, strike out the words "by unanimous vote".

AMENDMENT NUMBER THIRTEEN

On page 15 of the printed bill, strike out lines 17 to 21 and insert in lieu thereof the following: "of the respective installments thereof and the respective dates at which said installments will respectively become due and payable in accordance with this act.

5. The amount in dollars and cents apportioned by the commissioners to each parcel of land as the amount of the proportion for"

AMENDMENT NUMBER FOURTEEN

On page 16 of the printed bill strike out the words "If a quorum of said board is not present," in line 15; also strike out lines 16 to 18, inclusive, and the words "eight hours" in line 19.

AMENDMENT NUMBER FIFTEEN.

On page 16, lines 26 and 27, of the printed bill, strike out the words "and may adjourn from time to time for such purposes".

AMENDMENT NUMBER SIXTEEN.

On page 17, line 38, of the printed bill, strike out the word "May" and insert in lieu thereof the word "March".

AMENDMENT NUMBER SEVENTEEN.

On page 18 of the printed bill strike out lines 9 to 43, inclusive, and insert in lieu thereof the following: "dollars and cents the amount of the assessment to be paid on each parcel of land described in said apportionment list by multiplying the amount apportioned to said parcel in said apportionment list by the rate of assessment.

After the first day and before the twentieth day of September of each year after the levying of said assessment, the board shall, if necessary, make another assessment in like manner for said purposes.

A copy of said assessment list, certified by the secretary as correct, shall be filed in the office of the county recorder of each county in which any portion of the district is situated. From and after such filing, the assessment upon each parcel of land described in said list shall be a lien thereon.

The assesssments so levied shall be payable in two equal semi-annual installments, one of which shall be due and payable on the first Monday in October next following the date of its levy and the other on the first Monday in March next thereafter; but the board may provide in the order levying any such assessment that it shall be payable in two unequal semiannual installments and may fix the proportion of the whole of which each installment shall consist.

If the first of said assessments levied in any district formed hereunder be levied after the twentieth day of September and before the first day of March next following, the board shall make its estimate of the amount of money required for the period ending with the month of December next after said month of March and in that case the entire assessment shall be due and payable on the first Monday of said month of March.

If any assessment, or installment, due and payable under the provisions of this act in the month of October of any year is not paid before five o'clock p.m. of the first Monday in December of that year, said assessment, or installment, shall then become delinquent, and if any assessment, or installment, due and payable under the provisions of this act in March of any year is not paid before five o'clock p.m. of the last Monday in April of that year, said assessment, or installment, shall then become delinquent. When any assessment, or installment, becomes delinquent, a penalty of ten per cent of the amount thereof must forthwith be added thereto by the officer whose duty it may be to collect said assessment, or installment, and said penalty must thereafter be collected with said assessment, or installment, as hereinafter provided Any assessment or any installment of any assessment may be paid before it is due, to the officer charged with the collection of the assessments of the district."

AMENDMENT NUMBER EIGHTEEN.

On page 19, line 28, of the printed bill, after the word "directors" insert a comma and the following: "or any installment of such an assessment or any penalties or interest accruing on account of delinquency in paying said assessment or installment."

AMENDMENT NUMBER NINETEEN.

On page 19 of the printed bill strike out lines 39 to 52, inclusive, all of pages 20 and 21, and on page 22, lines 1 to 28, inclusive, and in lieu thereof insert the following:

"Sec. 10c After an apportionment list has been confirmed and adopted as the basis for annual assessments the board of directors of any water district may, and upon receiving a petition therefor signed by at least twenty-five per cent of the holders of title or evidence of title to lands listed on the last apportionment list representing at least twenty-five per cent of the total amount of said apportionment must provide for the appointment of new commissioners to prepare a new apportionment of the estimate of annual expenses In case such new commissioners are appointed the same procedure shall be followed as is provided in the case of an original appointment and upon the filing of a certified copy or certified copies of the apportionment list, together with a certified copy or copies of the resolution of the board of directors confirming and adopting said list, the said new apportionment list shall become the apportionment list for the district. Such new apportionment list must not be prepared more frequently than once a year.

SEC. 27. Section eleven of said act is hereby amended to read as follows:

Sec. 11. On or before the tenth day of July of each year the tax collector of any county in which is situated any land in any water district whereon any assessment or installment thereof is delinquent shall prepare and publish a list of all such delinquent assessments or installments. Said list shall be prepared and published in substantially the same form as delinquent lists for county taxes Said list shall be

published once a week for at least three successive weeks in a newspaper, published in said county, together with a notice stating that the delinquent property described in said list will be sold for the amounts specified therein in front of the courthouse of said county at a time to be specified in said notice, which shall be not more than thirty days from the date of the first publication of such notice. At the time stated in said notice, or at some other time to which said sale may have been postponed by said tax collector, the tax collector must offer said property for sale at public auction, beginning at the top of the list and offering each parcel successively until all the parcels advertised have been offered for sale The owner or person in possession of any property advertised for sale may designate to the tax collector in writing before the sale the portion of the property which he wishes sold, if less than the whole, and if no such designation has been received, the tax collector may designate the portion to be sold. The person who will take the smallest quantity of any parcel of land, or, if any undivided interest is delinquent, the least portion of the interest, and pay the amount of the delinquent assessment or installment and penalty, together with one dollar as costs, shall be declared the purchaser of the land or interest therein for which he made the bid. If no bid is received for a parcel advertised or for any part thereof, or if the person declared the purchaser shall fail to pay the amount required within twenty-four hours after the sale to him, the whole of the property shall be struck off to the district as the purchaser, at the amount of the delinquent assessment or installment, and penalty, together with one dollar as costs. A certificate of such sale shall be executed by the tax collector to the purchaser, upon payment of the amount required or to the district if it is the purchaser, and this certificate shall be recorded in the office of the county recorder of the county. Any person interested in said property may redeem the same at any time within two years from the date of said sale by paying to the county tax collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of said sale.

SEC. 28. A new section is hereby added to said act, to be numbered eleven *a*, and to read as follows:

SEC. 11*a*. If no redemption of land sold for delinquent assessments as aforesaid shall have been made within two years from the date of said sale, the purchaser, or his successor in interest, shall be entitled to a deed to said property, and the county tax collector of the county in which said land is situated shall execute such a deed upon demand of the peison entitled to the same. The effect of such a deed shall be to convey said property free and clear of all liens and encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by statutory authority, and any water district assessment or portion thereof remaining unpaid at the date of said sale. The district as a purchaser at a sale for delinquent assessment shall be entitled to all the rights of a private purchaser The board of directors may sell any property so sold to the district, or the interest of the district in such property by virtue of a certificate of sale but such property or interest must be sold at public auction, after notice by publication, once a week, for at least two successive weeks of the time and place of said sale, which notice shall describe the property to be offered for sale. If the district has not yet received a deed to the property, it shall not be sold for less than the amount that would be required to redeem it. If the district has received a deed to the property, it shall not be sold for less than the amount that would have been required to redeem it on the day before the district became entitled to a deed, together with interest on said amount at the rate of seven per cent per annum from that time. Any property held by the district under a certificate of sale may be redeemed at any time before the district has received a deed to it for the amount at which the property was sold to the district, together with interest thereon at the rate of two per cent per month from the date of such sale."

AMENDMENT NUMBER TWENTY.

On pages 22 and 23 of the printed bill, strike out lines 48 to 52 inclusive, on page 22 and lines 1 to 21 on page 23, and insert in lieu thereof the following, "the principal of and interest on bonds, the county treasurer, upon the order of the board of directors, shall invest in bonds of the United States or of this state a portion of said bond fund not exceeding in amount fifteen per cent of said largest installment, and keep said bonds in the bond fund to be sold only in case of emergency in the district or as hereinafter provided. Any other accumulations in the bond fund above the amounts needed for the payment of principal of and interest on bonds of the district shall be transferred to the general fund by the treasurer upon order of the board of directors. After two-thirds of the total amount of bonds issued by the district shall have been paid the treasurer shall, when so directed by the board of directors of the district, sell the bonds in the bond fund and credit the proceeds thereof to the general fund."

AMENDMENT NUMBER TWENTY-ONE.

On page 25, lines 4 to 8, of the printed bill, strike out the words "in twenty series as", in line 4; also strike out lines 5 to 8, inclusive, and insert in lieu thereof the following: "within forty years from their date, as the board of directors may prescribe, but not less than ten per cent of the actual face value of any issue of bonds

shall be made payable within fifteen years from their date and not less than two and one-half per cent of the aggregate face value of such bonds remaining unpaid at the end of fifteen years shall be payable each year, beginning with the sixteenth year from their date, until the whole amount of said bonds has been paid. The bonds shall be of the denom-".

AMENDMENT NUMBER TWENTY-TWO.

On page 25 of the printed bill strike out lines 22 and 23 and insert in lieu thereof the following: "issue shall be numbered consecutively. The date of all bonds of a single issue shall be the same, which shall be subsequent to the election at which the issuance thereof was authorized and prior to delivery to a purchaser or purchasers from the district, and must be fixed by the board of directors before it appoints a commissioner or commissioners to make the assessment for the payment of the principal and interest of such bonds. Before any bond is sold, all interest coupons thereon that have matured at or prior to the date of sale must be detached and credited upon the payment of assessments as hereinbefore provided.

Coupons for each installment of interest"

AMENDMENT NUMBER TWENTY-THREE

On pages 27 and 28 of the printed bill strike out lines 9 to 52 inclusive on page 27 and lines 1 to 3 on page 28, and insert in lieu thereof the following

"SEC. 22. At any election held under the provisions of this act every holder of title or evidence of title to land contained in a water district or proposed water district, and no other, shall be qualified and entitled to vote either in person or by proxy Each voter shall have one vote for each dollar's worth of land the title to which is held by him, as above provided. Guardians, personal representatives, and other persons holding land in a trust capacity under appointment of court may vote at any such election without obtaining any special authority therefor

Prior to each election held hereunder, the board whose duty it is to appoint the officers for the election shall cause to be prepared a voting list showing the names of the holders of title or evidence of title to lands in the district or proposed district and the number of votes each such holder is entitled to cast at said election. Said voting list shall be completed at least one week prior to the election, and two copies thereof shall be delivered to each election board at said election. If the district has been divided into election precincts, the copies furnished to each board shall show only the persons entitled to vote in the precinct thereof and the number of votes each is entitled to cast thereat, which shall be calculated according to the value of land situated in the precinct. Each election board shall, before the opening of the polls, post in a conspicuous place thereat one copy of said voting list.

The county assessment roll of the county in which any land in a district or proposed district is situated which assessment roll has been last equalized prior to the preparation of such a voting list shall be conclusive evidence of the ownership and value of all lands listed on said roll. If any land or the ownership or value of any land in the district or proposed district is not listed on said county assessment roll, the holder of title or evidence of title to said land may appear before the said board prior to the time for the completion of said voting list and present proof of the ownership and value of said land. The finding of said board, as to the ownership and value of said land, shall be conclusive for the purpose of preparing said voting list.

Any person who shall make any false statement in respect to his right to vote shall incur all the penalties provided in the Penal Code of the State of California for persons illegally voting at elections"

AMENDMENT NUMBER TWENTY-FOUR

On page 28 of the printed bill, after line 33, add the following:

"Sec. 40 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional".

The roll was called, and Senate amendments to Assembly Bill No. 575 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Carter, Christian, Clarke, Cleary, Davis, Dawson, Dean, Dorris Dozier, Duval, Eksward, Eth, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Lyons, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr Speaker—43

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27*a*, relating to the appointment of deputies—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 572?

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the semicolon after the word "power", and all the remainder of said line, and all of lines 10, 11 and the word "directors" on line 12

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the word "every", and all the remainder of said line, and all the remainder of said bill.

The roll was called and Senate amendments to Assembly Bill No. 572 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward Emme, Erb, Fellom, Foster Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments—and respectfully requests your honorable body to concur in said amendment

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 571?

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, strike out the word "less", and all the remainder of said line, and all of lines 10, 11, 12 and on line 13, the words "corporation which will pay", and insert in lieu thereof the following, "sum less than".

The roll was called and Senate amendment to Assembly Bill No. 571 was concurred in by the following vote:

AYES—Anderson, Badham, Bernard Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, Miller, Mitchell A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts Rosenshine, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 570—An act to amend section 39*f* of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual

assessment levied by said district—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 570?

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "the", and all the remainder of said line, and on line 6 the words "irrigation district", and insert in lieu thereof the word "this".

AMENDMENT NUMBER TWO

On page 1, line 7, of the printed bill, strike out the comma after the word "advance", and on line 8 the words "and in" and insert in lieu thereof a period and the word "In".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the word "such".

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the word "herein".

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, strike out the words "after the hearing provided for herein".

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the word "by" at the end of the line, and on line 12 the words "the secretary".

AMENDMENT NUMBER SEVEN.

On page 1, line 15, of the printed bill, strike out the word "such".

AMENDMENT NUMBER EIGHT.

On page 1, line 18, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER NINE

On page 1, line 20, of the printed bill, strike out all of said line 20, and all the remainder of the said bill.

The roll was called, and Senate amendments to Assembly Bill No. 570 were concurred in by the following vote:

AYES—Anderson, Badham, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Erb, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to counties of the fourth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 551?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "to" insert the words "salaries, fees and expenses of officers in".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the period and in lieu thereof insert the following "; one deputy at a salary of one thousand nine hundred seventy dollars per annum"

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, preceding the word "dollars" insert the word "twenty-five".

AMENDMENT NUMBER FOUR.

On page 2, line 48, of the printed bill, preceding the word "dollars" insert the word "twenty-five".

AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, preceding the word "dollars" insert the word "fifty".

AMENDMENT NUMBER SIX.

On page 2, line 50, of the printed bill, after the word "thousand" insert the word "fifty".

AMENDMENT NUMBER SEVEN.

On page 2, line 51, of the printed bill, after the word "hundred" insert the word "ten".

AMENDMENT NUMBER EIGHT.

On page 3, line 8, of the printed bill, after the word "hundred" insert the word "ten".

AMENDMENT NUMBER NINE.

On page 3, line 10, of the printed bill, after the word "hundred" insert the word "ten".

AMENDMENT NUMBER TEN.

On page 5, line 40, of the printed bill, strike out the number "2,000" and in lieu thereof insert the number "653".

AMENDMENT NUMBER ELEVEN.

On page 5 of the printed bill, after line 47, insert the following:

"Township No. 18 ---------- 1,407"

The roll was called and Senate amendments to Assembly Bill No. 551 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Davis, Dawson, Dean, Dozier, Eksward, Emme, Erb, Fulwider, Graves, Johnson, Johnston, Jones, Kline, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 789?

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "five" insert the following: "of the Political Code".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, after the word "or" insert the following: "a claim for allotment, allowance, compensation, insurance,".

The roll was called, and Senate amendments to Assembly Bill No. 789 were concurred in by the following vote:

AYES—Anderson, Bernard, Bromley, Carlson, Carter, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Duval, Eksward, Emme, Erb, Fulwider, Graves, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 774—An act to amend section 10, and to repeal section 11 of the Code of Civil Procedure, relating to holidays—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 774?

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "ten" strike out the following: ", and to repeal section eleven".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "February" insert a comma.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "Monday", strike out the word "of" and insert in lieu thereof the word "in".

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, after the word "October" insert a comma.

AMENDMENT NUMBER FIVE.

On page 1, line 8, of the printed bill, after the word "November" insert a comma.

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the word "except" and insert in lieu thereof the word "including".

AMENDMENT NUMBER SEVEN.

On page 1, line 24, of the printed bill, strike out the following: "provided,".

The roll was called, and Senate amendments to Assembly Bill No. 774 were concurred in by the following vote:

AYES—Badham, Bernard, Bromley, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dozier, Duval, Eksward, Emme, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Lyons, McMillan, Miller, Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 106—An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State, providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for the naming of such parks, providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 106?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended May 8, 1923, between lines 43 and 44 insert the following:

"Upon the owner of any land filing with the state board of forestry a written request therefor, specifying an address within this state, the state board of forestry shall mail forthwith to such address of the owner of any land designated under this section a copy of any application, a copy of any approval or disapproval, and a copy of any appraisement, and shall advise such owner of any deposit of money made and the amount thereof."

The roll was called, and Senate amendment to Assembly Bill No. 106 was concurred in by the following vote:

AYES—Anderson, Badham, Bromley, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Dawson, Dean, Dozier, Duval, Eksward, Emme, Fulwider, Graves, Hornblower, Johnston, Jones, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates—and respectfully request your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 53?

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, after the word "interest" add "in joint tenancy, or otherwise,".

AMENDMENT NUMBER TWO.

In line 7 of the printed bill, strike out the word "may" and insert in lieu thereof the following: "must, save and except where probate proceedings on the estate of such deceased person have been commenced.".

AMENDMENT NUMBER THREE.

In line 9 of the printed bill, beginning with the word "if" strike out the remainder of line 9 and the following in line 10: "resident, then".

AMENDMENT NUMBER FOUR.

In line 12 of the printed bill, after the comma (,) at the end thereof insert the following: "giving the approximate value of said land and the relationship, if any, of said person to decedent,".

AMENDMENT NUMBER FIVE.

In line 24 of the printed bill, strike out all of said line 24.

AMENDMENT NUMBER SIX.

In line 26 of the printed bill, change the word "five" to "ten".

The roll was called and Senate amendments to Assembly Bill No. 53 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Christian, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dozier, Eksward, Fellom, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 80—An act to

amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 80?

AMENDMENT NUMBER ONE.

On page 4, line 41, strike out the figures "1910" and in lieu thereof add the figures "1920".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, strike out lines 46 to 52, both inclusive, and on page 6 of the printed bill strike out lines 1 to 3, both inclusive, and in lieu thereof insert the following:

"16. The county traffic officer, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer such deputies as may be necessary to carry on the work of his office; said deputies shall be appointed by said county traffic officer and shall each receive a salary of six dollars per day when in the actual performance of his duties, to be paid out of the same fund as the salary of the county traffic officer is paid; *provided* that the aggregate compensation to be paid all of such deputies shall not exceed three thousand six hundred dollars in any one year."

AMENDMENT NUMBER THREE.

On page 4 of the printed bill as amended May 8, 1923, in line 13 after the word "dollars" insert the following: "per month,".

The roll was called, and Senate amendments to Assembly Bill No. 80 were concurred in by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Carlson, Christian, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 494?

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "place of public assemblage," and insert in lieu thereof the words "regular motion picture house or theatre."

The roll was called and Senate amendment to Assembly Bill No. 494 was concurred in by the following vote:

AYES—Anderson, Badham, Bromley, Broughton, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Duval, Eksward, Emme, Foster, Fulwider, Heisinger, Johnston, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Noyes, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Graves—1

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS.

Senate Bill No. 695—An act making an appropriation to meet the deficiency in the appropriation for the support of the State prison at San Quentin for the seventy-third and seventy-fourth fiscal years.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badham, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 finally passed by the following vote:

AYES—Anderson, Badham, Bromley, Broughton, Carlson, Christian, Clarke, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 745—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 745 finally passed by the following vote:

AYES—Anderson, Badham, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Davis, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Weller, West, Whitacre, Woodbridge, and Wright—49.

NOES—Christian, Cleveland, and Mr Speaker—3

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Hornblower moved that Senate Bill No. 94 be withdrawn from the file, and ordered re-referred to Committee on Ways and Means.

Motion carried.

Senate Bill No. 94 re-referred to Committee on Ways and Means.

Senate Joint Resolution No. 14—Relating to persons whose parents are ineligible to citizenship.

Senate Joint Resolution No. 14 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 finally adopted by the following vote:

AYES—Anderson, Badham, Bernard, Broughton, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Erb, Fulwider, Graves, Hornblower, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—52

NOES—Cleveland, Jones, and Prendergast—3.

Title read and approved.

Senate Joint Resolution No 14 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 14.

Relating to persons whose parents are ineligible to citizenship.

WHEREAS, Large numbers of persons ineligible to citizenship permanently settle in California, and

WHEREAS, All persons born in the United States and subject to the jurisdiction thereof are citizens of the United States and may own land, enjoy the elective franchise and all of the rights of citizenship, and

WHEREAS, Such ineligible aliens and their children are non-assimilable and establish and live in separate communities, and

WHEREAS, Through the citizenship of the children, such ineligible aliens obtain the full enjoyment and beneficial use of lands, be it

Resolved, That the State of California, through its Legislature, hereby memorializes the Congress to propose an amendment to the constitution of the United States, withholding citizenship from all persons whose parents are ineligible to citizenship, be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit copies of these resolutions to the President of the United States, to the Secretary of State of the United States and to each of the members of the Senate and the House of Representatives.

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

Senate Constitutional Amendment No. 16 read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No 16 refused adoption by the following vote:

AYES—Badaracco, Badham, Bernard, Carter, Connolly, Coombs, Croter, Davis, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fox, Graves, Hawes, Hornblower, Johnson, Kline, Lyman, Lyons, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Stevenot, Stow, Weller, West, Whitacre, Williams, and Woodbridge—46

NOES—Anderson, Broughton, Christian, Cleary, Cleveland, Dawson, Donohue, Dozier, Emme, Fulwider, Heisinger, Johnston, Mathews, Miller, Spalding, Spence, Wright, and Mr. Speaker—18.

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to sections 23 and 23*a* of article IV of the Constitution of the State of California, relating to compensation of members of the Legislature.

Senate Constitutional Amendment No. 23 read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 23 finally adopted by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Carlson, Cleary, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Graves, Hawes, Heisinger, Hornblower, Johnson, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast,

Reindollar, Roberts, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Woodbridge—56.

NOES—Carter, Christian, Davis, Dozier, Erb, Fulwider, Johnston, Jones, Wright, and Mr. Speaker—10.

Title read and approved.

Senate Constitutional Amendment No. 23 ordered transmitted to the Senate.

SENATE CONSTITUTIONAL AMENDMENT No. 23.

A resolution proposing to the people of the State of California an amendment to sections 23 and 23*a* of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session commencing on the eighth day of January, 1923 two-thirds of all the members elected to the two houses of said Legislature voting therefor hereby proposes to the people of the State of California that the constitution of said state be amended by amending section 23 of article IV to read as follows:

Sec. 23. The members of the Legislature shall receive for their services the sum of $100 each for each month of the term for which they are elected, to be paid monthly in the even numbered years and to be paid during the regular legislative session in the odd numbered years at such times as may be provided by law and mileage to be fixed by law, all paid out of the State treasury, such mileage not to exceed five cents per mile.

Sec. 23*a*. The Legislature may provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of three hundred dollars per day for either house, at any regular or biennial session, nor the sum of $200 per day for both houses at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed. The Legislature shall provide for the selection of all officers, employees and attaches of both houses and so far as advisable shall require such selection to be under the provisions of the law governing civil service.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the judicial department, and providing for the establishment of municipal courts.

Senate Constitutional Amendment No. 25 read.

The question being on the adoption of the amendment.

MOTION.

Mr. Carter moved that the hour of recess be extended.

Motion carried.

The question being on the adoption of Senate Constitutional Amendment No. 25.

MOTION.

Mr. Spence moved that further consideration of Senate Constitutional Amendment No. 25 be continued until the next legislative day.

Motion carried.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Stevenot moved that the vote whereby Senate Bill No. 138 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Bernard, Broughton, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Fellom, Graves, Hawes, Heisinger, Johnson, Miller, Morris, Mueller, Pomeroy, Reindollar, Saylor, Stevenot, Stow, Whitacre, Williams, Woodbridge, and Wright—29.

NOES—Anderson, Badaracco, Badham, Bromley, Carlson, Carter, Christian, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Hornblower, Johnston, Jones, Lyman,

Lyons, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Prendergast, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, and Mr. Speaker—39.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and nine minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 422 were concurred in by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, Miller, Mitchell, T. A., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—None.

The above reported bill ordered to enrollment.

RECESS.

At twelve o'clock and twelve minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

ASSISTANT CLERK POWERS READING.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 592—An act to repeal an act entitled "An act appropriating money for the support of teachers' training courses at the southern branch of the University of California," approved June 3, 1921;

Also: Senate Bill No. 136—An act to amend section 164 of the Civil Code, relating to community property;

Also: Senate Bill No. 291—An act to amend section 16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Senate Bill No. 342—An act to add a new section to the Political Code to be numbered 1610a, and to provide for the furnishing of food to pupils and employees of the school district at not less than actual cost.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 540—An act to amend section 468 of the Civil Code of the State of California, providing for the construction and operation of railroads;

Also: Senate Bill No. 325—An act to amend section 57 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended;

Also: Senate Bill No. 216—An act to amend an act entitled "An act providing for the organization, operation, maintenance, and government of water storage districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for irrigation of lands in such districts, for drainage and reclamation connected therewith, and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution, and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; and conferring upon the State Engineer certain additional duties and powers in connection with the carrying out of the purposes of said act and providing for the appointment of directors to assist the State Engineer in so doing and defining said duties and powers; and repealing the California Irrigation Act approved June 4, 1915, and all acts amendatory thereof," approved June 3, 1921, by amending sections 3, 4, 5, 6, 9, 16, 19, 21, 24, 25, 28, 34, 36, 45, 46, and 52 thereof, and by repealing section 68 thereof, and by adding a new section thereto to be numbered section 68, said section relating to the protection of vested rights to the use of water.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 82—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners; to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases thereby insuring the general public cleaner and better service; and provide penalties for violations thereof;

Also: Senate Bill No. 482—An act to amend an act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers, approved May 27, 1915, by amending sections 20, 21, 29, 32, 45 and 52 thereof;

Also: Senate Bill No. 46—An act to amend sections 1 and 2 of an act entitled, "An act to prevent the formation and prohibit the existence of secret, oath bound fraternities, in the public schools," approved March 13, 1909, to provide for the prohibiting of members of such societies enrolling or attending public schools.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 29—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof"; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917,

Statutes of California of 1917, page 1473, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled 'An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422; and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located, in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California of 1917, page 1461.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 34—An act to amend sections 25 and 26 of the Civil Code, relating to minors.

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 744—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

J A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols revolvers or other firearms capable of being concealed upon the person to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder, and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject—and respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 263?

AMENDMENT NUMBER ONE.

On page 2, line 43, of the printed bill as amended in the Assembly April 27, 1923, after the word "twenty-five" insert the word "years".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill as amended in the Assembly April 27, 1923, strike out all of lines 7 to 13, both inclusive.

AMENDMENT NUMBER THREE

On page 3, line 38, of the printed bill as amended in the Assembly April 27, 1923, strike out the words "or to", and, in lieu thereof, insert the following: "to or".

AMENDMENT NUMBER FOUR

On page 5, line 13, of the printed bill as amended in the Assembly April 27, 1923, strike out the word "leasor", and, in lieu thereof, insert the word "lessor".

AMENDMENT NUMBER FIVE.

Beginning on page 7, line 24, of the printed bill as amended in the Assembly April 27, 1923, renumber sections 12 to 18, both inclusive, as follows:

(*a*) Page 7, line 24, strike out "12" and insert "11".
(*b*) Page 7, line 48, strike out "13" and insert "12".
(*c*) Page 8, line 3, strike out "14" and insert "13".
(*d*) Page 8, line 12, strike out "15" and insert "14".
(*e*) Page 8, line 15, strike out "16" and insert "15".
(*f*) Page 8, line 17, strike out "17" and insert "16".
(*g*) Page 8, line 25, strike out "18" and insert "17".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Hawes moved a call of the House.

Motion carried.

Time, one o'clock and forty-seven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker, C. C., Cleary, Coombs, Crofer, Dozier, Fellom, Hawes, Johnson, Johnston, Lyons, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Noyes, Pomeroy, Prendergast, Reindollar, Snyder, Weller, West, Woodbridge, Wright, and Mr. Speaker—26.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended and on this day passed as amended, Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section designated section 11*a*, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 85?

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, before the word "fee" and after the word "the" insert the word "maximum".

AMENDMENT NUMBER TWO

On page 2, line 8, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "seven".

The roll was called, and Senate amendments to Assembly Bill No. 85 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Bromley, Christian, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Dorris, Dozier, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Snyder, Spalding, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 515?

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the word "two" and in lieu thereof insert the word "five".

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, after the comma insert the following: "and one deputy, who shall receive a salary of one thousand five hundred dollars per annum."

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, strike out the word "five" and in lieu thereof insert the word "eight".

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, after the semicolon insert the following: "one deputy who shall be assistant jailer, who shall receive a salary of one thousand eight hundred dollars per annum;".

AMENDMENT NUMBER FIVE.

On page 2, line 8, of the printed bill, after the comma insert the following: "one deputy who shall be court bailiff, who shall receive a salary of one thousand five hundred dollars per annum;"

AMENDMENT NUMBER SIX.

On page 2, line 9, of the printed bill, strike out the word "five" and in lieu thereof insert the word "eight".

AMENDMENT NUMBER SEVEN.

On page 2, line 10, of the printed bill, strike out the word "four" and in lieu thereof insert the word "three".

AMENDMENT NUMBER EIGHT.

On page 4, line 35, of the printed bill, strike out the word "voters" and in lieu thereof insert the word "electors".

AMENDMENT NUMBER NINE.

On page 4 of the printed bill strike out lines 40 to 46, both inclusive, and in lieu thereof insert the following:

"17. The county traffic officer, one thousand eight hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the county traffic officer one deputy who shall be appointed by said county traffic officer and which office is hereby created. Said deputy county traffic officer shall receive a salary of one thousand six hundred twenty dollars per annum, which shall be paid at the same time, in the same manner and out of the same fund as the salary of the county traffic officer is paid. Said county shall furnish machines or other vehicles for said county traffic officer and his said deputy and shall provide gasoline and oil for the purpose of propelling the same and pay all of the expense of the

upkeep of said machines. All the provisions of this paragraph shall apply to the said county traffic officer and his said deputy whenever the office of county traffic officer is created by law."

The roll was called, and Senate amendments to Assembly Bill No 515 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Bromley, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Duval, Fellom, Foster, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Mueller, Pomeroy, Prendergast, Reindollar, Rosenshine, Snyder, Spalding, Spence, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 351?

AMENDMENT NUMBER ONE.

On page 7 of the printed bill, as amended in the assembly April 12, 1923, after line 13 insert the following:

"18. The county traffic officer, two thousand one hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the county traffic officer two deputies which offices are hereby created. Said deputies shall be appointed by said county traffic officer and shall receive a salary of two thousand one hundred dollars per annum each, which shall be paid by said county in monthly installments at the same time, in the same manner and out of the same funds as the salary of the county traffic officer is paid. Said traffic officer and his said deputies shall provide their own motorcycles or other vehicles, *provided, further*, that said county shall furnish oil and gasoline for the purpose of propelling the same, and shall pay all of the expense of the upkeep of said machines and shall allow said traffic officer and his said deputies expenses for meals incurred while away from the county seat in discharge of their duty. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

AMENDMENT NUMBER TWO.

On page 7, line 14, of the printed bill, strike out the numerals "18" and in lieu thereof insert the numerals "19".

AMENDMENT NUMBER THREE.

On page 7, line 27, of the printed bill, strike out the numerals "19" and in lieu thereof insert the numerals "20".

AMENDMENT NUMBER FOUR.

On page 3, line 21, of the printed bill, following the word "of", strike out the word "one" and insert in lieu thereof the word "two".

AMENDMENT NUMBER FIVE.

On page 3, line 21, of the printed bill, following the word "thousand" strike out the word "eight" and insert in lieu thereof the word "four".

AMENDMENT NUMBER SIX.

On page 3, line 41, of the printed bill, following the word "of" strike out the word "eight" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER SEVEN.

On page 3, line 42, of the printed bill, following the word "sand" strike out the word "five hundred".

AMENDMENT NUMBER EIGHT.

On page 7, line 30, of the printed bill, following the word "office" strike out the word "that".

The roll was called, and Senate amendments to Assembly Bill No. 351 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Duval, Fellom, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 668—An act to be known as "Palo Verde Irrigation District Act," creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof: the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes, and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 668?

AMENDMENT NUMBER ONE.

On page 6, line 27, of the printed bill, strike out the word "a" and insert in lieu thereof the word "an".

AMENDMENT NUMBER TWO.

On page 9, line 48, of the printed bill, strike out the word "five" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THREE.

On page 16, line 7, of the printed bill, strike out the word "hereinafter" and insert in lieu thereof the word "herein".

AMENDMENT NUMBER FOUR.

On page 34, line 40, of the printed bill, strike out the word "be" after the words "drainage district".

AMENDMENT NUMBER FIVE.

On page 42, line 18, of the printed bill, strike out the word "directors" and insert in lieu thereof the word "trustees".

AMENDMENT NUMBER SIX.

On page 49, line 35, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "ten".

The roll was called, and Senate amendments to Assembly Bill No. 668 were concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Carlson, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Fellom, Foster, Fulwider, Hawes, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 632?

AMENDMENT NUMBER ONE.

In line 11, strike out word "Duplicate" after word "adopted". In line 11, add word "Duplicates" after the word "adopted".

The roll was called, and Senate amendment to Assembly Bill No. 632 was concurred in by the following vote:

AYES—Badham, Bernard, Carlson, Christian, Cleary, Cleveland, Coombs, Crittenden, Croter, Dawson, Dean, Dorris, Dozier, Duval, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Snyder, Spalding, Spence, Weller, West, Whitacre, Wright, and Mr. Speaker—48
NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment, commitment, form of—and respectfully requests your honorable body to concur in said amendment

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 630?

AMENDMENT NUMBER ONE.

On page 3, line 3, add letter "s" to word "matter" after words "truth of the". In line 4, strike out "and" after word "certificate." In line 10, add "." after word "adjudged". In line 10, strike out word "decreed" after words "adjudged and". In line 10, add word "decreed" after words "adjudged and". In line 19, add word "the" after word "arrest" instead of "and". In line 24, strike out word "county" after "------". In line 24, add word "County" after "------".

The roll was called, and Senate amendment to Assembly Bill No. 630 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Bernard, Christian, Cleary, Cleveland, Coombs, Crittenden, Dean, Duval, Erb, Fellom, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—45.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 627?

AMENDMENT NUMBER ONE.

In line 10, strike out "The application". In line 11, strike out "must state if appeal is taken from the minutes of the court". In line 12, strike out "and must designate what portions of the phonographic". In line 13, strike out "reporter's notes it will be necessary to have transcribed to". In line 14, strike out "fairly present the points relied upon." In line 10, add after word "relies", "If appeal is taken from the minutes of the court the application must so state and must designate what portions of the phonographic reporter's notes it will be necessary to have transcribed to fairly present the points relied upon".

The roll was called, and Senate amendment to Assembly Bill No. 627 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard Bromley, Carlson, Carter, Christian, Cleary, Cleveland, Coombs, Dean, Dorris, Dozier, Duval, Erb, Foster, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Rosenshine, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, and Mr. Speaker—45.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 624?

AMENDMENT NUMBER ONE.

In line 4, add comma after word "must". In line 7, strike out period after word "accusation". In line 8, strike out period after word "plea". In line 9, strike out period after word "demurrer". In line 10, strike out period after word "demurrer". In line 12, strike out period after word "court". In line 14, strike out period after word "trial". In line 17, strike out period after word "charge". In line 18, strike out period after word "judgment". In line 7, add semicolon after word "accusation". In line 8, add semicolon after word "plea". In line 9, add semicolon after word "demurrer". In line 10, add semicolon after word "demurrer". In line 12, add semicolon after word "court". In line 14, add semicolon after word "trial". In line 17, add semicolon after word "charge". In line 18, add semicolon after word "judgment". In line 11, strike out parenthesis after word "trial". In line 12, strike out parenthesis after word "court".

The roll was called, and Senate amendment to Assembly Bill No. 624 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Coombs, Dean, Dorris, Dozier, Duval, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Moore, Morris, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Smith, Snyder, Spalding, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this passed as amended, Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 623?

AMENDMENT NUMBER ONE.

In line 7, strike out comma after word "together"; strike out word "constitutes" after word "which", add word "constitute" after word "which". In line 10, strike out period after word "demurrer"; add semicolon after word "demurrer". In line 11, add comma after word "modified". In line 13, add comma after word "and".

The roll was called, and Senate amendment to Assembly Bill No. 623 was concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Broughton, Burns, Carter, Christian, Cleary, Cleveland, Coombs, Crittenden, Croter, Dean, Donohue, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Prendergast, Rosenshine, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor, to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly recede from Assembly amendments to Senate Bill No. 743?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 743 by the following vote:

AYES—None.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Davis, Dean, Donohue, Dorris, Dozier, Duval, Erb, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—60.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Graves, Stow and McDowell as a Committee on Conference to meet with a like committee from the Senate to consider Assembly amendments to Senate Bill No. 743.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Concurrent Resolution No. 26—Relative to the creation of the "Legislative Tax Committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states.

Senate Concurrent Resolution No. 26 read.

COMMITTEE AMENDMENT.

During reading of the concurrent resolution, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 12, strike out the word "two" and insert in lieu thereof the following "three".

Amendment adopted.

Senate Concurrent Resolution No. 26 ordered to reprint, and on file for adoption.

Senate Joint Resolution No. 17—Relative to the increase of armament.

Senate Joint Resolution No. 17 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 17 finally adopted by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Bromley, Carter, Cleary, Coombs, Crittenden, Davis, Dean, Donohue, Duval, Erb, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Smith, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—42.

NOES—Broughton, Christian, Cleveland, Dorris, Dozier, Fulwider, Moore, Saylor, Spalding, and Wright—10.

Title read and approved.

Senate Joint Resolution No. 17 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 17.

Relative to the increase of armament.

WHEREAS, Our long and comparatively unprotected coast line renders this nation vulnerable to attack by hostile naval and air forces, and,

WHEREAS, The progress of the United States has failed to keep pace with that of certain other nations in the development and efficiency of aircraft defense; now, therefore, be it

Resolved, That the Senate and Assembly of the State of California, jointly, memorialize Congress to enact legislation which shall result in such increase in the size, efficiency and armament of the aircraft forces of the United States as will afford adequate protection for the nation; and also be it

Resolved, That our Senators and Representatives in Congress be and they are hereby urged by the Legislature of the State of California to use all honorable means to secure the enactment of laws which will insure such increases in our aircraft service, and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward copies of these resolutions to the President of the Senate of the United States, to the Speaker of the House of Representatives, and to each of California's Senators and Representatives in Congress.

Senate Bill No. 311—An act to amend sections 1617, 1662 and 1720 of the Political Code, relating to junior high schools.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Eksward, Anderson, Fox and Baker, Edwin, demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 311

The roll was called, and Senate Bill No. 311 refused passage by the following vote:

AYES—Badham, Crittenden, Croter, Donohue, Emme, Fellom, Foster, Fulwider, Heisinger, Johnson, Jones, Lyman, McDowell, Moore, Morris, Morrison, Pedrotti, and Stow—18.

NOES—Bernard, Broughton, Carter, Christian, Cleary, Cleveland, Connolly, Davis, Dawson, Dorris, Dozier, Eksward, Erb, Fox, Johnston, Noyes, Pomeroy, Prendergast, Scott, Smith, Snyder, Spalding, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—28.

Senate Bill No. 417—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, by adding a new section thereto, to be numbered 1*a*, providing for the excusing of children from school for one hour each week.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Eksward, Fulwider, Pedrotti and Anderson demanded the previous question

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 417.

The roll was called, and Senate Bill No. 417 refused passage by the following vote:

AYES—Bernard, Cleary, Coombs, Croter, Davis, Dawson, Dorris, Foster, Heisinger, McMillan, Miller, Mitchell, A. G., Moore, Pomeroy, Prendergast, Remdollar, Roberts, Smith, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—24.

NOES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Broughton, Burns, Carlson, Carter, Cleveland, Crittenden, Dozier, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hawes, Hornblower, Johnston, Jones, McDowell, McPherson, Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Schmidt, Snyder, Spalding, Stow, and Woodbridge—35.

Senate Bill No. 446—An act to amend sections 1770, 1771, 1772 and 1773 of the Political Code; and to repeal sections 1774, 1775, 1776, 1777 and 1778 of the Political Code providing for the certification of teachers and other persons to serve in the public schools of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 446 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fulwider, Hawes, Jones, Lyman, McDowell,

McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pomeroy, Reindollar, Roberts, Rosenshine, Schmidt, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—48.

NOES—Carter, Dozier, and Stow—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 741—An act to amend section 1739 of the Political Code, relating to trustees of county high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 741 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin, Bernard, Broughton, Carlson, Carter, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fulwider, Graves, Hawes, Heisinger, Johnson, Jones, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 747—An act to amend section 3488 of the Political Code, relating to swamp and overflowed salt-marsh and tidelands belonging to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 747 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Bernard, Broughton, Burns, Carlson, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 634—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds creating or increasing bonded indebtedness or increasing or diminishing the capital stock of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 634 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Burns, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Erb, Foster, Fox, Fulwider, Hawes, Johnson, Johnston, Jones, Lyman, Lyons, McMillan, McPherson, Moore, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—49.

NOES—Heisinger, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 292—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 292 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, A. G., Mitchell T. A., Moore, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Wright—55.

NOES—Carter, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 91—An act to add a new section to be numbered 19*a* to an act entitled, "The California Water Storage District Act," approved June 3, 1921, relating to, and providing for the financing of development or reconstruction projects, or projects for the repair and maintenance of, irrigation systems in irrigation districts organized and created, and now functioning, under the act entitled "The California Irrigation District Act," approved March 31, 1897, as amended, when such districts are included wholly within the boundaries of any water storage district or districts, now organized, or which at any time may be organized, under the provisions of the act entitled, "The California Water Storage District Act," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 91 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 165—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 165 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Crittenden, Croter, Dean, Donohue, Dorris, Fellom, Graves, Hawes, Heisinger, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Mueller, Noyes, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Smith, Spalding, Spence, Weller, West, Whitacre, Woodbridge, and Wright—45.

NOES—Badham, Carter, Cleveland, Connolly, Coombs, Davis, Dawson, Dozier, Duval, Emme, Erb, Foster, Fox, Fulwider, Johnson, Lyons, McPherson, Mitchell, A. G., Pedrotti, Pomeroy, Scott, Snyder, Stow, Williams, and Mr. Speaker—25.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 552—An act to amend an act entitled "An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation" approved June 3, 1921, is hereby amended to read as follows:

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 552 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Spence, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Baker, Edwin; Graves, Jones, Prendergast, and Snyder—5.

Title read.

AMENDMENT TO TITLE.

During reading of the title, Mr. Wright moved to amend the title as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following

"An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation."

Amendment adopted.

Bill ordered to reprint, and to Senate.

Senate Bill No. 590—An act to repeal an act entitled "An act appropriating money for the support of extension courses by the University of California," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 590 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An act to amend section 925 of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 refused passage by the following vote:

AYES—Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dean, Dorris, Emme, Fellom, Foster, Hawes, Heisinger, Johnson,

Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Mueller, Prendergast, Reindollar, Rock, Saylor, Scott, West, Whitacre, and Woodbridge—37.

NOES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Carter, Christian, Cleveland, Croter, Dawson, Dozier, Duval, Eksward, Erb, Fox, Fulwider, Lyons, Mitchell, A. G., Noyes, Pomeroy, Rosenshine, Smith, Snyder, Spalding, Spence, Stow, Weller, Williams, Wright, and Mr. Speaker—29.

Senate Bill No 285—An act to amend section 988 of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 285 refused passage by the following vote:

AYES—Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Crittenden, Davis, Dawson, Dean, Dorris, Emme, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Mueller, Prendergast, Reindollar, Saylor, and West—34.

NOES—Badham, Baker, C. C., Baker, Edwin; Carter, Christian, Cleveland, Connolly, Croter, Dozier, Fox, Fulwider, Graves, Noyes, Pomeroy, Roberts, Rosenshine, Smith, Snyder, Spalding, Spence, Stow, Weller, Williams, Wright, and Mr. Speaker—25.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and fourteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Mueller.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 263 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Christian, Cleary, Cleveland, Coombs, Croter, Dawson, Dean, Donohue, Dozier, Duval, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—53.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 361—An act to regulate the use of purse seine nets, drag nets, lampara nets or round haul nets in fish and game districts 19, 20A and 21, and providing a penalty for the violation thereof

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs Christian, Fulwider, Moore, Badham and Snyder demanded the previous question.

The question being put: Shall the main question be now put?

Demand lost.

The question being on the passage of Senate Bill No. 361.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr Mueller moved a call of the House.

Motion carried.

Time, five o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Badham, Baker, Edwin, Ball, Bernard, Bromley, Broughton, Carlson, Carter, Christian, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson Donohue, Dorris, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Johnston Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER Your Committee on Ways and Means, to which was referred Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs, and making an appropriation for such work and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes" approved March 1, 1917.

Also Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs, and making an appropriation for such work and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

KLINE, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of

creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act, to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KLINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture;

Also Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years;

Also: Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

KLINE, Chairman.

The above reported bills ordered on file for second reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather Rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improve-

ment of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in the House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

The above reported bill ordered on file for second reading.

Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 367—An act appropriating money for the maintenance and repair of the California State building at Balboa Park, San Diego.

Bill read second time, and ordered on file for third reading.

MOTION.

Mr. Rosenshine moved that Mr. Moore be granted permission to leave the Assembly Chamber for the purpose of visiting the Senate.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings, to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BALL, Chairman.
STOW.
MORRISON.
DOZIER.
WILLIAMS.

The above reported bill ordered on file for second reading

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read second time, and ordered on file for third reading.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 618?

AMENDMENT NUMBER ONE.

In line 5, strike out comma after word "judge".

The roll was called and Senate amendment to Assembly Bill No. 618 was concurred in by the folowing vote:

AYES—Anderson, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Ekswad, Erb, Foster, Heisinger, Johnson, Johnston, Jones, Kline, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Spence, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 611?

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "an" strike out the word "unsealed" and insert in lieu thereof the word "sealed".

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, after the word "clerk" at the end of the line strike out the period and insert in lieu thereof the following "; *provided, however,* that the county clerk may open such envelope upon receipt thereof at the office of such county clerk".

The roll was called, and Senate amendments to Assembly Bill No. 611 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Erb, Foster, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, Miller, Morrison, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on May 3 passed as amended, Assembly Bill No. 478—An act to promote the better education of practitioners of radiography; to provide for the issuance of certificates of registration as registered radiographers to qualified applicants by the State Board of Health; and to provide penalties for the violation hereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 478?

AMENDMENT NUMBER ONE.

Strike out all of line 2 of the title of the printed bill, as amended April 30, 1923, after the semicolon following the word "ray", all of lines 3 to 6, both inclusive, and in lieu thereof insert the following "providing for the examination and registration of persons as radiographers by the state board of health, providing penalties for the violations hereof".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill as amended April 30, 1923, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill as amended April 30, 1923, strike out the word "committee" and insert in lieu thereof the word "board".

AMENDMENT NUMBER FOUR.

On page 2, line 38, of the printed bill as amended April 30, 1923, strike out the word "health" and insert in lieu thereof the word "examiners".

AMENDMENT NUMBER FIVE.

On page 2, line 43, of the printed bill as amended April 30, 1923, strike out the word "besides" and in lieu thereof insert the following "in addition to the following subjects:".

AMENDMENT NUMBER SIX.

On page 3, line 6, of the printed bill as amended April 30, 1923, strike out the word "board" and in lieu thereof insert the words "state board of health".

AMENDMENT NUMBER SEVEN.

On page 3, line 7, of the printed bill as amended April 30, 1923, strike out the word "this" and insert in lieu thereof the word "said".

AMENDMENT NUMBER EIGHT.

On page 3, line 17, of the printed bill as amended April 30, 1923, after the word "of" insert the words "good moral".

AMENDMENT NUMBER NINE.

On page 3, line 27, of the printed bill as amended April 30, 1923, after the word "board" insert the words "of examiners".

AMENDMENT NUMBER TEN.

On page 3, line 33, of the printed bill as amended April 30, 1923, after the word "board" insert the words "of examiners".

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill as amended April 30, 1923, strike out all of line 35 following the word "board" and insert in lieu thereof the following: "of examiners just cause for such restoration exists".

AMENDMENT NUMBER TWELVE.

On page 3, line 45, of the printed bill as amended April 30, 1923, strike out the words "liable to" and insert in lieu thereof the words "punished by".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 51, of the printed bill as amended April 30, 1923, strike out the word "are" and insert in lieu thereof the word "is".

The roll was called, and Senate amendments to Assembly Bill No. 478 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Lyman, Mathews, McPherson, Miller, Mitchell, A. G., Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Weller, West, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 521?

AMENDMENT NUMBER ONE

On page 1, of the printed bill, strike out all of line 8.

The roll was called, and Senate amendment to Assembly Bill No. 521 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carlson, Cleary, Crittenden, Croter, Davis, Dawson, Donohue, Duval, Erb, Fellom, Foster, Hawes, Heisinger, Johnson, Johnston, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Mueller, Noyes, Pomeroy, Prendergast, Remdollar, Roberts, Rock, Rosenshine, Saylor, Snyder, Weller, West, Williams, Woodbridge, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At five o'clock and forty-two minutes p.m., further proceedings under call of the House were dispensed with, on motion of Mr. Mueller.

The roll of absentees was called, and Senate Bill No. 361 finally passed by the following vote:

AYES—Badaracco, Ball, Bernard, Broughton, Burns, Cleary, Crittenden, Croter, Davis, Dawson, Donohue, Dorris, Duval, Emme, Erb, Fellom, Hawes, Heisinger, Johnson, Jones, Lyman, Mathews, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Mueller, Prendergast, Remdollar, Rock, Saylor, Schmidt, Snyder, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, and Wright—42.

NOES—Anderson, Badham, Baker, Edwin, Bromley, Carlson, Carter, Christian, Clarke, Coombs, Eksward, Foster, Fulwider, Graves, Johnsotn, McDowell, McMillan, Mitchell, A. G., Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Smith, Weiler, and Mr. Speaker—25.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At five o'clock and forty-four minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Powers reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1270—An act to add a new section to the Political Code, to be numbered 633c, concerning the appointment by insurance companies of agents for the soliciting of applications for fire insurance and the licensing of such agents, and providing license fees therefor.

Also: Assembly Bill No. 336—An act to amend section 4252 of the Political Code relating to the salaries, fees and expenses of officers in counties of the twenty-third class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1118—An act to add a new section to be numbered 6a, to an act entitled, "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care,

custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913 and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to juvenile courts;

Also Assembly Bill No 117—An act to amend section 4269 of the Political Code relating to salaries, fees and expenses of officers in counties of the fortieth class.

Also: Assembly Bill No. 490—An act to amend section 4270 of the Political Code, relating to salaries, fees and compensation of officers in counties of the forty-first class;

Also. Assembly Bill No. 1096—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1157—An act to amend section 4312 of the Political Code, relating to the establishment of chambers by judges of the superior court in cities other than the county seat—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 897—An act to amend section 7 of an act entitled "An act to establish and support a Bureau of labor Statistics," approved March 3, 1883, as amended, relating to powers and duties of the Labor Commissioner and his deputies:

Also Assembly Bill No. 1362—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' farm and home building fund under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the state officers in relation thereto; and appropriating the interest received and to be received on said deposits;

Also Assembly Bill No 1363—An act to provide for the deposit of proceeds from the sale of bonds issued and to be issued for the benefit of the veterans' welfare fund for land settlement under the Veterans' Welfare Bond Act of 1921; prescribing the duties of the state officers in relation thereto, and appropriating the interest received and to be received on said deposits;

Also Assembly Bill No. 159—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this state, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, by amending sections 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 thereof:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and enrollment has examined the following:

Assembly Bill No. 472—An act to amend section 1588 of the Political Code relating to the appointment and election of union and joint union elementary school trustees.

Also Assembly Bill No. 473—An act to amend sections 1589, 1589*a*, 1590, 1591, 1591*a* of the Political Code, and to repeal section 1589*b* of the Political Code, relating to union elementary school districts.

Also Assembly Bill 1080—An act to amend sections 1, 2, 3, 4, and 5 of an act entitled "An act to create a fund to be known as the 'United States forest reserve fund' and to provide for the payment out of such fund to the treasurer of the several counties entitled thereto of certain moneys received from the government of the

United States and also to regulate the manner of expenditures by the counties of the money so paid," approved March 18, 1907, as amended
And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 496—An act to amend section 927*a* of the Code of Civil Procedure, relating to the small claims court,

Also Assembly Bill No. 1324—An act to amend section 19*x*26 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the twenty-sixth class,

Also Assembly Bill No. 471—An act to amend sections 1585, 1586 and 1587 of the Political Code, relating to the formation of union elementary school districts
And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 829—An act to amend section 1557 of the Penal Code, relating to accounts for returning fugitives;

Also: Assembly Bill No. 1319—An act to add a new section to the Code of Civil Procedure to be numbered 1751*a*, relating to disqualification of certain aliens, companies, associations and corporations for appointment as guardians of estates;

Also: Assembly Bill No. 1342—An act to amend section 1274 of the Code of Civil Procedure, relating to the sale of escheated property;

Also Assembly Bill No. 125—An act to amend section 437 of the Code of Civil Procedure, relating to pleadings;

Also: Assembly Bill No. 495—An act to amend section 927*c* of the Code of Civil Procedure, relating to the small claims court;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23*a* of article XII thereof, relating to the fixing by the Railroad Commission of compensation for taking public utility property in eminent domain proceedings—and reports that the same has been correctly enrolled, and presented to the Governor on this seventeenth day of May, 1923, at one o'clock and thirty minutes p.m.

ROBERTS, Chairman.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 17, 1923.

To the Assembly of the State of California

Assembly Bill No. 862 is returned herewith without my approval.

A mistake was made in amending this bill and in its present form it would be useless.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 17, 1923.

To the Assembly of the State of California.

Assembly Bill No. 1315 is returned herewith without my approval.

This bill authorizes the board of trustees of the California Farm for Women to accept donations. Under the provisions of section 366*d* of the Political Code, the board of trustees of this farm is a mere advisory board "with power of visitation and advice only in respect to the conduct of the institution". The board has no power to exercise the functions purported to be authorized in this bill, and the signing of it would be a futile act.

If this bill had been properly drawn to vest this authority in the Department of Institutions I would have had no objection to signing it. To sign it in its present form would be useless.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume:

Also: Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Also: Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended, relating to development of electric power and the disposal of same.

Also: Assembly Bill No. 420—An act to add a new section to be numbered section 8*g*, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended, relating to reports to be made by physicians to police authorities:

Also: Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of

the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other persons governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein;

Also Assembly Bill No. 133—An act to amend section 1142 of the Political Code, relating to appointment of election officers;

Also Assembly Bill No. 653—An act to add a new section to be numbered section 15*b* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds", approved June 16, 1913, relating to retirement of attendance officers.

Also Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 418—An act to repeal section 3897*a* of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the following

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 1¾ of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation;

Also Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section I of article XIII of the constitution, relating to tax exemption.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported constitutional amendments ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER I am directed to request your honorable body to return to the Senate message asking recedence from Assembly amendments to Senate Bill No. 157, transmitted May 15, 1923.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

MOTION.

Mr. Eksward moved that the request of the Senate in the above message be granted.

Motion carried.

Message ordered returned to the Senate.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 265?

AMENDMENT NUMBER ONE.

On page 2, lines 10 and 11, of the printed bill, strike out the words "in such years as the compilation of a great register of voters is required by law to be made" and insert in lieu thereof the words "in any year in which a general election is held".

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, after the word "also" insert "in such years as the compilation of a great register of voters is required by law to be made".

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, strike out lines 13, 14, 15, 16 and 17, inclusive, being all of subdivision 14, and insert in lieu thereof the following

"14. The county traffic officer twenty-four hundred dollars per annum *provided*, that in counties of this class there shall be and there are hereby allowed to the county traffic officer three deputies who shall each receive twenty-two hundred and eighty dollars per annum, which shall be paid by said county in monthly installments in the same manner, at the same times and out of the same funds as the salary of the county traffic officer is paid. Said county traffic officer shall also be allowed five additional deputies who shall serve not to exceed sixty days each in any one year and who shall be paid a salary of eight dollars per day each when actually employed. Said deputies shall be appointed by said county traffic officer, and said county traffic officer and his said deputies shall provide their own motorcycles or other vehicles and gasoline and oil for the purpose of propelling the same, and shall pay all the expense of maintaining said vehicles. All the provisions of this paragraph are to apply to the office of county traffic officer and his deputies whenever said office of county traffic officer is created by law."

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Pedrotti moved a call of the House.

Motion carried.

Time, eight o'clock and twenty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Baker, Edwin; Bernard, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dorris, Dozier, Eksward, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Spalding, Stevenot, Stow, Williams, Wright and Mr. Speaker—36.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties—and respectfully request your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 361?

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "treasurer" strike out the word "shall" and insert in lieu thereof the word "may".

AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, of the printed bill, strike out the words "Auditor or Treasurer" and insert the word "county".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the period and insert a comma and the following: "and the same penalty shall apply when a claimant applies to the court for a writ of mandate to compel the payment of a claim and the claim is allowed."

The roll was called and Senate amendments to Assembly Bill No. 361 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Doziet, Eksward, Emme, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Miller, Mitchell, T. A., Noves, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—42

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a state highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 320?

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "to" insert the following: "be used by the California highway commission for the construction and improvement of the mother lode highway, leading from Auburn in Placer county to the Sonora lateral at Sonora in Tuolumne county and to".

AMENDMENT NUMBER TWO.

In line 13 of the title of the printed bill after the word "expense" insert the word "of".

AMENDMENT NUMBER THREE.

In line 15 of the title of the printed bill preceding the word "fund" insert the word "highway".

AMENDMENT NUMBER FOUR.

Strike out all of line 15 of the title of the printed bill after the comma and all of line 16 preceding the word "creating".

AMENDMENT NUMBER FIVE.

On page 1, line 2, of the printed bill, after the word "construction" insert the following: ", acquisition, maintenance".

AMENDMENT NUMBER SIX.

On page 2, line 4, of the printed bill, strike out the words "thirty-first day of December" and in lieu thereof insert the words "the third day of July,".

AMENDMENT NUMBER SEVEN.

On page 2, line 5, of the printed bill, strike out the word "twenty-four" and in lieu thereof insert the word "twenty-five".

AMENDMENT NUMBER EIGHT.

On page 2, line 9, of the printed bill, after the period insert the following: "The state highway finance board shall determine the date or dates of maturity of the bonds to be issued and the number and numerical sequence of the bonds maturing at each date of maturity and the number, numerical sequence and the dates of maturity of the interest coupons to be attached to the said bonds."

AMENDMENT NUMBER NINE.

On page 2, lines 13 and 14, of the printed bill, strike out the words "in said resolution or resolutions" and in lieu thereof insert the words "by said state highway finance board".

AMENDMENT NUMBER TEN.

On page 2, line 52, of the printed bill, strike out the following: ": but said" and in lieu thereof insert the following: ". The governor of the state shall issue to the state treasurer such direction immediately after being requested to do so, through and by a resolution duly adopted by the state highway commission. Said resolution shall specify the amount of money which, in the judgment of said highway commission shall be required at such time and the governor of the state shall direct the state treasurer to sell such number of said bonds as may be required to raise said amount of money. Said".

AMENDMENT NUMBER ELEVEN.

On page 4, line 18, of the printed bill, strike out the word "five" and in lieu thereof insert the words "four and one-half".

AMENDMENT NUMBER TWELVE.

On page 4, line 35, of the printed bill, after the word "provisions" insert the words "and purposes".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 21, of the printed bill, strike out the following: ". Where" and in lieu thereof insert the word "for".

AMENDMENT NUMBER FOURTEEN.

On page 6 of the printed bill strike out all of line 9 following the period, all of lines 10 to 29, both inclusive, and all of line 30 preceding the word "All".

AMENDMENT NUMBER FIFTEEN.

On page 2 of the printed bill as amended in the Senate May 15, 1923, strike out the word "at" in line 9, all of line 10 and all of line 11 preceding the word "The" and in lieu thereof insert the following: "from the date of issuance of said bonds, to the date of maturity thereof at a rate to be determined by the state highway finance board but in no case exceeding five per cent per annum."

The roll was called, and Senate amendments to Assembly Bill No. 320 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—42.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 38—An act to amend section 953c of the Code of Civil Procedure, relating to record on appeal—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 38?

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the "period" and insert in lieu thereof the following: "or upon good cause being shown the court may extend time to a party to print and file a supplemental brief."

The roll was called and Senate amendment to Assembly Bill No. 38 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 3—An act to add a new section to the Civil Code, to be numbered 3051*a*, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said code—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3?

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "No" and insert in lieu thereof the words "That portion of any".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "valid" and insert in lieu thereof the word "invalid".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, after the word "writing" insert the following words, "either by personal service or by registered letter addressed".

The roll was called and Senate amendments to Assembly Bill No. 3 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Joint Resolution No. 10—Relating to protection of forests from fire—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 10?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 22 and the word "timber" in line 23, and insert in lieu thereof the words "national treasury."

AMENDMENT NUMBER TWO

On page 2, line 31, of the printed bill, after the comma following the word "America" strike out the word "and"

AMENDMENT NUMBER THREE.

On page 2, line 32, of the printed bill, after the word "California" strike out the period and insert in lieu thereof a "," and add the following words: "to the Secretary of Agriculture and to Hon. William B. Greeley, Chief Forester of the U. S. Forest Service."

The roll was called and Senate amendments to Assembly Joint Resolution No. 10 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin, Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Wright and Mr. Speaker—43.

NOES—None.

The above reported joint resolution ordered to enrollment.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles, to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—report that we have met a like committee of the Senate, consisting of Senators Carr, Ingram, and Hart, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

GRAVES,
McDOWELL,
STOW,
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE

The Speaker announced the appointment of Messrs. Bromley, Dozier and Baker, C. C., as a Committee on Free Conference to meet with a like committee from the Senate to consider Assembly amendments to Senate Bill No. 743.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 838—An act to amend section 2319*h* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 838?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of line 13 following the period and all of lines 14 to 20, both inclusive.

The roll was called and Senate amendment to Assembly Bill No. 838 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Wright, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties, and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroads and spurs, betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes and to authorize said districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1286?

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word county, insert the following: "having a population of over 50,000 people according to the last United States census,".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, after the word "created" insert the following "or at any time that the district is enlarged".

AMENDMENT NUMBER THREE

On page 2, line 17, of the printed bill, strike out after the word "purposes" the following "and for the purpose of forming such harbor district and said governing body is hereby granted the powers necessary or convenient to accomplish such purposes" and insert in lieu thereof "and said governing body is hereby granted the powers necessary or convenient to accomplish such purposes, and also the power to form such harbor district."

The roll was called, and Senate amendments to Assembly Bill No. 1286 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Bernard, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—46

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 746?

AMENDMENT NUMBER ONE.

On page 1, line 14, of the amended bill, after the word "board," strike out the period and insert in lieu thereof a semicolon and the following: "*provided, however*, that this shall not apply where the law provides that the purchasing of standard school supplies and equipment shall be done by county superintendents of schools or county purchasing agents".

The roll was called, and Senate amendment to Assembly Bill No. 746 was concurred in by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Burns, Christian, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Fellom, Foster, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—44.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May, 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 318—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the distribution of a water supply.—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 318?

AMENDMENT NUMBER ONE.

Strike out the word "two" in line 1 of the title, and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TWO.

In lines 10 and 11 of the title, strike out the following: ", relating to the distribution of a water supply".

AMENDMENT NUMBER THREE.

On page 1, in line 1, of the printed bill, strike out the word "two" and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER FOUR.

Strike out all of lines 11 to 19, inclusive, and on page 1 and lines 1 to 28, inclusive, on page 2 of the printed bill, and insert in lieu thereof the following:

"SEC. 29. *Subdivision first.* The expenses incurred for any work authorized by this act (which expense shall not include the cost of any work done in such portion of any street, as is required by law to be kept in order or repair by any person or company having railroad tracks thereon, nor include work which shall have been declared in the resolution of intention to be assessed on a district benefited) shall be assessed upon the lots and lands fronting thereon, except as otherwise in this act specifically provided; each lot or portion of a lot being separately assessed, in proportion to the frontage, at a rate per front foot sufficient to cover the total expense of the work.

Subdivision second. The expense of the work done on main street crossings shall be assessed at a uniform rate per front foot of the quarter blocks and irregular blocks adjoining and cornering upon the crossings, and separately upon the whole of each lot or portion of a lot having any frontage in the said blocks fronting on said main streets, half way to the next main street crossing, or to the end of such street if it does not meet another, and all the way on said blocks to a boundary line of the city where no such crossing intervenes, but only according to its frontage in said quarter blocks and irregular blocks.

Subdivision third. Where a main street terminates in another main street, the expenses of the work done on one-half of the width of the street opposite the termination shall be assessed upon the lots in each of the two quarter blocks adjoining and cornering on that side, according to the frontage of such lots on said main streets, and the expense of the work on the other half of the width of said street when the work is sewering of the terminating street only, shall be assessed upon the lots fronting on the termination and the lots adjacent to said lots on each side half way from the termination to the next terminating or intersection street, according to the frontage of such lots on that side, and in all other work done on the termination, the property fronting on the termination shall be considered frontage and be assessed as set forth in subdivision first of this section.

Subdivision fourth. Where any alley or subdivision street crosses a main street, the expense of all work done on said crossing shall be assessed on all lots or portions of lots half way on said alley or subdivision street to the next crossing or intersection, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision fifth. The expense of work done on alley or subdivision street crossings shall be assessed upon the lots fronting upon such alley or subdivision streets on each side thereof, in all directions, half way to the next street, place or court, on either side, respectively, or to the end of such alley or subdivision street, if it does not meet another.

Subdivision sixth. Where a subdivision street, avenue, lane, alley, place or court terminates in another street, avenue, lane, alley, place or court, the expense of the work done on one-half of the width of the subdivision street, avenue, lane, alley, place, or court opposite the termination, shall be assessed upon the lot or lots fronting on such subdivision street, avenue, lane, alley, place or court so terminating, according to its frontage thereon, half way, on each side respectively, to be next street, avenue, lane, alley, place or court or to the end of such street, avenue, lane, alley, place or court, if it does not meet another, and the expense of the work on the other half of the width when the work is sewering of the terminating subdivision street, avenue, lane, alley, place or court, shall be assessed upon the lots fronting on the termination and the lots adjacent to said lots on each side half way from the termination to the next terminating or intersecting street, according to the frontage of such lots on that side, and in all other work done on the termination the property fronting on the termination shall be considered frontage and be assessed as set forth in subdivision one of this section.

Subdivision seventh. Where any work mentioned in this act (manholes, sewers, cesspools, culverts, crosswalks, piling and capping excepted) is done on one side of the center line of any street, or sewering or resewering is ordered to be done under the sidewalk on only one side of any street for any length thereof, the assessment for the expenses thereof shall be made only upon the lots and lands fronting nearest upon that side of the street and for intervening intersections only upon the two quarter blocks adjoining and cornering upon that side.

Subdivision eighth. Whenever any lot, piece or parcel of land belonging to the State of California, or any lot, piece or parcel of land belonging to any county, city, public agent, mandatory of the government, school board, educational, penal or reform institution, or institution for the feeble-minded or the insane, fronts upon the proposed work or improvement or is included within the district declared by the city council in the resolution of intention to be the district to be assessed to pay the costs and expenses thereof, the city council may, in its discretion, in the resolution of intention declare that said lots, pieces or parcels of land so owned, or any of them, shall be omitted from the assessment to be made to cover the costs and expenses of said work or improvement. In the event that said lots, pieces or parcels of land, or any of them, shall by said resolution be omitted from the assessment, then the total expense of all work done shall be assessed on the remaining lots fronting on the work or improvement, or lying within the limits of the assessment district without regard to such omitted lots, pieces or parcels of land, and in the event any such lot, piece or parcel of land be not so omitted from the assessment, then any sum or sums thereafter assessed against the same shall be payable by the county or city owning the same, or by such public agent, mandatory of the government, school board, educational, penal or reform institution, or institution for the feeble-minded or the insane, where such agent, mandatory, board or institution is authorized by law to possess, control and administer its own funds; and if such agent, mandatory or institution be not so authorized by law then the assessments upon such lots, pieces or parcels of land, shall be paid out of the general fund of the city, or such other fund as the council may designate; *provided, however,* that where any lot, piece or parcel of land belonging to the United States is included in the assessment district the same shall be omitted from the assessment, unless the council shall declare in the ordinance of intention that such lot, piece or parcel shall be included in the assessment, and that the amount thereafter assessed against the same shall be paid out of the general or other fund of the city.

Subdivision ninth. It shall be lawful for the owner or owners of lots or lands fronting upon any street, the width and grade of which have been established by the city council, to perform, at his or their own expense (after obtaining permission from

the council so to do, but before said council has passed its resolution of intention to order grading inclusive of this), any grading upon said streets, to its full width, or to the center line thereof, and to its grade as then established, and thereupon to procure at his or their own expense, a certificate from the city engineer, setting forth the number of cubic yards of cutting and filling made by him or them in said grading, and the proportions performed by each owner, and that the same is done to the established width and grade of said street, or to the center line thereof, and thereafter to file said certificate with the superintendent of streets, which certificate the superintendent shall record in a book kept for that purpose in his office, properly indexed. Whenever thereafter the city council orders the grading of said street, or any portion thereof, on which any grading certified as aforesaid has been done, the bids and contracts must express the price by the cubic yard for cutting and filling in grading; and the said owner or owners and his or their successors in interest shall be entitled to credit, on the assessment upon his or their lots and lands fronting on said streets for the grading thereof, to the amount of the cubic yards of cutting and filling set forth in his or their certificate, at the prices named in the contract for said cutting and filling; or, if the grade meanwhile has been duly altered, only for so much of said certified work as would be required for grading to the altered grade; *provided, however*, that such owner or owners shall not be entitled to such credit as may be in excess of the assessments for grading upon the lots and lands owned by him or them, and proportionately assessed for the whole of said grading, and the superintendent of streets shall include in the assessment for the whole of said grading upon the same grade the number of cubic yards of cutting and filling set forth in any and all certificates so recorded in his office, or for the whole of said grading to the duly altered grade so much of said certified work as would be required for grading thereto, and shall enter corresponding credit, deducting the same as payments upon the amounts assessed against the lots and lands owned, respectively, by said certified owners and their successors in interest; *provided, however*, that he shall not so include any grading quantities or credit any sums in excess of the proportionate assessments for the whole of the grading which are made upon any lots and lands fronting upon said street and belonging to any such certified owners or their successors in interest. Whenever any owner or owners of any lots and lands fronting on any street shall have heretofore done, or shall hereafter do any work (except grading), on such street, in front of any block, at his or their own expense, and the city council shall subsequently order any work to be done of the same class in front of the same block, said work so done at the expense of such owner or owners shall be excepted from the order ordering work to be done, *provided*, that the work so done at the expense of such owner or owners, shall be upon the official grade, and in condition satisfactory to the street superintendent at the time said order is passed.

Subdivision tenth. Whenever the resolution of intention declares that the cost and expenses of the work and improvement are to be assessed upon a district, the city engineer shall make a diagram of the property affected or benefitted by the proposed work or improvement, as described in resolution of intention, and to be assessed to pay the expenses thereof. Such diagram shall show each separate lot, piece or parcel of land, the area in square feet of each of such lots, pieces or parcels of land, and the relative location of the same to the work proposed to be done, all within the limits of the assessment district, and when said diagram shall have been approved by the city council, the clerk shall certify the fact and date thereof. Immediately thereafter the said diagram shall be delivered to the superintendent of streets of said city, who shall, after the contractor of any street work has fulfilled his contract to the satisfaction of said superintendent of streets or city council on appeal, proceed to estimate upon the lands, lots or portions of lots within said assessment district, as shown by said diagram, the benefits arising from such work, and to be received by each such lot, portion of such lot, piece or subdivision of land, and shall thereupon assess upon and against said lands in said assessment district the total amount of the costs and expenses of such work, and in so doing shall assess said total sum upon the several pieces, parcels, lots or portions of lots, and subdivisions of land in said assessment district benefited thereby, to-wit: upon each respectively, in proportion to the estimated benefits to be received by each of said several lots, portions of lots, or subdivisions of land. In other respects the assessment shall be as provided in the next section, and the provisions of subdivisions one, two, three, four, five, six and seven of this section shall not be applicable to the work or improvement provided for in this subdivision.

Subdivision eleventh. The terms, lot, lots, lands, piece or parcel of land wherever mentioned in this act shall be deemed to include and shall include property owned or controlled by any person, firm or corporation as a railroad, street or interurban railroad right of way, and whenever a railroad, street or interurban railroad right of way shall front on or abut or parallel or be included with or divide longitudinally any street improved under the provisions of this act or shall be included within any district to be assessed for the cost of any improvement provided in this act, such railroad right of way (whether the same is owned in fee or as an easement) shall be included in the warrant, assessment and diagram and shall be assessed in the manner and with the same effect as other lots, lands or pieces or parcels of land

are assessed as provided in this act, and such railroad, street or interurban railroad right of way shall be subject to sale for nonpayment of assessments as in this act provided."

The roll was called, and Senate amendments to Assembly Bill No. 318 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carlson, Christian, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—None

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by adding a new section thereto to be numbered section 64—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 893?

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill after the comma following the word "purposes" insert quotation marks.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill strike out the quotation marks following the comma after the numbers "1897" and insert in lieu thereof the following: "as amended,".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, after the comma insert quotation marks.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, strike out the quotation marks after the comma following the numbers "1897" and in lieu thereof insert the following: "as amended,".

AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, strike out the words "domestic animal" and in lieu thereof insert the words "hog or hogs".

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the words "such animal" and in lieu thereof insert the words "any of such hogs".

AMENDMENT NUMBER SEVEN.

On page 1, line 14, of the printed bill, strike out the words "such animal" and in lieu thereof insert the words "hog or hogs".

The roll was called and Senate amendments to Assembly Bill No. 893 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Burns, Carter, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Fellom, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—Christian—1

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, by adding subdivision sixth, relating to the improvement of streets—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1136?

AMENDMENT NUMBER ONE.

On page 2 of the printed bill strike out all of lines 26 to 30, inclusive, and insert in lieu thereof the following: "of any municipality, and shall have power to pay any special assessments based upon benefits, for public or local improvements, upon any real property owned or controlled by them, levied in proceedings taken under any of the general laws of the State, or under the provisions of the charter of any municipality, whenever such real property is situated within special assessment districts described in the ordinance of intention in such proceedings, and to appropriate money to pay such special assessments."

The roll was called, and Senate amendment to Assembly Bill No. 1136 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 711—An act to add a new section to the Penal Code, to be numbered 207*a*, relating to punishment for kidnaping when committed by the use of an automobile—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 711?

AMENDMENT NUMBER ONE.

Commencing at the word "and" in the second line of the title, strike out down to and including the "comma" after the letter "*a*" and before the word "relating" on the third line of the title.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, commencing at the word "every" strike out the rest of the bill to and including the "period" after the word "trial" on line 16, same page, and insert in lieu thereof, the following: "Kidnapping is punishable by imprisonment in the State prison not less than one nor more than twenty-five years."

The roll was called, and Senate amendments to Assembly Bill No. 711 were concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended and on this day adopted as amended Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9a, relative to taxation—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 57?

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed amendment, omit the letter "s" in the word "years".

The roll was called, and Senate amendment to Assembly Constitutional Amendment No. 57 was concurred in by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—Carter—1.

The above constitutional amendment ordered to enrollment.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, strike out the word "twelve" inserting in lieu thereof the word "five", and strike out the words "four hundred five" on same line.

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 18—An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Carlson, Clarke, Cleary, Crittenden, Davis, Eksward, Emme, Fellom, Foster, Fox, Graves, Hornblower, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Burns, Carter, Christian, Connolly, Coombs, Dawson, Fulwider, Johnston, Moore, and Scott—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 452—An act to amend section 7 of, and to add a new section to be numbered 2*a* to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities," approved March 18, 1885, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 452 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dozier, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Mitchell, T. A., Moore, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Snyder, Spalding, Spence, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—50.

NOES—Jones—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 214—An act to amend section 626*c* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 214 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bernard, Bromley, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Donohue, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Burns—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 740—An act to add a new section to the Code of Civil Procedure, to be numbered 1054*a*, relating to the postponement of a trial and the extension of time within which an act is to be done when the attorney of record in or the party to any action is in attendance upon a session of the Legislature as a member thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 740 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dozier, Eksward, Emme, Foster, Fox, Fulwider, Graves, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McMillan, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Burns—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 409—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 finally passed by the following vote:

AYES—Anderson, Badham Baker, Edwin Bernard, Bromley, Carlson, Christian, Clarke, Connolly, Crittenden, Croter, Davis, Dawson, Donohue, Eksward, Emme, Foster, Fox Fulwider, Graves, Hornblower, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Stevenot, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Burns—1

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 737—An act to amend section 664 of the Penal Code, relating to the punishment of attempts to commit crimes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 737 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Emme, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Bernard, and Burns—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 296—An act to amend section 52 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilites, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Crittenden, Croter, Davis, Emme, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McDowell, McMillan, Miller, Mitchell, T A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, and Wright—47.

NOES—Baker, Edwin, Bernard, Carter, Coombs, Johnston, Williams, and Mr. Speaker—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 329—An act to amend sections 258 and 259 of the Code of Civil Procedure, relating to court commissioners, and to add a new section to said Code of Civil Procedure to be numbered 260, relating to the salary of court commissioners in counties of the first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 329 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bernard, Burns, Carlson, Coombs, Crittenden, Croter, Dawson, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, West, Williams, and Wright—49.

NOES—Christian, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 13—An act to amend section 3247 of the Political Code, relating to preference on public contracts and furnishing supplies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 13 finally passed by the following vote.

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bromley, Burns, Carlson, Carter, Christian, Coombs, Crittenden, Croter, Davis, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hornblower, Lyman, Lyons, Mathews, McDowell, McPherson, Mitchell, T. A., Morris, Morrison, Pedrotti, Pomeroy, Reindollar, Roberts, Rock, Rosenshine, Schmidt, Scott, Smith, Spalding, Spence, West, Whitacre, and Wright—43.

NOES—Bernard, Clarke, Cleary, Cleveland, Connolly, Dawson, Donohue, Dozier, Duval, Heisinger, Johnson, Johnston, Jones, McMillan, Miller, Moore, Noyes, Prendergast, Saylor, Snyder, Stevenot, Stow, Weller, Williams, Woodbridge, and Mr. Speaker—26.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 447—An act creating the Peninsula Development Board, conferring powers thereon and providing for the exercise thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 447 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 696—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform, to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 696 finally passed by the following vote:

AYES—Badham, Baker, Edwin; Bernard, Bromley, Christian, Cleary, Cleveland, Coombs, Croter, Davis, Dawson, Dozier, Duval, Eksward, Emme, Erb, Fulwider, Graves, Lyman, Lyons, Mathews, McDowell, McPherson, Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Woodbridge, and Wright—42.

NOES—Broughton, Burns, Clarke, Donohue, Dorris, Fellom, Foster, Fox, Heisinger, Hornblower, Johnson, Johnston, Jones, Miller, Mitchell, T. A., Rosenshine, Schmidt, Scott, Smith, West, Williams, and Mr. Speaker—22.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 531—An act to amend section 653c of the Penal Code, relating to hours of labor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 finally passed by the following vote:

AYES—Badaracco, Badham, Bernard, Broughton, Burns, Carter, Christian, Connolly, Coombs, Cruttenden, Croter, Davis, Dawson, Donohue, Dorris, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyons, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Smith, Spalding, Spence, Stevenot, Weller, West, Williams, Wright, and Mr. Speaker—50.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 732—An act to amend section 1195*a* of the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 732 finally passed by the following vote:

AYES—Badaracco, Baker, Edwin; Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Cruttenden, Davis, Dawson, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Heisinger, Johnson, Lyman, Lyons, Mathews, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding,

Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—51.

NOES—Carter—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 445—An act to add a new section to the Political Code, to be numbered section 362*f*, relating to the powers of the State Department of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 445 finally passed by the following vote:

AYES—Badaracco, Baker, Edwin, Bernard, Broughton, Cleary, Cleveland, Connolly, Crittenden, Davis, Dawson, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr Speaker—46.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 450—An act to amend section 15 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school, teachers' retirement fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and repealing an act entitled "An act to add a new section to the Political Code, to be numbered 1527*a*, relating to retirement salaries of teachers employed in State schools and State institutions," approved June 1, 1921, and repealing an act entitled "An act to provide for teachers employed by the California Polytechnic, the Whittier State School, the California School for Girls, the Preston School of Industry, and the California School for the Deaf and Blind holding valid certificates in this State being made subject to the burdens and entitling them to all the benefits of an act entitled 'An act to provide for the payment of retirement salaries to public school teachers; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the usese of said funds,' approved June 16, 1913," approved May 3, 1919, relating to retirement salaries of teachers employed by State schools, State institutions, and the State Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 450 finally passed by the following vote:

AYES—Badaracco, Bernard, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Eksward, Emme, Foster, Fulwider, Heisinger, Hornblower, Johnson, Jones, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar,

Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

ASSISTANT CLERK WESTMAN READING.

Senate Bill No. 465—An act to amend section 1609 of the Political Code, relating to the employment of principals, teachers, and other employees by boards of school trustees and city boards of education, and tenure of office by teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 finally passed by the following vote:

AYES—Anderson, Badaracco, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Coombs, Crittenden, Davis, Dawson, Donohue, Eksward, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Mathews, McDowell, McPherson, Miller, Mitchell, T. A., Moore, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Baker, Edwin, Dozier, Duval, and Lyons—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 488—An act to amend sections 2322, 2322*a*, 2322*b*, 2322*c*, 2322*d*, 2322*e*, 2322*f*, 2322*g*, 2322*h*, 2322*i*, and 2322*j* of the Political Code, relating to agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 488 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Cleveland, Crittenden, Croter, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Fox, Fulwider, Johnson, Johnston, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—Carter, Eksward, Foster, Graves, and Heisinger—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 429—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to persons or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 429 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Bernard, Burns, Coombs, Crittenden Davis, Dawson, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Graves, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morris, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, and Woodbridge—47.

NOES—Cleveland, Dozier, Moore, Wright, and Mr. Speaker—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a railroad commission, to define its powers and duties and the rights, remedies, powers, and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs Baker, Edwin, Wright, Pedrotti, Jones and Fulwider demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 537.

The roll was called, and Senate Bill No. 537 refused passage by the following vote:

AYES—Badham, Baker, Edwin; Bromley, Burns, Carter, Christian, Cleveland, Crofer Davis Dawson, Eksward, Emme Graves Pedrotti, Pomeroy, Reindollar, Roberts, Smith Snyder Spence, Weller, and Whitacre—22.

NOES—Anderson Badaracco, Baker C. C., Bernard, Broughton, Clarke, Cleary, Connolly, Coombs Crittenden Donohue, Dorris, Dozier Erb, Fellom, Foster, Fulwider, Heisinger, Hornblower, Johnson, Johnston, Jones, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, T A, Moore, Morris Morrison, Mueller, Neves, Prendergast, Rock, Rosenshine, Saylor, Schmidt, Scott, Spalding, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—47.

Senate Bill No. 461—An act to amend sections 2, 4, 5, 7, 10, 43 and 44 of and to add two new sections to be numbered 1*a* and 10*a* to, and to repeal section 25 of an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisors, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees, providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings, creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and

making an appropriation for the purposes of this act," approved June 10, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 461 finally passed by the following vote:

AYES—Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Burns, Carlson, Christian, Cleveland, Coombs, Crittenden, Croter, Dawson, Donohue, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Moore, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, Whitacre, Williams, Wright, and Mr. Speaker—52.

NOES—Anderson, and Carter—2

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 478—An act to amend an act known as the "Water Commission Act" and entitled "An act to regulate the use of water which is subject to such control by the State of California, and in that behalf creating a State Water Commission; specifying and providing for the appointment of the members of said commission; fixing the terms of office and compensation of the members of said commission; fixing the powers, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission; providing for the removal from office of the appointed members of said commission, providing for the cooperation of courts with said commission; providing that certain courts shall take judicial notice of certain acts of the State Water Commission; specifying the duties of all persons summoned as witnesses before said commission or any of its members; appropriating money for carrying out the provisions of this act; providing for the payment of the indebtedness and expenses of said commission, its members and employees; declaring what water is unappropriated, providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require; declaring what water may be appropriated; declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation; declaring the duties of those who desire to appropriate water; declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water; providing for the ascertainment and adjudication of water rights, providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the attorney general, for the quieting of title to water rights, specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain conditions; regulating the appropriation of water; excepting cities, cities and

counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act, defining certain words and terms used in this act; repealing all acts or parts of acts in conflict with this act; declaring how this act shall be known; making legislative declaration concerning those parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended, by amending sections 1, 6, 7, 16, 17, 18, 19, 20*a*, 34, 35, 36, 36*a*, 36*c*, 36*d*, 37 and 37*c* thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 478 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Donohue, Duval, Erb, Foster, Fulwider, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rock, Rosenshine, Scott, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—47.

NOES—Baker, Edwin, Carter, Christian, Cleveland, Connolly, Eksward, and Graves—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 487—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37*f*, relating to compensation and travel expenses of water masters.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Christian, Moore, Spalding and Pedrotti demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 487.

The roll was called, and Senate Bill No. 487 refused passage by the following vote:

AYES—Anderson, Clarke, Cleary, Crittenden, Croter, Donohue, Emme, Fox, Hornblower, Johnson, Lyons, McDowell, McPherson, Miller, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, West, and Williams—25.

NOES—Baker, C. C., Baker, Edwin, Bernard, Broughton, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnston, Jones, McMillan, Moore, Noyes, Pomeroy, Rock, Schmidt, Scott, Stow, Whitacre, Wright, and Mr. Speaker—34.

Senate Bill No. 212—An act to add a new section to the Political Code to be numbered 1731*a*, relating to the formation of a consolidated school district and for the government of the elementary and secondary schools therein by a Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 212 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Broughton, Carlson, Clarke, Croter, Davis, Donohue, Dorris, Emme, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Lyman, McMillan, McPherson, Miller,

Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Carter, Cleveland, Connolly, Dawson, Dozier, Eksward, Jones, and Prendergast—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 143—An act limiting the hours of labor of females employed as personal or domestic servants and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act and for permitting or suffering any overseer, superintendent, foreman, housekeeper, or any other agent of any such employer to violate the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 143 refused passage by the following vote:

AYES—Anderson, Badaracco, Broughton, Burns, Carlson, Carter, Coombs, Crittenden, Croter, Donohue, Dorris, Emme, Erb, Fellom, Fox, Hornblower, Johnston, Kline, Lyons, McMillan, McPherson, Mitchell, T. A., Morris, Morrison, Pedrotti, Reindollar, Roberts, Rock, Schmidt, Scott, West, Whitacre, Wright, and Mr. Speaker—37.

NOES—Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Christian, Clarke, Cleary, Cleveland, Davis, Dawson, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Moore, Pomeroy, Prendergast, Rosenshine, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, Williams, and Woodbridge—34.

Senate Bill No. 293—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the state under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof and adding a new section to be numbered section 3a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 293 refused passage by the following vote:

AYES—Anderson, Carlson, Clarke, Cleary, Crittenden, Croter, Donohue, Dorris, Emme, Erb, Foster, Heisinger, Johnson, Jones, Kline, Lyons, McDowell, McMillan, McPherson, Moore, Morris, Morrison, Noyes, Pedrotti, Reindollar, Rosenshine, Schmidt, Snyder, Spence, Stevenot, West, Whitacre, Williams, and Woodbridge—34.

NOES—Badham, Baker, Edwin, Bernard, Broughton, Carter, Christian, Cleveland, Connolly, Coombs, Davis, Dawson, Dozier, Duval, Eksward, Fellom, Fox, Fulwider, Graves, Johnston, Mathews, Miller, Prendergast, Rock, Saylor, Scott, Smith, Spalding, Stow, Weller, Wright, and Mr. Speaker—31.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and forty-three minutes p.m., Mr. Christian moved that further proceedings under call of the House be dispensed with.

Motion lost

MOTION TO RECONSIDER.

Mr Wright moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 524 was refused passage be continued until the next legislative day.

Motion carried.

MOTION.

Mr. Badaracco moved that his resolution as printed on page 65 of the Journal of Thursday, May 10, 1923, be taken up for consideration at this time

Motion carried.

RESOLUTION.

The following resolution was offered:

By Mr. Badaracco:

WHEREAS, During the Sixty-sixth Congress of the United States, in order to carry out the provisions of the eighteenth amendment to the constitution, there was enacted into law an enforcement measure which is known as "Public Sixty-six of the Sixty-sixth Congress," which act limits the alcoholic content of liquids used for beverage purposes, to one-half of one per cent by volume, and

WHEREAS, One of the chief industries of the State of California is the culture of wine grapes, which industry has been fostered by the State government for many years; and

WHEREAS, Light wines with a limited alcoholic content are only intoxicating when used to excess, and

WHEREAS, An agricultural depression is known to exist in the United States which might be stimulated by allowing the manufacture of beer which shall not contain an excessive amount of alcohol, and

WHEREAS, It has been fully demonstrated in the State of California that a majority of the people desire a modification of the stringent provisions of said act; now, therefore, be it

Resolved by the Assembly, That this body approves of a modification of the act known as "Public Sixty-six of the Sixty-sixth Congress" to the end that the definition of intoxicating beverages as therein contained be changed to allow the manufacture and sale of beer, and wine, and be it further

Resolved, That a copy of this resolution be sent, by the Chief Clerk of the Assembly, to the President of the United States and to all of our Representatives from the State of California in the Congress of the United States

Mr. Badaracco moved the adoption of the resolution.

The question being on the adoption of the resolution.

REQUEST FOR A ROLL CALL.

On request of Messrs. Bernard, Heisinger, Spalding, Wright and Baker, Edwin, the Speaker ordered a roll call taken on the adoption of the resolution.

The question being on the adoption of the resolution

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

AYES—Anderson, Badaracco, Burns, Christian, Connolly, Coombs, Croter, Donohue, Dozier, Eksward, Erb, Fellom, Fox, Fulwider, Hornblower, Johnston, Mathews, McPherson, Mitchell, T. A., Morris, Morrison, Pedrotti, Reindollar, Rock, Rosenshine, Schmidt, Spence, Stevenot, and West—29.

NOES—Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Carter, Clarke, Cleary, Crittenden, Davis, Dawson, Dorris, Duval, Foster, Graves, Heisinger, Johnson, Jones, Kline, Lyman, Lyons, McDowell, McMillan, Miller, Moore, Noyes, Pomeroy, Prendergast, Roberts, Saylor, Snyder, Spalding, Stow, Weller, Williams, Wright, and Mr. Speaker—38.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Carter asked for and was granted unanimous consent to take up Senate Constitutional Amendment No. 25, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY-FIVE.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to sections 1, 5, 11, 12, 23 and 24 of articles VI of the constitution of the State of California relative to the Judicial Department.

Senate Constitutional Amendment No 25 read.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Carter moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended May 14, 1923, strike out all of lines 7 to 12, inclusive, and insert in lieu thereof the following

"The superior courts shall have appellate jurisdiction in such cases arising in municipal and other inferior courts in their respective counties or cities and counties as may be prescribed by law. The legislature may, in addition to any other appellate jurisdiction of the superior courts, also provide for".

Motion carried.

The Speaker appointed Mr. Carter as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR SPEAKER. Your Select Committee of One, to which was referred Senate Constitutional Amendment No 25, with instructions, reports that the instructions of the Assembly have been carried out.

CARTER, Select Committee.

Report of Select Committee of One and amendment adopted.

Senate Constitutional Amendment No. 25 ordered to reprint, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Morris asked for and was granted unanimous consent to take up Senate Bill No. 547, at this time, without reference to file, for the purpose of amending.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED FORTY-SEVEN.

Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Bill read third time.

MOTION TO REFER TO SELECT COMMITTEE OF ONE.

During third reading of the bill, Mr. Morris moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "who" insert the following: "for hire or remuneration".

Motion carried.

The Speaker appointed Mr. Morris as such Select Committee.

REPORT OF SELECT COMMITTEE OF ONE.

The following report of Select Committee of One was received and read:

MR. SPEAKER: Your Select Committee of One, to which was referred Senate Bill No. 547, with instructions, reports that the instructions of the Assembly have been carried out.

MORRIS, Select Committee.

Report of Select Committee of One and amendment adopted.

Bill ordered to reprint, and on file for passage.

MOTION TO WITHDRAW BILL.

Mr. Carlson moved that Senate Bill No. 470 be withdrawn from the Committee on Ways and Means, and placed upon the file for passage.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Carter, Eksward, Lyons, Heisinger and Spalding, demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the motion by Mr. Carlson to withdraw Senate Bill No. 470 from the Committee on Ways and Means.

The roll was called, and the motion to withdraw Senate Bill No. 470 carried by the following vote:

AYES—Anderson, Badaracco, Broughton, Burns, Carlson, Clarke, Coombs, Crittenden, Croter, Dawson, Donohue, Dorris, Emme, Erb, Fellom, Fox, Heisinger, Hornblower, Johnson, Jones, Lyman, Mathews, McDowell, Miller, Mitchell, T. A., Morris, Morrison, Prendergast, Reindollar, Rock, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, and Woodbridge—42.

NOES—Badham, Baker, C. C., Carter, Cleary, Cleveland, Connolly, Davis, Dozier, Eksward, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Moore, Noyes, Pomeroy, Roberts, Snyder, Weller, Williams, Wright, and Mr. Speaker—25.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Mr. Connolly:

RELATIVE TO THE APPOINTMENT BY THE GOVERNOR OF COMMITTEES TO INVESTIGATE THE VARIOUS STATE INSTITUTIONS.

WHEREAS, The rapid increase in the State's expenditures for the various State institutions and the biennial demands for larger appropriations becomes more insistent at each session of the Legislature; and

WHEREAS, That at the present session of the Legislature the heads of some institutions have stated that the institutions under their direction can not properly function with the appropriations allotted to them under the present budget; and

WHEREAS, These statements have created in the minds of the people of the State of California a feeling that such institutions are not managed as skillfully and as economically as they might be; and

WHEREAS, As demonstrated by the last general election it is the opinion of the electors of this State that all institutions should be able to economically function with the funds allotted to them; now, therefore, be it

Resolved by the Assembly, That His Excellency Governor Friend Wm Richardson be and he is hereby respectfully requested to appoint from each community in which is located a State institution, a committee of three qualified citizens, who shall serve without compensation and whose duty it shall be to investigate the needs and the general management of such institution in order that the next Legislature may be better informed in regard to the needs and the management of such institution, and be it further

Resolved, That said committees report their findings and recommendations to the Governor in writing for transmittal to the Legislature when it convenes in January, 1925.

MOTION.

Mr. Carter moved that the above resolution be printed in the Journal. Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and forty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Wright.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 265 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Foster, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McDowell, McMillan, Miller, Mitchell, T. A., Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Schmidt, Spalding, Stevenot, Stow, West, Whitacre, Williams, Wright, and Mr. Speaker—49.

NOES—None.

The above reported bill ordered to enrollment.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senate Bill No. 470—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo park in Contra Costa County.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At eleven o'clock and fifty-one minutes p.m., on motion of Mr. Carter, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Friday, May 18, 1923

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 18, 1923.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin; Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crofer, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnson, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Bishop William H. Moreland, Chaplain of the Assembly.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Spence, Judge James G. Quinn of Oakland was extended the privilege of the floor of the Assembly for this day, and his name ordered printed in the Journal

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Christian, its further reading was dispensed with.

ASSISTANT CLERK WAESTMAN READING.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—and appointed Senators Hart, Carr and Ingram, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1166—An act to amend sections 2924 and 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance—and appointed Senators Swing, Eden and Rominger, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker announced the appointment of Messrs. Kline, Hornblower and Spence as a Committee on Conference to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 1166.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions.

Also Assembly Bill No 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended,

Also Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act, and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May, 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported concurrent resolution ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May, 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 743 the following Senators Breed, Gates E. J., and Johnson, M. B., to meet with a like committee from your honorable body.

J. A BEEK Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion—and respectfully requests your honorable body to concur in said amendment.

J. A BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 427?

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "case" insert the following: "by code number".

The roll was called.

CALL OF THE HOUSE

Pending the announcement of the vote, Mr. Graves moved a call of the House.

Motion carried.

Time, nine o'clock and fifty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Badham, Ball, Bernard, Carter, Cleary, Davis, Dean, Donohue, Duval, Fellom, Graves, McMillan Noyes, Pedrotti, Reindollar, Spalding, West, Williams, Wright, and Mr. Speaker—20.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF THE HOUSE BY UNANIMOUS CONSENT.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 816—An act to amend sections 6 and 9 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 816?

AMENDMENT NUMBER ONE.

In line 1 of the title after the word "nine" insert the following: "and four".

AMENDMENT NUMBER TWO.

In line 1 of the title after the words "nine of" insert the following: "and to add a new section to be numbered section 7*a* to".

AMENDMENT NUMBER THREE

A new section is hereby added to said act approved March 24, 1903, to be numbered section 7*a* and to read as follows:

"SEC. 7*a*. In the ordinance ordering the improvement to be made, or thereafter, the legislative body of the municipality may order that moneys of the municipality may be deposited in court in such amount, or amounts, as the court, in which said action may be pending, may determine to be reasonably adequate to secure the owners, of the property sought to be taken immediate payment of just compensation for such property taken and any damages thereto, including damages sustained by reason of adjudication that there is no necessity for taking the property, as soon as the same can be ascertained according to law, and may thereupon take immediate possession of such property; such moneys shall be held by the court until payment to the several defendants, or into court for their benefit, of the amount or amounts awarded to such defendants, and thereupon shall be returned to said municipality."

The roll was called, and Senate amendments to Assembly Bill No. 816 were concurred in by the following vote:

AYES—Badham, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Fox, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, Mitchell, A. G., Moore, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Williams, Wodbridge, Wright, and Mr. Speaker—42.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 277—An act to repeal section 3*a* of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 277?

AMENDMENT NUMBER ONE.

Strike out the title of the bill and substitute the following:

"An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this state and providing penalties and

forfeitures for noncompliance," approved May 10, 1915, as amended, by amending sections 1, 6, 10 and 15 thereof, and to repeal sections 3a, 7 and 8 thereof."

AMENDMENT NUMBER TWO.

Strike out all of lines 1 to 14, inclusive, and substitute the following:

"SECTION 1. Section 1 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this state and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended, is hereby amended to read as follows

Section 1. Every corporation organized under the laws of another state, territory, or of a foreign country, which is now doing intrastate business in this state or maintaining an office herein for such purpose, and which has not filed with the secretary of state prior to the day on which this act takes effect the document or documents required by this section, or which shall hereafter do such business in this state or maintain an office herein for such purpose or which shall enter this state for the purpose of doing such business herein, must file in the office of the secretary of state of the State of California a certified copy of its articles of incorporation, or of its charter, or of the statute or statutes, or legislative, or executive, or governmental act or acts creating it, in cases where it has been created by charter, or statute, or legislative, or executive, or governmental act, duly certified by the secretary of state or other officer authorized by the law of the jurisdiction under which such corporation is formed to certify such copy, and must also file a certified copy thereof, duly certified by the secretary of state of this state in the office of the county clerk of the county where its principal place of business in this state is located, and also where such corporation owns any real property. With such certified copy of its articles of incorporation, charter, or legislative, executive or governmental act creating it, such corporation shall also file with the secretary of state an affidavit sworn to by any officer of such corporation, which shall state the amount of such corporation's authorized capital stock at or within fifteen days prior to such filing. Every such corporation shall pay to the secretary of state for filing in his office such certified copy of its articles of incorporation, or of its charter, or of the statute or statutes, or legislative, or executive, or governmental act or acts creating it, a fee of seventy-five dollars; *provided*, that foreign corporations organized for educational, religious, scientific or charitable purposes and having no capital stock, and foreign nonprofit corporations shall pay a fee of five dollars for filing the document or documents hereinabove required Such corporation shall also file any amendment of or change in any of the provisions of its original articles of incorporation, or charter, or of the statute or legislative, executive or governmental act or acts creating it. Every foreign corporation subject to the tax hereinafter provided shall file with the secretary of state, at the time it tenders payment of said tax and any penalty which has accrued, an affidavit sworn to by any officer showing the amount of its authorized capital stock on the first day of January of the year in which said payment is made and in the event that such authorized capital stock, as shown by such affidavit, differs from the amount of such capital stock as appears from the records of the secretary of state, then the tax hereinafter provided shall be measured by the amount of the capital stock shown in such affidavit. The license hereinafter required shall not be issued nor shall the amount so tendered be accepted until copies of any documents relating to such change in authorized capital stock, certified as required by this section, shall have been filed with the secretary of state.

Every foreign corporation shall file with the secretary of state a designation of some person residing within this state upon whom process issued by authority of law may be served as the representative, for such purpose, of such corporation. A copy of such designation certified by the secretary of state is sufficient evidence of the appointment of such representative Such process may be served on the person so designated, or, in the event that no such representative is designated, then on the secretary of state, and such service shall be a valid and binding service on such corporation.

Every corporation subject to the provisions of this section and every such corporation hereafter becoming subject to the provisions thereof, which shall neglect or fail to file with the secretary of state as herein provided, shall be subject to a fine of not less than five hundred dollars to be recovered in any court of competent jurisdiction, and it is hereby made the duty of the secretary of state and of the state board of equalization, when either may be advised that corporations are doing business in contravention of this section to report the fact to the attorney general of this state, who shall as soon as practicable institute proceedings to recover the fine provided for in this section, and the amount so recovered must be paid into the state treasury to the credit of the general fund of the state and it is hereby made the duty of the district attorney of any county in which any action shall be brought under the provisions of this act, to assist the attorney general in the prosecution thereof.

In addition to the penalty herein provided every contract made by or on behalf of any such foreign corporation affecting the personal liability thereof or relating to property within the state shall be held void on its behalf and on behalf of its assigns, but shall be enforceable against it or them.

Every corporation which complies with the provisions of this section is thereafter entitled to the benefit of the laws of this state limiting the time for the commencement of civil actions, but any corporation created by or under the laws of any foreign state or country and that has not complied with this section is not entitled to the benefit thereof, nor can any such foreign corporation maintain or defend any action or proceeding concerning its property in this state or any intrastate business or transaction, in any court of this state. In any action or proceeding instituted against any body styled as a corporation, but not created by nor under the laws of this state, evidence that such body has acted as a corporation, or employed methods usually employed by corporations, must be received by the court for the purpose of proving the existence of such corporation, the sufficiency of such evidence to be determined by the court with like effect as in other cases. Every corporation which has complied with the law requiring it to make and file a designation of the person upon whom process against it may be served, need not make or file any further designation. Any designation made may be revoked by the filing by the corporation with the secretary of state of a writing stating such revocation. Within forty days after the death or removal from the state of any person designated by the corporation, or after the revocation of the designation, the corporation must make a new designation, or be subject to the provisions and penalties of this section, *provided, however*, that any foreign corporation which, prior to the eighth day of March, one thousand nine hundred one, shall have complied with the provisions of the act entitled "An act to amend 'An act in relation to foreign corporations,' approved April 1, 1872," approved March 17, 1899, shall, in lieu of the provisions of this section above set forth, file the affidavit and designation of representative herein required and the license tax due from such corporation shall be measured by the authorized capital stock, as shown thereby.

SEC. 2. Section three *a* of said act approved May 10, 1915, as amended, is hereby repealed. All penalties, forfeitures or suspensions purporting to have accrued against any corporations under and pursuant to the provisions of the section hereby repealed are hereby remitted and removed as if never incurred or accrued.

SEC. 3. Section six of said act approved May 10, 1915, as amended, is hereby amended to read as follows:

SEC. 6. Corporations organized for educational, religious, scientific or charitable purposes, corporations which are not organized for profit, and those corporations taxed under subdivisions (*a*), (*b*) and (*c*) of section fourteen of article thirteen of the constitution, are not subject to the tax prescribed by this act.

SEC. 4. Section seven of said act approved May 10, 1915, as amended, is hereby repealed.

SEC. 5. Section eight of said act approved May 10, 1915, as amended, is hereby repealed.

SEC. 6. Section ten of said act approved May 10, 1915, as amended, is hereby amended to read as follows:

SEC. 10. The license tax provided in section three of this act is a lien upon the real property of any corporation subject thereto from and after the first day of January of each year and until paid or until the property is sold for the payment thereof. On or before the first Monday in April of each year the secretary of state shall make a list of all corporations subject to the tax imposed by or that should have been paid under this act and which have failed to pay the same, and transmit a certified copy thereof to each county clerk and county recorder in this state. Said county clerks and county recorders shall file such certified copies in their respective offices in such manner that the same shall be preserved in the form of a permanent record of such office and easily identified by and available to the public. Said copies so certified by the secretary of state and filed as herein provided shall, in the case of each corporation, state whether such corporation is a domestic or foreign corporation and specify the tax and penalties which each corporation has incurred for failure to pay the tax imposed by this act. Such certified copies so filed with either of said county officers, or any copy thereof certified by the secretary of state, shall be received in evidence in any court in lieu of the original record on file with the secretary of state and shall be prima facie evidence of the truth of all statements contained therein.

SEC. 7. Section fifteen of said act approved May 10, 1915, as amended, is hereby amended to read as follows:

SEC. 15. Any foreign corporation may file with the secretary of state a certificate, signed by its president or vice president or secretary or assistant secretary, setting forth that it has ceased to do intrastate business in this state and that it thereby surrenders its right to engage in such business, and thereupon the right of such corporation to transact such business shall terminate and it shall not thereafter be subject to the tax herein prescribed. It shall be unlawful for any such corporation to exercise its corporate powers in transacting any intrastate business in this state after the filing of such certificate. Each and every person who exercises any of the powers of such corporation in the transaction of intrastate business or who transacts any intrastate business for or in behalf of such corporation after such filing shall be subject to penalties prescribed by section eleven of this act.

Any such corporation may resume the transaction of intrastate business in this state at any time thereafter upon filing its application for a license therefor with the secretary of state and an affidavit by its president or secretary setting forth the

amount of its authorized capital stock, and copies of any documents authorizing changes in capital stock not of record in his office, which copies shall be certified as herein provided, and upon paying a tax for the unexpired portion of the year which shall be measured by its authorized capital stock and which shall be that portion of the license tax specified in section three of this act which the unexpired number of months of such year, including the month in which such license is issued, bears to the entire year."

The roll was called and Senate amendments to Assembly Bill No 277 were concurred in by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Fox, Graves, Heisinger, Johnston, Jones, Lyons, McMillan, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—42.
NOES—None.

The above reported bill ordered to enrollment.

WITHDRAWAL OF BILL.

Mrs. Saylor asked for and was granted unanimous consent to withdraw Senate Bill No. 647

Bill withdrawn and ordered stricken from the file.

THIRD READING OF SENATE BILLS.

Senate Bill No 730—An act making an appropriation to pay the claim of George W. Howe against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 730 finally passed by the following vote:

AYES—Anderson Badham, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Heisinger, Johnson, Jones, Lyons, McMillan, Mitchell, A G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—42.
NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 12—An act making an appropriation for the encouragement of county agricultural fairs and providing for the distribution of the moneys hereby appropriated.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 12 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McMillan, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—43.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 697—An act authorizing the Board of Control to sell and dispose of the buildings belonging to the State located on the capitol grounds and used by the Division of Printing of the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 697 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McMillan, Miller, Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—42.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No 582—An act appropriating money to pay the claim of R. R. Veale against the State of California

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 582 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Johnson, Johnston, Jones, Lyons, McMillan, McPherson, Miller, Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Spalding, Weller, West, Williams, Woodbridge, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 492—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by authorizing the appointment of three additional deputies in such office; and making appropriation to pay the salaries of such additional deputies during the seventy-fifth and seventy-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 492 finally passed by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Moore, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 493—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, by authorizing the appointment of two additional clerks and four additional stenographers in such office; and making an appropriation to pay the salaries of such additional clerks and stenographers during the seventy-fifth and seventy-sixth fiscal years.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No 493 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Mitchell, A. G., Moore, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 56—An act making an appropriation for the restoration, care and upkeep of the Mission San Francisco del Solano.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 56 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—43.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 702—An act appropriating money for the construction of the first unit of an agricultural engineering and irrigation building at the branch of the College of Agriculture of the University of California, at Davis.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No 702 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Bromley, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Graves Heisinger, Johnson, Jones, Kline, McMillan, Miller, Mitchell, A. G., Moore Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 231 finally passed by the following vote:

AYES—Anderson, Ball, Bernard, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Fox, Fulwider, Graves, Johnston, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor,

Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526*a*, relating to the powers of the Board of State Harbor Commissioners

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 167 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Bromley, Broughton, Clarke, Cleary, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No. 376—An act to appropriate money to reimburse the trustees of the California Building, located at Balboa Park, county of San Diego, for money expended for the maintenance of said building.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 376 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bromley, Broughton, Clarke, Cleary, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnston, Kline, Lyman, McMillan, McPherson, Mitchell, A. G., Moore, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Spalding, Spence, Stow, Weller, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—42.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 742—An act appropriating money to pay the claim of Pacific Coast Coal Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 finally passed by the following vote:

AYES—Anderson, Badaracco, Ball, Bernard, Bromley, Broughton, Clarke, Cleary, Coombs, Davis, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Mitchell, A. G., Moore, Noyes, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 50—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 50 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Coombs, Dean, Donohue, Dorris, Dozier, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Lyman, McMillan, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 406—An act appropriating $500 for completing the preservation and rebuilding of the blacksmith shop of James W. Marshall, located at Kelsey, El Dorado County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 406 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Burns, Christian, Cleary, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, McMillan, McPherson, Miller Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 301—An act to appropriate money to pay the claim of B. H. Miller against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 301 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bromley, Broughton, Burns, Cleary, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No 312—An act appropriating money to pay the claim of Frank Pedroncelli against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Ball, Bernard, Bromley, Broughton, Christian, Clarke, Cleary, Coombs, Davis, Dean, Donohue, Dorris, Duval, Eksward, Erb, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, McMillan, McPherson,

Miller, Mitchell, A. G., Moore, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 656 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Burns, Clarke, Cleary, Coombs, Davis, Dean, Dorris, Eksward, Erb, Foster, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 100—An act appropriating money to pay the claim of Williard H. Stimson and Son.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Davis, Dean, Dorris, Eksward, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, McPherson, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 472—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 472 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Broughton, Burns, Carter, Cleary, Coombs, Davis, Dean, Dorris, Dozier, Duval, Eksward, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Smith, Spalding, Stevenot, West, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 206—An act making an appropriation to pay the claim of Geo A. Hart and Dwight H Hart, doing business under the firm name of Hart Brothers, a copartnership, against the State of California.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 206 finally passed by the following vote:

AYES—Badham, Bernard Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs Dean, Dorris, Duval, Eksward, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Jones, Kline, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 207—An act making an appropriation to pay the claim of Walter P Story against the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 207 finally passed by the following vote:

AYES—Badham, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 724—An act making an appropriation to pay the claim of B. F. Coulter association, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 724 finally passed by the following vote:

AYES—Badham, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Foster, Fox, Fulwider, Graves, Johnson, Johnston, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No 585—An act to provide additional land and buildings for use in connection with the Department of Agriculture of the University of California at Berkeley and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 585 finally passed by the following vote:

AYES—Anderson, Badham, Bromley, Broughton, Burns, Carlson, Christian, Cleary, Cleveland, Connolly, Coombs, Davis, Dean, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Johnson, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Mueller, Pedrotti, Reindollar Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—47.

NOES—Bernard, Carter, Prendergast, and West—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 584—An act making an appropriation for improvements, including repairs and equipment at the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 584 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Burns, Carlson, Carter, Cleary, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—52.

NOES—Prendergast—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 630—An act making an appropriation for the use of the University of California in exhibiting live stock from the university farm at agricultural fairs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 630 finally passed by the following vote:

AYES—Anderson, Badham, Bernard Bromley, Broughton, Burns, Carter, Clarke, Cleary, Coombs, Croter, Dean, Donohue Dorris, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Johnson, Lyons, McDowell, McMillan, McPherson, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Woodbridge, Wright, and Mr Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 73—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the First Agricultural District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 73 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Carlson, Carter Clarke, Cleary, Coombs, Croter, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fulwider, Graves, Johnson, Lyman, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Schmidt,

Spalding, Spence, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 222—An act to amend sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation, to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 222 finally passed by the following vote:

AYES—Anderson Badham, Bernard, Clarke, Cleary, Coombs, Croter, Davis, Dean, Donohue, Dorris, Duval, Ekswaru, Emme, Fellom Foster, Fox, Fulwider, Johnson, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Mueller, Noyes, Pedrotti, Pomeroy Reindolar, Roberts Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 437—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry out the provisions of the Land Settlement Act, approved June 1, 1917, and of any and all acts amendatory thereof or supplemental thereto; to provide ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; to create a State Land Settlement Finance Committee the members of which are to serve without compensation; to define the powers and duties of said State Land Settlement Finance Committee and of other State officers in relation to this act; to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to a vote of the people at the general election to be holden in the month of November, 1924.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 437 finally passed by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson, Kline, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spalding, Spence, Stevenot, Stow, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Graves, and Jones—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 631—An act making an appropriation for the making of exhibits at agricultural fairs by the State Department of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 631 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Dean, Donohue, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Johnson, Jones, Kline, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

MOTION.

Mr. Carter moved that the hour of recess be extended.

Motion carried.

Senate Bill No. 337—An act making an appropriation to meet the deficiency in the appropriation for the support of the University of California, southern branch, for the seventy-third and seventy-fourth fiscal years.

Urgency clause read.

The question being put: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Badaracco, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Johnson, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carter, Christian, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Duval, Emme, Erb, Fellom, Foster, Fulwider, Graves, Johnson,

Kline, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 367—An act appropriating money for the maintenance and repair of the California State Building at Balboa Park, San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster, Fulwider, Heisinger, Johnson, Kline, Lyons, McDowell, Miller, Mitchell, A. G., Moore, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, Williams, and Mr. Speaker—47.

NOES—Graves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 692—An act concerning the enrollment of milk goat bucks kept or offered for public service for the improvement and advancement of the milk goat industry in the State of California; providing for the dissemination of information relative to the milk goat interests among the people of the State and defining the duties of the milk goat buck enrollment service and providing penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 692 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Broughton, Burns, Carlson, Clarke, Cleveland, Coombs, Dawson, Dean, Donohue, Fellom, Fox, Fulwider, Johnson, Jones, Lyons, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Smith, Spalding, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 657—An act to be known as the "Sanitary Goat Dairy Law" of California; to authorize promotion and development of the goat industry in California; to establish sanitary and other standards for the production, handling and sale of goat's milk and of goat's milk products; to provide for the issuing of permits and the collection of fees therefor; to provide for the enforcement of this act, and to prescribe penalties for violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 657 finally passed by the following vote:

AYES—Anderson, Badaracco, Baker, Edwin, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Crotor, Davis, Dawson, Dean, Donohue, Dozier, Erb, Foster, Fox, Graves, Heisinger, Johnson, Jones, McDowell, McMillan, Miller, Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Spalding, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

NOES—Lyman, and Smith—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 348—An act recognizing and declaring valid the Lakeland Irrigation District, and approving and declaring valid all proceedings on formation and organization of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 348 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Johnson, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Smith, Spalding, Spence, West, Whitacre, Williams, Wright, and Mr Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 263—An act to amend section 300 of the Code of Civil Procedure, relating to disbarred and suspended attorneys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 263 finally passed by the following vote:

AYES—Anderson, Baker, Edwin; Bromley, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Davis, Dawson, Donohue, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Jones, Lyman, McDowell, McMillan, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—44.

NOES—Coombs, Duval, Fox, and Mitchell, A. G.—4.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 458 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Burns, Carter, Clarke, Davis Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Hornblower, Johnson, Jones, Kline, Lyman, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At twelve o'clock and twenty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Eksward.

The roll of absentees was called, and Senate amendment to Assembly Bill No. 427 was concurred in by the following vote:

AYES—Anderson, Badham, Ball, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crotei, Davis, Dean, Donohue, Dozier, Duval, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnson, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Spalding, Spence, Stevenot, Stow, West, Williams, Wright, and Mr. Speaker—53.

NOES—None.

The above reported bill ordered to enrollment.

RECESS.

At twelve o'clock and thirty-two minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Merriam in the chair.

Assistant Clerk Powers reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 869—An act to amend section 5 of, and to add a new section, to be numbered 7*a*, to an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as "The Reciprocal or Interinsurance Act of the State of California," and repealing the act entitled "An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, as amended," approved June 3, 1921"—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELAIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 869?

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill as amended April 23, 1923, strike out the words "assessment or".

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill as amended April 23, 1923, strike out the words "actually levied and".

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Carlson moved a call of the House.

Motion carried.

Time, one o'clock and thirty-four minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Baker, C. C., Carlson, Crittenden, Duval, Fellom, Moore, Noyes, Reindollar, Roberts, Snyder, Wright, and Mr. Speaker—12.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 792—An act to amend section 626o of the Penal Code, relating to the shooting from moving boats, moving vehicles or airplanes, also relating to use of certain guns and nets—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 783—An act to amend section 7 of the Civil Code, relating to holidays—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1159—An act to amend sections 4190, 4198, 4201 and 4202 of the Political Code, relating to law libraries,

Also: Assembly Bill No 1356—An act to amend section 19f of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1227—An act to amend section 1 of an act entitled "An act to further divide the State into fish and game districts by establishing a district specially suited for propagation of game and to provide for the management and protection thereof," approved May 26, 1917, as amended;

Also Assembly Bill No 1064—An act to amend section 1543 of the Political Code, relating to the duties of the superintendents of schools;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 84—An act to amend an act entitled "An act regulating private employment agencies providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913 as amended, by amending sections 11 and 19 thereof, prescribing the matters to be stated in contracts for employment, requiring certain information in regard thereto to be furnished for help, and vesting authority in the Commissioner of the Bureau of Labor Statistics to prescribe rules and regulations and to adjust controversies arising under this act.

Also Assembly Bill No 749—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission, providing for the enforcement of the provisions of this act and for the punishment of violations thereof and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923 at twelve o'clock m

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 1266—An act to add a new section to the Code of Civil Procedure to be numbered 1297, relating to the posting of notices;

Also: Assembly Bill No 331—An act to add a new section to the Political Code to be numbered 1698d to authorize the governing boards of school districts to rent, purchase, or build, and furnish school buildings to house employees of the school district.

Also Assembly Bill No. 438—An act to amend sections 2 and 25 of an act entitled "An act to provide for the incorporation, organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 509—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No 1131—An act to amend the Political Code by adding thereto a new section, to be numbered 2643, relating to powers of the boards of supervisors in employing superintendent of roads and other employees for the maintenance, improvement and construction thereof, and providing for the compensation to be paid therefor;

Also Assembly Bill No 1301—An act to amend section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended;

Also Assembly Bill No 1359—An act regulating the manufacture and packing of alimentary pastes, prohibiting the use of secondhand boxes for packing such pastes; prohibiting the manufacture, production, preparation, compounding, packing, selling, or keeping for sale or the introduction into the State of artificially colored alimentary pastes, vesting the State Board of Health with enforcement of the provisions of this act and providing penalties for the violation thereof, and providing for the time this act shall go into effect.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 2—Relative to building a bridge between San Francisco and Marin counties—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 30—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article 13 thereof a new section, to be numbered 12¼, relative to revenue and taxation—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at twelve o'clock m

ROBERTS, Chairman.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 392—An act to amend section 9 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same.

Also: Assembly Bill No 211—An act to amend sections 363, 363a, 363c and 363h of the Political Code, relating to the Department of Public Works.

Also Assembly Bill No 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly;

Also Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office;

Also: Assembly Bill No 1338—An act to add a new article to chapter 3 of title I of part 3 of the Political Code, to be numbered article 2f, embracing sections 365 to 365c, both inclusive, relating to the California Highway Commission.

Also Assembly Bill No. 154—An act relating to employment where the work is to be performed outside of this State by persons hired within this State, prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1111—An act to amend section 19 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation,

Also Assembly Bill No. 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas Bridge and making an appropriation therefor;

Also Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County,.

Also Assembly Bill No 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor,

Also Assembly Bill No 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor;

Also Assembly Bill No 435—An act making an appropriation to pay the claim of Joseph M. Raines as executor against the State of California,

Also Assembly Bill No 436—An act making an appropriation to pay the claim of Frank H Buck and Leonard W Buck against the State of California,

Also Assembly Bill No 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A Wheeler, against the State of California

Also Assembly Bill No 673—An act appropriating money to pay the claim of the Clark and Herery Construction Company against the State of California,

Also, Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code;

Also Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669*a* of the Political Code;

Also Assembly Bill No 1019—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges,

Also Assembly Bill No. 437—An act making an appropriation to pay the claim of Ruel D Robbins, Mary Emma Robbins Sutton, John L M Robbins, Marie Robbins Hilbert, William C Robbins and Irving W. Robbins, heirs of R D. Robbins;

Also Assembly Bill No 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California,

Also Assembly Bill No 498—An act to add a new section to the Political Code, to be numbered 738*e*, relating to the salary of superior judges in counties of the forty-sixth class

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California;

Also: Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California.

Also: Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California;

Also: Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California;

Also: Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais Forest Fire District.

Also: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California.

Also: Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County;

Also: Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041*a*, relating to boards of supervisors.

Also: Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates.

Also: Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court.

Also: Assembly Bill No. 937—An act to amend sections 927*e* and 927*l* of the Code of Civil Procedure, relating to the small claims court;

Also: Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts.

Also: Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure relating to undertaking on appeal in justice's court.

Also: Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation.

Also: Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor.

Also: Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May, 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention;

Also: Assembly Bill No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library;

Also: Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts;

Also: Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the Governor.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 608—An act regulating the sale and use of poisons in the State of California; providing penalties for the violation thereof; and repealing all acts and parts of acts in conflict with the provisions of this act.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 248—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations;

Also: Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies;

Also: Assembly Bill No. 546—An act to amend section 607*e* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals;

Also: Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same;

Also: Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts;

Also: Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c* and 362*d* of the Political Code, relating to the Department of Education;

Also: Assembly Bill No. 162—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of

property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor;

Also: Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds at Fort Ross;

Also: Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect, and repealing all parts of acts in conflict therewith.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 380—An act appropriating money for expenditure as directed by the Division of Water Rights of the Department of Public Works of the State of California in aiding the Department of Interior of the United States in stream gaging work in the State of California;

Also: Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921;

Also: Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor;

Also: Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737*zzz*, relating to the salaries of superior court judges;

Also: Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance;

Also: Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno;

Also: Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 229—An act to amend section 11 of an act entitled "An act to regulate the use of water which is subject to such control by the State of California and in that behalf creating a State Water Commission, specifying and providing for the appointment of the members of said commission, fixing the terms of office and compensation of the members of said commission, fixing the power, duties and authority of said commission and its members; providing for the filling of vacancies in the membership of said commission, providing for the removal from office of the appointed members of said commission, providing for the cooperation of courts with said commission, providing that certain courts shall take judicial notice of certain acts of the State Water Commission, specifying the duties of all persons summoned as witnesses before said commission or any of its members, appropriating money for carrying out the provisions of this act, providing for the payment of the indebtedness and expenses of said commission, its members and employees, declaring what water is unappropriated, providing for the utilization of water and the works necessary to such utilization to the full capacity of streams or of such portion or portions of such capacity as the public good may require, declaring what water may be appropriated, declaring that the nonapplication for ten consecutive years of any portion of the waters of any stream to lands riparian to such stream shall be conclusive presumption that the use of such nonapplied water is not needed on said riparian lands for a useful or beneficial purpose, declaring that such nonapplied water shall be deemed to be in the use of the State and subject to appropriation, declaring the duties of those who desire to appropriate water, declaring the periods for which water may be appropriated and the conditions under which water may be appropriated; providing for the payment of fees and charges by the applicants for permission to appropriate water and by the appropriators of water, providing for the ascertainment and adjudication of water rights, providing for the bringing of actions by certain persons, or, upon the direction of the State Water Commission, by the Attorney General, for the quieting of title to water rights, specifying certain duties of the claimants, possessors or users of water or water rights; declaring water rights forfeited under certain

conditions; regulating the appropriation of water, excepting cities, cities and counties, municipal water districts, irrigation districts and lighting districts from certain provisions of this act; defining certain words and terms used in this act; repealing all acts or parts of this act which may not be declared unconstitutional," approved June 16, 1913, as amended—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly recede from Assembly amendments to Senate Bill No. 229?

The roll was called, and the Assembly receded from Assembly amendments to Senate Bill No. 229 by the following vote:

AYES—Anderson, Baker, C. C., Carlson, Carter, Clarke, Cleary, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Heisinger, Johnson, Johnston, Jones, Kline, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Pedrotti, Pomeroy, Prendergast, Reindollar, Saylor, Snyder, Spalding, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 174?

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "stock" insert the following: "or the actual value of their assets if such value of their assets be in excess of the subscribed capital stock."

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "full amount of the capital stock so divided, withdrawn, paid out, or reduced or debt contracted. Nothing herein".

AMENDMENT NUMBER THREE.

On page 1, of the printed bill, after line 25, add the following:

"SEC. 2. No right, cause of action or liability now existing or any action or proceeding now pending, shall be affected by this act and such right, cause of action or liability may be enforced except as hereinafter provided and such action or proceeding may be prosecuted in the same manner and with the same effect as if this act had not been passed: *provided however*, that except where any action or proceeding is now pending, the liability of a director of a corporation heretofore incurred on account of debt contracted beyond the subscribed capital stock of the corporation shall not exist where, within two years after the date of the contracting thereof, the debt so contracted has been paid without the substitution or creation of other debt, without the levying of any assessment, and without impairing or depleting the capital stock of the corporation."

The roll was called, and Senate amendments to Assembly Bill No. 174 were concurred in by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Bernard, Broughton, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnston, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Rosenshine, Snyder, Spalding, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—43.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate *amended, and on this day passed as amended*, Assembly Bill No 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof—and respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 191?

AMENDMENT NUMBER ONE.

On page 1, lines 20 and 21, of the printed bill strike out the words "be either the whole or a part of one or more incorporated cities," and insert in lieu thereof the words "include the whole or part of one or more incorporated cities, *provided, however*, that less than the whole of any incorporated city shall not be included in such district except by unanimous consent of the governing body of such city; *provided, further*, that such district shall not include the whole or part of any other district formed for similar purposes"

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, after the word "district" add the words "and that a majority of those voting thereon in each municipality or part thereof".

AMENDMENT NUMBER THREE

On page 2, lines 44, 45 and 46 of the printed bill, strike out the words "The board of supervisors of any county in which shall be created a sanitation district shall be the governing body thereof" and insert in lieu thereof the following. "Such sanitation district shall be governed by a board of directors of not less than three members The presiding officer of the governing body of each incorporated city, the whole or part of which is included in such district shall automatically become a member of such board of directors If unincorporated territory and but one incorporated city or part thereof be included in such district, the presiding officer, and one other member, of the board of supervisors of the county in which said district is organized shall be members of the board of directors unless the population of such city or part thereof exceed that of the unincorporated territory included within such district, in which event the presiding officer of such board of supervisors and the presiding officer of the governing body of such city and one other member of such governing body shall constitute such board of directors; but whenever unincorporated territory and two or more cities or parts thereof are included in such district, the presiding officer of the board of supervisors of the county in which such district is located shall be a member of such board of directors In the event such district contains no unincorporated territory, the board of directors thereof shall consist of the presiding officers of the governing bodies of the cities wholly or in part within said district, and in event there be but two cities or parts thereof in such district one additional member shall be selected from the governing body of each such city. In the event the whole of such district shall be unincorporated territory, the board of supervisors of the county in which the district is organized shall be and constitute such board of directors."

AMENDMENT NUMBER FOUR

On page 2, line 46 of the printed bill, strike out the word "it", and insert in lieu thereof the words "such board of directors".

AMENDMENT NUMBER FIVE.

On page 3, line 3, of the printed bill, strike out the period, insert in lieu thereof a comma, and add the following "*provided, however*, that no such sewerage system or sewage disposal or treatment plan shall be constructed or maintained in any city not within the district, except by consent granted by the unanimous vote of the governing body of such city."

AMENDMENT NUMBER SIX.

On page 3 line 11 of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER SEVEN.

On page 3, line 16 of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors"

AMENDMENT NUMBER EIGHT.

On page 3, line 31, of the printed bill strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER NINE

On page 3, line 33, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TEN

On page 3, line 37, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER ELEVEN.

On page 3, line 44, of the printed bill, strike out the words "the clerk of".

AMENDMENT NUMBER TWELVE.

On page 4, line 4, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTEEN

On page 4, line 9, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 16, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER FIFTEEN.

On page 4, lines 23 and 24, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 28, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER SEVENTEEN

On page 4, line 34, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 47, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER NINETEEN.

On page 5, line 6, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY.

On page 5, lines 13 and 14, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-ONE

On page 5, line 15, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 25, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-THREE

On page 5, line 42, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors"

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 50, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 2, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 19, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 33, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 41, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 48, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY.

On page 6, line 50, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY-ONE

On page 7, line 2, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY-TWO.

On page 7, lines 10, 11 and 12, of the printed bill, strike out the words "Any material purchased by the county shall be purchased by the purchasing agent of the county or if there is no purchasing agent, then by the board of supervisors."

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 25, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY-FOUR

On page 7, line 27, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY-FIVE

On page 7, line 41, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 42, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7, line 46, of the printed bill, after the word "property" insert the words "within the district".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 46, of the printed bill, strike out the word "county" and insert in lieu thereof the word "district".

AMENDMENT NUMBER THIRTY-NINE.

On page 7, line 47, of the printed bill, strike out the word "supervisors", and insert in lieu thereof the word "directors".

AMENDMENT NUMBER FORTY.

On page 7, line 50, of the printed bill, strike out the words "supervisors of the county", and insert the word "directors".

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 7, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 17, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

AMENDMENT NUMBER FORTY-THREE.

On page 8, line 18, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

AMENDMENT NUMBER FORTY-FOUR.

On page 8, line 21, of the printed bill, after the word "community", insert the words, "within the district".

AMENDMENT NUMBER FORTY-FIVE

On page 8, line 22, of the printed bill, strike out the words "board of supervisors of the county or".

AMENDMENT NUMBER FORTY-SIX.

On page 8, line 31, of the printed bill, strike out the words "county, but shall be repaid to the county", and insert in lieu thereof the words "district and shall be paid".

The roll was called, and Senate amendments to Assembly Bill No. 191 were concurred in by the following vote:

AYES—Anderson, Baker, Edwin; Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Emme, Erb, Fox, Fulwider, Graves, Heisinger, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Snyder, Spalding, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department; to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1044?

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended, after the word "of" strike out the word "ten" and insert in lieu thereof the word "five".

The roll was called, and Senate amendment to Assembly Bill No. 1044 was concurred in by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Christian, Clarke, Connolly, Croter, Davis, Dawson, Dean, Dorris, Dozier, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Schmidt, Snyder, Spalding, Stow, Weller, West, Williams, Wright, and Mr. Speaker—46.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1343?

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, as amended May 2, 1923, between lines 42 and 43, insert the following "Not less than ten days before any election at which district officers are to be elected, any ten or more voters of the district may file with the board whose duty it is to provide the ballots at such election a petition requesting that certain persons, specified in the petition, be placed on the ballot as candidates for the offices named in the petition. The names so proposed, and no others, shall be printed on the ballots But there shall be sufficient blank spaces left in which voters may write other names if they so desire Each election held hereunder shall be conducted, so far as practicable, in conformity with the general election laws of this state"

AMENDMENT NUMBER TWO

On page 6, lines 34 to 38, strike out the words "if the" in line 34, and all of lines 35 to 38, inclusive, and insert in lieu thereof the following: "within the boundaries of the district, such construction or improvement to conform to the width and general character of the balance of the said county road or highway. The board of

supervisors of the county in which any highway district is situated shall set apart and use for road work in the district all of the property tax for highway purposes and not less than sixty-five per cent of the property road tax collected in such district.

Before the acquisition, construction".

AMENDMENT NUMBER THREE

On page 16 of the printed bill, after line 3, add the following:

"SEC. 33. This act is intended to furnish an alternative method for accomplishing the highway construction, improvement and maintenance provided for herein, and does not repeal any other act or acts for the construction, improvement or maintenance of roads, streets, or other public highways.

SEC. 34. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, sentences, clauses, or phrases be declared unconstitutional."

AMENDMENT NUMBER FOUR.

On page 1, line 15, of the printed bill as amended in the Senate May 9, 1923, strike out the words "a majority" in said line, and insert in lieu thereof the words "one-fourth".

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill as amended in the Senate May 9, 1923, strike out the word "twenty" in said line 5, and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill as amended in the Senate May 9, 1923, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER SEVEN

On page 2, line 31, of the printed bill as amended in the Senate May 9, 1923, strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill as amended in the Senate May 9, 1923, strike out lines 44 to 46, inclusive, and insert in lieu thereof the following "aries After making and entering such an order defining and establishing the boundaries of the proposed district, said board of supervisors shall forthwith call and give notice of an election to be held in such proposed district for the purpose of determining whether or not the same shall be organized under the provisions of this act. Said notice shall be published once a week for at least three weeks previous to such election, shall describe the boundaries so established, shall designate the name for the proposed district, and shall state that at said election the voters possessing the qualifications prescribed by this act shall cast ballots for or against said proposed organization and shall select a board of directors to serve in case said organization shall be effected.

SEC. 5. At such election there shall be elected a board of five directors. The board of supervisors shall designate the polling place for such election and appoint from the persons eligible to the office of district director one inspector and two judges of election, who shall constitute a board of election for such district election. For the convenience of voters the board of supervisors may divide the proposed district into election precincts and establish the boundaries of such precincts, and in such case shall appoint a board of election as aforesaid for each precinct, and designate a polling place therein. The said election shall be held and the result thereof determined and declared as nearly as may be in accordance with the provisions of this act relating to general district elections, *provided*, that the returns of said election shall be forwarded to said board of supervisors, which shall meet on the second Monday following said election and canvass said returns and declare the results of said election. If by such canvass it appears that a majority of all the votes cast at such election are in favor of the organization of the district, said board of supervisors shall by an order entered on its minutes, declare the territory duly organized as a highway district under the name theretofore designated, and shall declare the five persons receiving the highest number of votes at said election to be duly elected as directors.

Said board of supervisors shall then cause a copy of such order duly certified to be immediately filed for record in the office of the county recorder. From and after such filing, the organization of such district shall be complete.

The officers elected at the election hereinbefore provided for shall immediately enter upon their duties as such upon qualifying in the manner for such officers herein provided. Said officers shall hold office respectively until the date of the regular monthly meeting of the board of directors of the district in the month next following the month in which the next general district election is held. In all cases district directors shall continue to serve and hold office until their successors have qualified."

AMENDMENT NUMBER NINE

On page 2, line 47, of the printed bill as amended in the Senate May 9, 1923, strike out the figure "5" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER TEN

On page 3 of the printed bill, as amended, strike out lines 20 to 50, inclusive, and insert in lieu thereof the following

"SEC. 7. Within twenty days after he has notice of his election or appointment, each officer shall take and subscribe an oath in substantially the form prescribed by law for the official oaths of county officers and file the same in the office of the district and execute and file the official bond, if a bond is required. Each director shall execute an official bond in the sum of five thousand ($5000) dollars to be approved by a judge of the superior court. The other officers and employees of the district, if required by the board, shall execute official bonds to be approved by the board of directors in such amounts as the board of directors may prescribe. All of such official bonds shall be in the form prescribed by law for official bonds of county officers, and when approved as herein provided, shall be filed with the secretary, who shall immediately file them for record in the office of the recorder of the county in which the district or the greater portion thereof is situated. The premiums on said bonds may be paid by the district."

AMENDMENT NUMBER ELEVEN.

On page 3, line 51, of the printed bill as amended, strike out the figure "7" and insert in lieu thereof the following: "7*a*".

AMENDMENT NUMBER TWELVE.

On page 4, line 8, of the printed bill as amended, strike out the word "Said"; also strike out line 9 and the words "the district," in line 10, and insert in lieu thereof the following "At any time not less than thirty days before any election, the board of directors may divide the district into a convenient number of election precincts, or may change the number or the boundaries of any election precincts theretofore established, designating a polling place in each precinct,".

AMENDMENT NUMBER THIRTEEN

On page 4, line 37, of the printed bill as amended strike out the words "If any parcel of land is assessed on any", also strike out all of lines 38 to 42 inclusive, and the words "ment roll" in line 43.

AMENDMENT NUMBER FOURTEEN.

On page 5, in lines 5 and 6, of the printed bill as amended May 9, 1923, strike out the words "not legally qualified to vote".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 43, of the printed bill as amended in the Senate May 9, 1923, immediately preceding the word "Not" in said line, insert the following: "SEC. 7*b*."

AMENDMENT NUMBER SIXTEEN.

On page 6, between lines 2 and 3 of the printed bill as amended in the Senate May 9, 1923, insert the following "The ballots used at any election held under the provisions of this act shall be provided by the board of directors of the district, or by the board of supervisors, if the election is called by the board of supervisors. One of the judges of election shall deliver to each of the qualified voters one of the ballots so provided The ballots shall have printed on them the names of all candidates whose names have been filed as provided in this act, with a voting square opposite each name The names shall be arranged in groups, alphabetically, under the designation of the office for which each person named is a candidate. Each voter shall stamp a cross, with a rubber stamp to be provided by the board of directors, in the square opposite the name of each candidate he wishes to vote for. Each ballot cast shall contain the name of the person, and of the proxy, if any, casting the ballot with the number of votes cast by him. A list of the ballots cast shall be made by the board of election, showing the name of each voter, and if the ballot be cast by proxy the name of the person casting it and the number of votes cast by each voter."

AMENDMENT NUMBER SEVENTEEN.

On page 6 of the printed bill as amended in the Senate May 9, 1923, strike out lines 48 and 49, and insert in lieu thereof the following: "be of such width and type as the board of supervisors of the county in which the district is situated may approve The board of supervisors".

AMENDMENT NUMBER EIGHTEEN.

On page 7 of the printed bill as amended in the Senate May 9, 1923, strike out lines 37 to 41 inclusive, and insert in lieu thereof the following:

"SEC. 12. The board shall".

AMENDMENT NUMBER NINETEEN.

On page 7, lines 49 and 50, of the printed bill as amended in the Senate May 9, 1923, strike out the word "conclusive", and insert in lieu thereof the following: "prima facie".

AMENDMENT NUMBER TWENTY.

On page 8, line 16, of the printed bill as amended in the Senate May 9, 1923, after the word "semiannually" in said line, insert a comma and the following: "on the first day of January and the first day of July".

AMENDMENT NUMBER TWENTY-ONE.

On page 12, line 7, of the printed bill as amended in the Senate May 9, 1923, strike out the word "percentage" and insert in lieu thereof the word "penalty".

AMENDMENT NUMBER TWENTY-TWO.

On page 12, line 41, of the printed bill as amended in the Senate May 9, 1923, strike out the semicolon and the word "and"; also strike out lines 42 to 46 inclusive, and insert in lieu thereof a period

AMENDMENT NUMBER TWENTY-THREE.

On page 13, line 51, of the printed bill as amended in the Senate May 9, 1923, strike out the words "one year" and insert in lieu thereof the words "two years".

AMENDMENT NUMBER TWENTY-FOUR.

On page 14, line 1, of the printed bill as amended in the Senate May 9, 1923, strike out the period and insert in lieu thereof a comma and the following: "by paying to the collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of sale."

AMENDMENT NUMBER TWENTY-FIVE.

On page 15, line 44 of the printed bill as amended in the Senate May 9, 1923, after the comma in said line, following the word "supervisors", insert the following "the clerk of the board of supervisors,".

AMENDMENT NUMBER TWENTY-SIX.

On page 15, line 47, of the printed bill as amended in the Senate May 9, 1923, strike out the period and insert in lieu thereof a comma and the following: "and they shall respectively have and exercise the powers, duties and jurisdiction herein converted or imposed upon the board of directors, secretary, assessor, collector and treasurer respectively of the district."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 16, line 6, of the printed bill, strike out the words "four weeks" and in lieu thereof insert the following: "two successive months".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16 of the printed bill, strike out lines 11 to 14, both inclusive, and in lieu thereof insert the following "invalidity of the district. When the summons has been served, as provided herein, and the time for answering has expired, the court shall proceed to hear the case as in other cases and to that end must not enter judgment by default but must require proof of the facts alleged in the complaint and other pleadings. Said proceeding is hereby declared to be".

The roll was called, and Senate amendments to Assembly Bill No. 1343 were concurred in by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Carlson, Christian, Clarke, Cleary, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Jones, McMillan McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—47

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 979—An act authorizing the creation of road and highway districts within counties to include both incorporated and unincorporated territory, providing for the government of such districts, authorizing the raising of funds within such districts for road and highway purposes by means of taxation or by the issuance of district bonds, and prescribing the powers, duties and privileges of such district—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 979?

AMENDMENT NUMBER ONE.

On page 3 of the printed bill as amended in the Assembly April 18, 1923, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "to the election, shall divide the proposed district into election precincts and establish the boundaries of such precincts, designate a polling place in each precinct, and make all suitable arrangements for the holding of such election. They must".

AMENDMENT NUMBER TWO.

On page 4, line 2, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: '*provided, further*, that if lands within two or more incorporated cities are included in the proposed district, the district shall nevertheless be deemed organized if a majority of the votes cast within the unincorporated territory and within one or more of the said incorporated cities, respectively, are in favor of organization of the district, in which case the incorporated cities in which a majority of the votes cast are against organization shall not be or constitute a part of the district."

AMENDMENT NUMBER THREE.

On page 4, lines 8 and 9, of the printed bill, strike out the words "Their term of office shall be two years" and insert in lieu thereof the following: "The term of office of each director shall be four years, *provided*, that of the directors first elected two shall hold office until the first Monday after the first Tuesday in March in the second year after the formation of the district, and three shall hold office until the first Monday after the first Tuesday in March in the fourth year after the formation of the district, the respective terms of each to be determined by lot. In all cases directors shall serve as such until their successors have been elected and qualified."

AMENDMENT NUMBER FOUR.

On page 4, line 25, of the printed bill, strike out the word "five".

AMENDMENT NUMBER FIVE.

On page 4, lines 32 and 33, of the printed bill, strike out the words "They shall select one, and may select two, polling places within the district" and insert in lieu thereof the following: "They shall divide the district into election precincts or change the same and establish or re-establish the boundaries of such precincts and designate one polling place in each precinct;".

AMENDMENT NUMBER SIX.

On page 4, line 51, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "board".

AMENDMENT NUMBER SEVEN.

On page 5, line 10, of the printed bill, strike out the word "commission" and insert in lieu thereof the word "board".

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, strike out lines 21 to 28, inclusive, and insert in lieu thereof the following: "the same, to make and accept".

AMENDMENT NUMBER NINE.

On page 5, line 35, of the printed bill, strike out the words "when directed by vote of the electors of the district".

AMENDMENT NUMBER TEN.

On pages 5 and 6 of the printed bill, strike out lines 46 to 51, on page 5, and lines 1 and 2, on page 6, and insert in lieu thereof the following: "road or highway, or any part thereof, and the moneys belonging to such road districts may be expended in the improvement of such road or highway to conform to the width and general character of the balance of the road or highway, and for the purposes of this act the road district is hereby expressly authorized and empowered to take over, control, operate and use in whole or in part any county road or highway, within the boundaries of the district."

AMENDMENT NUMBER ELEVEN.

On page 6, lines 45 and 46, of the printed bill, strike out the words "select one, and may select two, polling places within the district, and".

AMENDMENT NUMBER TWELVE.

On pages 7 to 17 of the printed bill, strike out lines 39 to 52, inclusive, on page 7, also strike out pages 8 to 16, inclusive, and lines 1 to the word "fund" on line 25, inclusive, on page 17, and insert in lieu thereof the following:

"SEC. 16. At any time and from time to time after the adoption of a plan for a road or roads, the district board may by order entered on its minutes call an

election for the purpose of determining whether a special assessment shall be levied for the construction of such road or roads and the acquisition of necessary rights of way therefor. In such case it shall not be necessary that the whole of such road or roads be constructed at one time as a single project, and the board of directors may provide in said order that the same or any portion thereof shall be constructed in units or sections. The cost of the construction of such roads, or of each unit or section, shall be defrayed from assessments levied upon the lands to be benefited thereby. If the order calling the election provides for construction by units or sections it shall describe the same and designate the order in which they shall be constructed. The provisions of this act regarding the notice for and holding of elections for the issuance of bonds shall apply to the elections provided for in this section so far as practicable. The order calling the election shall state whether or not the assessment shall be payable at one time or in semiannual installments; if in installments, the said order shall specify the number of the installments, and the amount of each installment. If two-thirds of the vote cast at said election are in favor of levying said assessment the board of directors shall so declare and shall appoint three commissioners to assess upon the land in the district which will be benefited by the carrying out of the plans for which said assessment was voted, an amount sufficient, as required herein, to provide for the payment of said assessment. One of said commissioners may be the engineer of the district, but none of said commissioners shall have any interest directly or indirectly in any real estate in the district. Each commissioner, before entering upon the duties herein prescribed shall take and subscribe an oath to the effect that he is not interested in any real estate within the district and that he will perform the duties of commissioner in accordance with the provisions of this act, to the best of his ability. Such oath, when so subscribed, shall be filed with the secretary of the district. Said commissioners shall receive such compensation as may be agreed upon between them and the board of directors. A majority of said commissioners must concur in any action taken by them and must sign the assessment list herein provided for. If the board of directors shall so determine, only one such commissioner need be appointed, and he shall take oath as aforesaid and perform the duties herein required to be performed by the commissioners. The commissioners shall view the lands in the district and assess the total amount of said assessment upon such of said lands as will be benefited by the carrying out of the plans for which said assessment was voted. Said total amount shall be apportioned to and assessed upon the respective parcels of said lands in accordance with the benefits that will accrue to the respective parcels from the carrying out of said plans. The commissioners shall segregate said assessment so as to show the amounts that will become due and payable in installments as hereinafter provided. If the plans for which said assessment was voted shall have provided for the acquisition or construction of any roads in units or sections at various times, then the commissioners shall assess as aforesaid upon the respective parcels of land that will be benefited by the acquisition or construction of each such unit or section, the total amount, computed as aforesaid, to provide for the payment of the assessment specified for the acquisition or construction of each such unit or section.

SEC. 16*a*. Said commissioners shall prepare a list of the lands within the district, which shall show under appropriate headings the following:

1. The name of the owner, or the names of the owners, of each parcel of land separately listed. If the name of any owner is not known to the commissioners it shall be designated as "Unknown owner."

2. A description of each parcel of land separately assessed, sufficient to identify it.

3. The number of acres in each parcel separately assessed.

4. The amount in dollars and cents of the total assessment on each parcel of land separately assessed and the amounts of the respective installments thereof that will become due and payable and the respective dates at which they will respectively become due and payable in accordance with this act.

The last equalized assessment roll of the county in which any land so listed is situated shall be sufficient evidence of the ownership, description and area of such land, but the commissioners may make changes from said assessment roll in accordance with any facts of which they have knowledge, or in accordance with the records in the office of the county recorder of said county. No misnomer of any owner of land and no other error in regard to the ownership, description or area of such land shall invalidate said assessment.

SEC. 16*b*. When the commissioners shall have completed the assessment as above provided they, or a majority of them, shall sign it and file it with the secretary of the district, who shall present it to the board of directors at any meeting thereof. The board shall fix a time for the hearing of objections to and petitions for the modifications of said assessment, which time shall be not less than twenty-five days nor more than forty days from the date of the meeting at which the time was fixed. The secretary shall give notice of the time and place for said hearing by publication for at least three successive weeks. Said notice shall state the fact of the appointment of said commissioners and the purposes of their appointment and shall notify all persons interested in any land within the district that said assessment list is on file at the office of the district and open for public inspection and that the board of directors of the district will meet at the office thereof at the time

fixed as aforesaid to hear and act upon any objection to or application for the modification of the assessment, *provided*, that such objection or application is in writing and shall have been filed in the office of the district before the time fixed for said hearing. At said time the board shall meet at the office of the district and receive all such written objections and applications and shall proceed to a hearing thereon. If a quorum of said board is not present at the time fixed, a minority of the board or the secretary may adjourn the meeting from time to time until a quorum is present, but no such adjournment shall be for more than forty-eight hours. The board may adjourn any hearing to a place other than the office of the district if such adjournment is deemed proper to facilitate the hearing. The board shall hear all competent and relevant evidence that may be offered in support of such objections and applications and in opposition thereto and may call witnesses and make such investigations relating to said assessment as it may deem proper and may adjourn from time to time for such purposes. At the conclusion of the hearing the board, if it shall find that any changes in said assessment are necessary, it shall make such changes so that said assessment shall be in accordance with the requirements of this act, and in so doing the board may increase or decrease the assessment upon any parcel of land or change the boundaries or the area of any parcel or make any other changes in accordance with the facts shown at said hearing or by said investigation, but no increase in the assessment upon any parcel of land shall be made by the board unless the owner or owners of said land shall be present when such increase was proposed or discussed by the board or unless a time for the consideration of such proposed increase shall have been fixed by the board and notice to appear at said time to show cause why such increase should not be made shall have been served on the owner or owners of the land at least five days before said time.

SEC. 16*c*. After such changes, if any, have been made the board shall by resolution confirm and adopt said assessment as so modified, or as submitted by the commissioners if no changes have been made by the board. A copy of said assessment list as so confirmed and adopted with a copy of the resolution of the board confirming and adopting said assessment shall be certified by the secretary as correct and shall be filed in the office of the county recorder of the county in which the district is situated. From and after the filing of said copies of said list and said resolution in the office of said county recorder, the assessment upon each parcel of land described in said list shall be a lien thereon. The assessment list, when confirmed and adopted by the board of directors as aforesaid, shall be prima facie evidence of the regularity and validity of all proceedings in relation thereto and that all the requirements of law in regard to said assessment have been complied with, and no action attacking the regularity, correctness or validity of said assessment shall be maintained unless such action is commenced within thirty days after said certified copies of said assessment list and said resolution of the board of directors shall have been filed with said county recorder.

SEC. 16*d*. The assessment confirmed and adopted by the board of directors as aforesaid shall be due and payable at one time or in semiannual installments, in accordance with the provisions of the order of the board of directors calling the election at which the levying of said assessment was authorized. The assessment, if payable at one time, or the first installment, if payable in installments, shall be due and payable on the third Monday in October or the third Monday in May next following the date of the said election, as may have been specified in the order calling the election. Thereafter, one installment, if the assessment is payable in installments, shall be due and payable semiannually on the third Monday in May and the third Monday in October each year until all of the installments have been paid.

If any such assessment or installment due and payable under the provisions of this act in the month of October of any year is not paid before five o'clock p.m. of the third Monday in December of that year, said assessment or installment shall then become delinquent, and if any assessment or installment due and payable under the provisions of this act in May of any year is not paid before five o'clock p.m. of the third Monday in June of that year, said assessment or installment shall then become delinquent. When any assessment or installment becomes delinquent, a penalty of ten per cent of the amount thereof must forthwith be added thereto by the officer whose duty it may be to collect said assessment or installment and said penalty must thereafter be collected with said assessment or installment as hereinafter provided. Any assessment or any installment of an assessment may be paid before it is due, to the officer charged with the collection of the assessments of the district.

SEC. 16*e*. Whenever any assessment has been confirmed and adopted by the board of directors as aforesaid, the secretary shall file with the tax collector of the county in which the district is situated a list showing the name of each person assessed, the description of each parcel of land assessed and the area thereof, as the same appear on the assessment list, the amount assessed against each parcel assessed, the amount of each installment of said assessment if the same is payable in install-

ments and the date when said assessment or the dates when the respective installments thereof will be due and payable. Said list shall be certified by the secretary as correct, and shall contain blank columns in which the tax collector may enter the amount and date of the payment of each assessment or installment thereof, the date of its delinquency if it becomes delinquent, the total amount due after delinquency and the date of payment and amount paid on any delinquent assessment. The secretary shall also give notice by publication once a week for two weeks, beginning in the month in which any assessment or assessments or installment or installments thereof are due and payable, stating that said assessment or assessments or installment or installments of an assessment or assessments of said district are due and are payable at the office of the tax collector of the county in which the land assessed is situated, and stating also the time when said payment will become delinquent and that a penalty of ten per cent of the amount due will be added if payment is not made before said time. Failure to give such notice shall not invalidate or affect any assessment confirmed and adopted after a report by commissioners and a hearing by the board of directors. The tax collector shall receive all moneys paid on special assessments, annual assessments and installments of special assessments of the district as shown by the list or lists filed with him, and on or before the last Monday in each month shall pay to the treasurer of the county in which the district is situated all moneys so received. Said treasurer shall give receipts for all moneys so received by him and shall transmit to the Secretary of the district signed duplicates of all such receipts.

SEC. 17. For the purpose of providing moneys for the payment of principal and interest on district bonds as the same become due and payable and for the payment of the general expenses of the district and the maintenance and repair of its roads, an annual assessment shall be levied upon the lands in the district. The secretary must, between the first Monday in March and the first Monday in June, in each year, assess all real estate in the district, to the persons who own, claim or have possession or control thereof, at its full cash value, as follows: He must prepare an assessment book with appropriate headings in which must be listed all such property within the district, in which must be specified, in separate columns, under the appropriate head: (1) the name of the person to whom the property is assessed, if the name is not known to the assessor, the property shall be assessed to "unknown owners"; (2) land by township, range, section or fractional section, and when such land is not congressional division or subdivision, by metes and bounds, or other description sufficient to identify it, giving an estimate of the number of acres and locality; (3) city and town lots, naming the city or town and the number and block, according to the system of numbering in such city or town; (4) the cash value of real estate, other than city or town lots; (5) the cash value of city and town lots; (6) the total value of all property assessed; (7) the total value of all property after equalization by the board of directors; (8) such other things as the board of directors may require. Improvements on any lands or town lots within such districts shall be exempt from taxation for any of the purposes mentioned in this act. Any property which may have escaped the payment of any assessment for any year, shall, in addition to the assessment for the then current year, be assessed for such year with the same effect and with the same penalties as are provided for in such current year. The term improvements as used in this section includes trees, vines, alfalfa and all growing crops and all buildings and structures of whatever class or description erected or being erected upon said lands or city or town lots.

SEC. 17*a*. The board of directors must allow the secretary as many assistants, to be appointed by him, as will, in the judgment of the board, enable him to complete the assessment within the time herein prescribed. The board must fix the compensation of such assistants, which shall be paid out of the funds of the district. The compensation must not exceed five dollars per day for each assistant, for the time actually engaged, nor must any allowance be made but for work done between the first Monday in March and the first Monday in August in each year.

SEC. 17*b*. On or before the first Monday in August of each year, the secretary must complete his assessment book, and give notice thereof, and of the time the board of directors, acting as a board of equalization, will meet to equalize assessments, by publication in a newspaper published in each of the counties comprising the district. The time fixed for the meeting shall not be less than twenty nor more than thirty days from the first publication of the notice, and in the meantime the assessment book must remain in the office of the secretary for the inspection of all persons interested.

SEC. 17*c*. Upon the day specified in the notice required by the preceding section for the meeting, the board of directors which is hereby constituted a board of equalization for that purpose, shall meet and continue in session from time to time, as long as may be necessary, not to exceed ten days, exclusive of Sundays, to hear and determine such objections to the valuation and assessment as may come before them; and the board may change the valuation as may be just. The secretary of the board shall be present during its sessions, and note all changes made in the valuation of property, and in the names of the persons whose property is assessed, and within ten days

after the close of the session he shall have the total values, as finally equalized by the board, extended into columns and added.

SEC. 18. The board of directors shall then, within ten days after the close of its session as a board of equalization, levy an assessment upon the lands within the district in an amount sufficient to raise the interest due or that will become due on all outstanding bonds of the district on the first day of the next ensuing January and the first day of the next ensuing July, or that the board of directors believes will become due on either or both of said dates, on bonds authorized but not sold; also sufficient to pay the principal of all bonds of the district that have matured or that will mature before the close of the next ensuing calendar year, also sufficient to raise such amount not exceeding two per centum of the aggregate value of the lands within the district according to the latest duly equalized assessment roll thereof, as the board of directors shall determine may be needed to be raised by assessment for any of the purposes of this act.

The secretary of the board must compute and enter in a separate column of the assessment book the respective sums in dollars and cents to be paid as an assessment on the property therein enumerated.

The assessment upon land is a lien upon the property from and after the first Monday in March for any year.

SEC. 19. On or before the tenth day of October, the secretary must deliver the assessment book to the tax collector of the county in which the district is situated, and the secretary shall within twenty days publish a notice in a newspaper published in the county in which the district is situated, that said assessments are due and payable at the office of the county tax collector and will become delinquent at six o'clock p m on the last Monday of December next thereafter, and that unless paid prior thereto ten per cent will be added to the amount thereof, which notice shall be published once a week for two weeks. The assessments must be paid in gold and silver coin. The tax collector must mark the date of payment of any assessment in the assessment book, opposite the name of the person paying and give a receipt to such person, specifying the amount of the assessment and the amount paid, with the description of the property assessed. On the last Monday in December at six o'clock p m of each year, all unpaid assessments are delinquent and thereafter the collector must collect thereon, for the use of the district, an addition of ten per cent.

SEC. 20. On or before the tenth day of July of each year the tax collector of any county in which is situated any road district whereon any annual assessments, special assessments or installment of any special assessment thereof is delinquent shall prepare and publish a list of all such delinquent assessments or installments. Said list shall be prepared and published in substantially the same form as delinquent lists for county taxes. Said list shall be published for at least three successive weeks in a newspaper, published in said county, together with a notice stating that the delinquent property described in said list will be sold for the amounts specified therein in front of the courthouse of said county at a time to be specified in said notice, which shall be not more than thirty days from the date of the first publication of such notice. At the time stated in said notice, or at some other time to which said sale may have been postponed by said tax collector, the tax collector must offer said property for sale at public auction, beginning at the top of the list and offering each parcel successively until all the parcels advertised have been offered for sale. The owner or person in possession of any property advertised for sale may designate to the tax collector in writing before the sale the portion of the property which he wishes sold, if less than the whole, and if no such designation has been received, the tax collector may designate the portion to be sold. The person who will take the smallest quantity of any parcel of land, or, if an undivided interest is delinquent, the least portion of the interest, and pay the amount of the delinquent assessments and penalties, together with one dollar as costs, shall be declared the purchaser of the land or interest therein for which he made the bid. If no bid is received for a parcel advertised or for any part thereof, or if the person declared the purchaser shall fail to pay the amount required within twenty-four hours after the sale to him, the whole of the property shall be struck off to the district as the purchaser. A certificate of such sale shall be executed by the tax collector to the purchaser upon payment of the amount required, or to the district if it is the purchaser, and this certificate shall be recorded in the office of the county recorder of the county. Any person interested in said property may redeem the same at any time within three years from the date of said sale by paying to the county tax collector the amount for which said property was sold and interest on said amount at the rate of two per cent per month from the date of said sale. If no redemption of land sold for delinquent assessments as aforesaid shall have been made within three years from the date of said sale, the purchaser, or his successor in interest, shall be entitled to a deed to said property, and the county tax collector of the county in which said land is situated shall execute such a deed upon demand of the person entitled to the same. The effect of such a deed shall be to convey said property, free and clear of all liens and encumbrances, except state, county and municipal taxes, assessments or taxes levied or assessed by statutory authority,

and the lien of any district assessment or installment thereof then remaining unpaid. The district as a purchaser at a sale for delinquent assessments shall be entitled to all the rights of a private purchaser. The board of directors may sell any property so sold to the district, or the interest of the district in such property by virtue of a certificate of sale, but such property or interest must be sold at public auction, after notice by publication for at least two successive weeks of the time and place of said sale, which notice shall describe the property to be offered for sale, and no such property shall be sold for less than the amount that would be required to redeem it if the district has not yet received a deed to it, or for less than the amount that would have been required to redeem it on the day before the district became entitled to a deed, together with interest on said amount at the rate of seven per cent per annum from that time if the district has been given a deed to the property. Any property held by the district under a certificate of sale may be redeemed at any time before the district has received a deed to it for the minimum amount for which the district would be allowed to sell it if a deed had been given to the district.

SEC. 21. Whenever a road district or proposed road district includes lands situated in two or more counties, the powers, duties, and jurisdiction herein conferred or imposed upon the board of supervisors and the county treasurer, shall be exercised and performed by the board of supervisors and the county treasurer, respectively, of the county in which the greater portion of the district is situated. In such case assessment books and assessment lists, or certified copies of so much thereof as pertain to lands of the district situated in the respective counties shall be filed with the tax collectors of said several counties and in respect to collection of assessments, sale for delinquencies and redemption from such sales the said several tax collectors shall perform the duties and exercise the jurisdiction and powers herein imposed upon the county tax collector, in so far as pertains to lands of the district situated in their respective counties.

SEC. 22. If any assessment shall be adjudged invalid, the board of directors may appoint commissioners again to assess the proper amount upon the lands of the district that will be benefited, if said invalid assessment was prepared by commissioners and the board may levy another assessment for the same purpose or purposes if said invalid assessment was an annual assessment levied by the board.

SEC. 23. The county treasurer of the county in which the district, or the greater portion thereof, is situated shall receive to the credit of the district and in trust for its uses and benefits all the funds thereof, and all such funds belonging to the district, or to which the district is entitled, shall, when received, except as herein otherwise provided, be paid by the person so receiving them to the said treasurer. The treasurer shall establish for the district two funds which shall be designated as the bond fund and the general fund. The bond fund shall consist of all moneys raised by assessments or otherwise for the payment of the principal of or interest on bonds of the district, the proceeds of the sale of land for assessments for such purposes which have become delinquent."

AMENDMENT NUMBER THIRTEEN.

On pages 18 and 19 of the printed bill, strike out lines 42 to 52, inclusive, on page 18, and lines 1 to 5, inclusive, on page 19, and insert in lieu thereof the following: "boards of supervisors shall set over and transfer to the general fund of the district all of the property tax for highway purposes and not less than sixty-five per cent of the property road tax collected in such district."

AMENDMENT NUMBER FOURTEEN.

On page 19, line 19, of the printed bill, after the word "issued" insert the following "or any assessment theretofore levied".

AMENDMENT NUMBER FIFTEEN.

On page 19, line 42, of the printed bill, after the word "and", insert the following "to cause to be collected any and all assessments theretofore levied, and to".

AMENDMENT NUMBER SIXTEEN.

On pages 19 and 20 of the printed bill, strike out lines 46 to 52, inclusive, on page 19, also strike out lines 1 to 14, inclusive, on page 20 and insert in lieu thereof the following:

"SEC. 27. After the formation of a district hereunder, the board of directors shall have power to levy and collect an assessment, not exceeding the rate of five cents upon each one hundred dollars' valuation of the lands in the district. When so instructed by the board of directors, the secretary shall forthwith prepare an assessment list in the manner and form and setting forth the matters herein required for the preparation of an assessment book for the annual district assessments. Upon the completion of the assessment list the secretary shall submit".

AMENDMENT NUMBER SEVENTEEN.

On page 20, line 42, of the printed bill, strike out the words "per acre".

AMENDMENT NUMBER EIGHTEEN.

On page 22 of the printed bill after line 6, add the following

"SEC. 30. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional

SEC. 31. This act is intended to furnish an alternative method for accomplishing the road construction, improvement and maintenance provided for herein, and does not repeal any other act or acts for the construction, improvement or maintenance of roads, streets or other public highways."

AMENDMENT NUMBER NINETEEN.

On page 3, line 32, of the printed bill, as amended April 19, 1923, after the period in said line, insert the following "Not less than ten days before any election at which district officers are to be chosen, any ten or more electors in the district may file with the board whose duty it is to provide the ballots at such election, a petition requesting that certain persons, specified in the petition, be placed on the ballot as candidates for the offices named in the petition. The names so proposed, and no others, shall be printed on the ballots But there shall be sufficient blank spaces left in which electors may write other names if they so desire."

The roll was called, and Senate amendments to Assembly Bill No. 979 were concurred in by the following vote:

AYES—Anderson, Badaracco, Baker, C. C., Baker, Edwin; Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean Dorris, Dozier Duval, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger McMillan, McPherson, Miller Mitchell A. G., Mitchell, T. A., Morris, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Spalding, Spence, Weller, West, Williams, Wright, and Mr Speaker—49.

NOES—Jones—1.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, MAY 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981*a*, relating to dismissal of appeal—and respectfully requests your honorable body to concur in said amendment.

J A. BEEK, Secretary of Senate.
By G MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1020?

AMENDMENT NUMBER ONE.

In line 18 strike out the period and insert the following "*and provided, further,* that any superior court may, by existing rule or by rule hereafter to be enacted, provide for dismissal of such appeal within a time less than one year."

The roll was called, and Senate amendment to Assembly Bill No. 1020 was concurred in by the following vote:

AYES—Anderson Badaracco, Baker, C. C., Baker Edwin; Bernard, Bromley, Carlson, Christian, Clarke, Cleary, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Emme, Fulwider, Heisinger, Jones, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine Schmidt, Snyder, Spalding Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI, inclusive, of chapter I of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend

article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships, and to make the partnership law of the State of California uniform with the law of other states—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1312?

AMENDMENT NUMBER ONE.

On page 9, line 40, of the printed bill, strike out the word "defind" and insert in lieu thereof the word "defined".

The roll was called, and Senate amendment to Assembly Bill No. 1312 was concurred in by the following vote:

AYES—Badaracco, Baker, Edwin, Bernard, Broughton, Carlson, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Fulwider, Graves, Heisinger, Hornblower, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Williams, Woodbridge, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 237?

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill after the word "of" strike out the remainder of the line and insert in lieu thereof the following "three hundred thirteen dollars sixty cents".

The roll was called, and Senate amendment to Assembly Bill No. 237 was concurred in by the following vote:

AYES—Badaracco, Baker, C. C., Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Wright, and Mr. Speaker—48.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1243?

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "also" strike out the words "five hundred" and insert in lieu thereof, "two hundred and fifty".

AMENDMENT NUMBER TWO.

On page 2, line 43, of the printed bill, after the word "treasurer" strike out the words "two thousand eight hundred" and insert in lieu thereof "three thousand".

AMENDMENT NUMBER THREE.

On page 3, line 44, of the printed bill, after the word "paid", insert the following: "In addition to the duties of his office he shall act as attorney for the public administrator."

AMENDMENT NUMBER FOUR

On page 4, line 34, of the printed bill, strike out the word "five", the first word in the line.

AMENDMENT NUMBER FIVE.

On page 5, line 17, of the printed bill, after the word "expenses", insert the following "Each member shall be allowed in lieu of all other fees for mileage, one dollar per mile per annum for each road mile in their respective districts, exclusive of state highway."

The roll was called, and Senate amendments to Assembly Bill No. 1243 were concurred in by the following vote:

AYES—Badaracco, Baker, C. C., Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Wright, and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 466—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 466?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill as amended May 9, 1923, in line 1 of the title following the word "Twenty-four" insert the following "and Twenty-five".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill as amended May 9, 1923, following line 44, insert the following

"SEC. 2. Section twenty-five of said act is hereby amended to read as follows:

SEC. 25. Fish and game district four "C" shall consist of and include that certain territory embraced within the Cleveland national forest, more particularly described as follows, to wit: The east half of township five south, range seven west; all of township five south, range six west, except sections one, two, three, ten, eleven and twelve; all of township six south, range six west, except the west one-half of fractional section nineteen, all of fractional section thirty and the west one-half of fractional section twenty-nine of said township six south, range six west; the west half of township six south, range five west; all of township seven south, range six west; the west one-half of township seven south, range five west; all in San Bernardino base and meridian in the State of California."

The roll was called, and Senate amendments to Assembly Bill No. 466 were concurred in by the following vote:

AYES—Badaracco, Baker, C. C., Bernard, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Jones, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes,

Pedrotti, Pomeroy, Reindollar, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Wright, and Mr. Speaker—48.

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 717 finally passed by the following vote:

AYES—Anderson, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Christian, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morrison, Mueller, Noyes, Pedrotti, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Stevenot, Stow, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 523—An act to forbid the paid employment of certain State officials or employees as to questions submitted to the electors or under consideration by the Legislature; and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Christian, Baker, Edwin; Fulwider, Fox, and Weller demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 523.

The roll was called, and Senate Bill No. 523 refused passage by the following vote:

AYES—Broughton, Carlson, Crittenden, Dean, Donohue, Dorris, Emme, Fellom, Graves, Jones, McMillan, McPherson, Morrison, Mueller, Noyes, Rosenshine, Saylor, Schmidt, Spalding, Stevenot, West, Woodbridge, and Wright—23.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Burns, Carter, Christian, Clarke, Connolly, Coombs, Croter, Davis, Dawson, Dozier, Duval, Eksward, Erb, Foster, Fulwider, Heisinger, Hornblower, Kline, Lyman, Mathews, McDowell, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Pedrotti, Prendergast, Roberts, Scott, Smith, Snyder, Spence, Stow, Weller, Williams, and Mr. Speaker—42.

Senate Bill No. 547—An act making it unlawful to solicit for hotel guests on boats and trains.

Bill read third time.

The question being on the passage of the bill

DEMAND FOR PREVIOUS QUESTION.

Messrs. Morris, Carter, Anderson, McPherson, and Pedrotti demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 547.

The roll was called, and Senate Bill No. 547 refused passage by the following vote:

AYES—Badham, Baker, Edwin, Bromley, Davis, Dawson, Duval, Kline, McDowell, Morris, Pedrotti, Roberts, Snyder, Spalding, Spence, Stow, Weller, Whitacre, and Williams—18

NOES—Anderson, Bernard, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Crittenden, Dean, Dorris, Doziel, Eksward, Fellom, Fox, Fulwider, Heisinger, Jones, Lyman, McMillan, McPherson, Mitchell, T. A., Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Saylor, Scott, Smith, West, Woodbridge, and Mr. Speaker—34.

WITHDRAWAL OF BILL.

Mr Morris asked for and was granted unanimous consent to withdraw Senate Bill No. 283.

Bill withdrawn and ordered stricken from the file.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At two o'clock and forty-nine minutes p.m., Mr Morris moved that further proceedings under the call of the House be dispensed with.

Motion lost.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER Your Committee on Conference concerning Assembly Bill No 1166—*An act to amend section 2932 of the Civil Code, relative to power of sale conferred* by mortgage and redemption from such sale and sales under transfers subject to defeasance—report that we have met a like Committee of the Senate, consisting of Senators Swing, Eden and Rowanger, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

KLINE,
HORNBLOWER,
SPENCE,
Assembly Committee on Conference

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE

The Speaker announced the appointment of Messrs. Davis, Johnston, and Weller as a Committee on Free Conference, to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 1166.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At two o'clock and fifty-eight minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Bromley.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 869 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Graves, Heisinger, Johnston, Jones, Kline Lyman, Mathews, McDowell, McMillan McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—66

NOES—None.

The above reported bill ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 567—An act to amend section 453e of the Civil Code, relating to insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 567 finally passed by the following vote:

AYES—Baker, Edwin; Bernard, Broughton, Burns Carlson, Carter, Christian, Cleary, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Fox, Fulwider, Hawes, Johnston, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Roberts Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—53.

NOES—Anderson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 95 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Burns, Carlson, Christian, Cleveland, Connolly, Coombs, Croter, Davis, Dean, Donohue, Dorris, Emme, Erb, Fellom, Foster Fulwider, Graves, Hawes, Heisinger, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 97—An act to amend section 1143 of the Penal Code, relating to fees of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bernard, Broughton, Burns, Carlson, Christian, Coombs, Davis, Dawson, Donohue, Dorris, Dozier, Emme, Erb, Fellom Foster, Fox, Fulwider, Graves Hawes, Heisinger, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Noyes, Pomeroy, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 442—An act to amend section 1764 of the Political Code, relative to the county high school tax.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 442 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bernard, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Fulwider, Graves, Hawes, Jones, Lyman, Lyons, McDowell, McMillan, McPherson, Miller, Mitchell, T. A., Morrison, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—45.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 356—An act to amend section 4077 of the Political Code, relating to claims against counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 356 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Burns, Carter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Jones, Lyman, Lyons, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 749—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-fifth and seventy-sixth fiscal years.

Bill read third time.

Urgency clause read.

The question being put: Shall this section setting forth the urgency features of this bill be passed?

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

AYES—Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Fellom, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—57.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 749 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Bromley, Broughton, Carlson, Carter, Christian, Cleveland, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Duval, Eksward, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnston, Jones, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 739—An act to amend section 1 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921; and relating to the taking effect of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 739 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleveland, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Johnston, Jones, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Stow, Weller, West, Woodbridge, Wright, and Mr Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 246—An act to repeal section 16 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 246 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Carlson, Carter, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dozier, Emme, Erb, Foster, Fox, Fulwider, Hawes, Johnston, Jones, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 121—An act relating to certain funds in the custody or control of the superintendents of State hospitals and providing for the allotment and apportionment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 121 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bernard, Burns, Carter, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Jones, Kline, Lyman, Lyons, McDowell, McMillan,

McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Scott, Smith, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 734—An act to amend an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any provisions voted upon throughout the State and providing penalties for violation of the provisions hereof," approved June 1, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 734 finally passed by the following vote:

AYES—Broughton, Carlson, Cleary, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Hornblower, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—44.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bromley, Carter, Christian, Cleveland, Connolly, Coombs, Dozier, Duval, Foster, Fulwider, Lyman, Morris, Noyes, Scott, and Stow—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 750—An act to amend section 1188 of the Political Code, providing for nominations other than at a primary election.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 750 finally passed by the following vote:

AYES—Badham, Bernard, Bromley, Broughton, Burns, Carlson, Christian, Cleary, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Erb, Fellom, Foster, Fox, Fulwider, Heisinger, Johnston, Jones, Kline, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Stevenot, Stow, Weller, West, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 75—An act to amend sections 34 and 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair work done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of

local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 75 finally passed by the following vote:

AYES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Carlson, Christian, Cleveland, Dawson, Dozier, Erb, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Jones, Kline, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Scott, Smith, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act and to make appropriation therefor to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act—report that we have met a like Committee of the Senate, consisting of Senators Breed, Gates, E. J., and Johnson, M. B., and we report that the Committee on Free Conference has agreed to recommend the following: That the Assembly do recede from the amendments to said bill adopted by it and that the following amendments to the said bill, as it was adopted by the Senate, be adopted.

BROMLEY,
DOZIER,
BAKER, C. C.,
Assembly Committee on Free Conference

BREED,
GATES, E. J.,
JOHNSON, M. B.,
Senate Committee on Free Conference.

The question being on the adoption of the report.

DEMAND FOR PREVIOUS QUESTION

Messrs. Pomeroy, Davis, Williams, Wright, and Christian demanded the previous question.

The question being put: Shall the main question be now put?

Demand lost.

The question being on the adoption of the report.

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

AYES—Anderson, Badaracco, Badham Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Christian, Cleary, Cleveland, Connolly, Coombs, Crittenden, Cróter Davis, Dawson, Donohue, Dorris, Doziet, Duval, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mitchell, T. A., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—72.

NOES—None.

MOTION.

Mr. Eksward moved that the printer be instructed to print 1500 extra copies of Senate Bill No. 743.

Motion carried.

MOTION.

Mr. Eksward moved that the printer be instructed to print 1000 extra copies of Senate Bill No. 432.

Motion carried.

MOTION.

Mr. Eksward moved that the printer be instructed to print 1000 extra copies of Senate Bill No. 228.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 466—An act to amend section 4292*a* of the Political Code, providing for the deposit of trust moneys by the officers of the several county and township offices with the county auditor.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Morris moved a call of the House.

Motion carried.

Time, four o'clock and seven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

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

Anderson, Badaracco, Baker, C. C., Baker, Edwin, Bromley, Burns, Carlson, Carter, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Fox, Fulwider, Graves, Heisinger, Johnston, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Pedrotti, Reindollar, Roberts, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—49.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

PROCEEDINGS UNDER CALL OF HOUSE BY UNANIMOUS CONSENT.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 746—An act to authorize the leasing of certain lands belonging to the State of California containing oil, gas, or other hydrocarbon deposits and providing for the disposition of the moneys received under said leases, and creating a commission to carry out the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 746 finally passed by the following vote:

AYES—Anderson, Badham, Baker, Edwin; Bromley, Burns, Carlson, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Erb, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Morrison, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—52.

NOES—Bernard, Saylor, Schmidt, and Wright—4.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE.

The following explanation of vote was received, and ordered printed in the Journal:

In explanation of my vote against Senate Bill No. 746 I desire to say that I believe the committee should be appointed and should proceed at once to follow out the provisions of the act, with the exception of turning the money into the general fund. Since this bill provides for the taking from the State something that can never be replaced. Therefore I believe the money should be used for some permanent improvement to the State.

VAN BERNARD.

MOTION.

Mr. Carter moved that the Chief Clerk be instructed to procure lunch for the members, said lunch to be paid for out of the contingent fund of the Assembly.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 finally passed by the following vote:

AYES—Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Dozier, Eksward, Foster, Fox, Graves, Johnston, Kline, Layman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendegrast, Roberts, Spalding, Weller, West, Williams, Wright, and Mr. Speaker—43.

NOES—Anderson, Badaracco, Cleary, Connolly, Erb, Fellom, Hawes, Jones, Morrison, Rosenshine, Saylor, Schmidt, Scott, Spence, Whitacre, and Woodbridge—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 336 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Carlson, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Fellom, Foster, Graves, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Noyes, Pedrotti, Pomeroy, Reindollar, Rosenshine, Schmidt, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 444—An act to amend section 1519*a* of the Political Code, relative to the powers and duties of the State Board of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 444 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, Edwin; Bernard, Bromley, Burns, Carlson, Carter, Cleveland, Croter, Davis, Dawson, Dean, Donohue, Dozier, Emme, Erb, Fellom, Graves, Hawes, Heisinger, Johnston, Jones, Kline, Lyman, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Saylor, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 393—An act to amend section 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 393 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Bromley, Burns, Carlson, Carter, Connolly, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Erb, Fellom, Hawes, Heisinger, Hornblower, Johnston, Kline, Lyons, McDowell, McMillan, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, West, Williams, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECONSIDERATION.

In compliance with his notice given on a previous day, Mr. Wright moved that the vote whereby Senate Bill No. 524 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Coombs Crittenden, Dean, Donohue, Dorris, Eksward, Emme, Erb Fellom, Hawes, Heisinger, Hornblower, Jones, Kline, Lyons, Mathews McMillan, Miller, Morris, Morrison, Mueller, Noves, Pedrotti, Reindollar Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—42.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin, Bromley, Carter, Cleveland, Connolly, Croter, Davis, Dawson, Dozier, Duval, Foster, Fox, Graves, Johnston McDowell, Mitchell, A. G., Pomeroy, Prendergast, Snyder, Stow, Weller, Williams, and Mr. Speaker—26

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWENTY-FOUR.

Senate Bill No 524—An act to amend section 27 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as approved May 23, 1917, as amended, by removing limitations of time for employee to file claim where a settlement agreement has not been approved by the Industrial Accident Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 finally passed by the following vote:

AYES—Badaracco, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Connolly Coombs, Crittenden, Dean, Donohue, Dorris, Eksward, Emme, Erb Fellom, Hawes, Heisinger, Hornblower, Johnston, Jones, McMillan, Miller, Morris, Morrison, Mueller, Noves, Pedrotti, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—41.

NOES—Anderson, Badham, Baker, C. C., Baker, Edwin; Bromley, Carter, Cleveland, Croter, Davis, Dawson, Dozier Foster, Fox, Fulwider, Graves, Kline, Lyman, McDowell, Mitchell, A. G., Pomeroy, Prendergast, Snyder, Stow, Weller, Williams, and Mr. Speaker—26

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No 7—An act to add a new section to the Political Code, to be numbered 1534*a*, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, and making an appropriation for the provisions of this act, and repealing section 1534 of the Political Code, relating to the government of private schools conducted wholly or in part in a language of a foreign nation, approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Connolly, Coombs, Crittenden, Croter, Dawson Dean, Donohue, Dorris, Duval, Eksward, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pedrotti, Pomeroy, Reindollar, Rosenshine, Saylor, Schmidt Scott, Snyder, Spalding, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 316—An act to amend an act entitled "An act creating a State Land Settlement Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1917, as amended, by amending section 2, 4, 11, 22 and 26 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 316 finally passed by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Baker, Edwin; Bernard, Bromley, Burns, Carlson, Carter, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Erb, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Kline, Lyman, McMillan, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Rosenshine, Saylor, Schmidt, Scott, Snyder, Spalding, Spence, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 127—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read third time

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION

Messrs. Emme, Baker, Edwin; McPherson, Pedrotti, and Lyons demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 127.

The roll was called, and Senate Bill No. 127 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Bromley, Broughton, Burns, Carlson, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Emme, Erb, Fellom, Fulwider, Hawes, Hornblower, Kline, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—54.

NOES—Cleary, Cleveland, Connolly, Dozier, Graves, Heisinger, and Jones—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 475—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Con-

gress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Morris, Wright, Whitacre, Emme and Pedrotti demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 475.

The roll was called, and Senate Bill No. 475 finally passed by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Hawes, Heisinger, Hornblower, Johnston, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Reindollar, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Badham, Burns, Cleveland, Connolly, Dawson, Dozier, Graves, Kline, Lyons, Pomeroy, and Weller—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 476—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 476 finally passed by the following vote:

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Coombs, Crittenden, Crofer, Davis, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Lyman, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Mueller, Noyes, Reindollar, Rosenshine, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—Cleveland—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 470—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo park in Contra Costa County.

Bill read third time.

The question being on the passage of the bill.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Morris, Schmidt, Mathews, Heisinger and Crittenden demanded the previous question.

The question being put: Shall the main question be now put?

Demand sustained.

The question being on the passage of Senate Bill No. 470.

The roll was called, and Senate Bill No. 470 finally passed by the following vote:

AYES—Anderson, Badaracco, Bernard, Bromley, Broughton, Burns, Carlson, Clarke, Cleary, Connolly, Coombs, Crittenden, Crofer, Dawson, Dean, Donohue, Dorris, Duval, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Hornblower, Lyman, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Stow, West, Whitacre, and Woodbridge—49.

NOES—Badham, Cleveland, Davis, Dozier, Foster, Graves, Jones, Kline, Lyons, Pedrotti, Pomeroy, Prendergast, Weller, Williams, Wright, and Mr. Speaker—16.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, MAY 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Free Conference Committee concerning Senate Bill No. 743—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles, to provide for carrying out the objects of this act, and to make appropriation therefor; to provide

for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526a, relating to the powers of the Board of State Harbor Commissioners—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly recede from Assembly amendments to Senate Bill No. 167?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 167 by the following vote:

AYES—None.

NOES—Anderson, Badham, Bromley, Broughton, Carlson, Carter, Cleary, Cleveland, Coombs, Crittenden, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Lyman, Lyons, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Pomeroy, Prendergast, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Williams, Wright, and Mr. Speaker—47.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker announced the appointment of Messrs. Morris, Weller, and Smith as a Committee on Conference to meet with a like committee from the Senate to consider Assembly amendments to Senate Bill No. 167.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Assembly Bill No. 1166 the following Senators: Johnson, M. B., Jones, and Osborne, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended and on this day passed as amended, Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1378?

AMENDMENT NUMBER ONE

On page 1, line 12, of the printed bill, strike out the word "three" and in lieu thereof insert the word "four".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1378 by the following vote:

AYES—Johnston—1.

NOES—Badaracco, Badham, Baker, C. C., Bernard, Broughton, Burns, Clarke, Cleary, Cleveland, Connolly, Crittenden, Dawson, Dean, Donohue, Dozier, Emme, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Jones, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, West, Whitacre, Woodbridge, Wright, and Mr. Speaker—47.

THIRD READING OF SENATE BILLS—(RESUMED).

ASSISTANT CLERK WAESTMAN READING.

Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 24, requiring that the justices of the Supreme Court shall give written opinions upon questions of law in certain cases.

Senate Constitutional Amendment No 29 read

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 29 refused adoption by the following vote:

AYES—Badham, Burns, Carter, Foster, Graves, Hornblower, Mitchell, A. G., Morris, Pomeroy, and Roberts—10.

NOES—Anderson, Badaracco, Baker, C. C., Bernard, Broughton, Carlson, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Dorris, Duval, Eksward, Emme, Fellom, Fox, Fulwider, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mueller, Noyes, Prendergast, Reindollar, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—51.

ASSISTANT CLERK POWERS READING

Senate Constitutional Amendment No 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the judicial department, and providing for the establishment of municipal courts.

Senate Constitutional Amendment No. 25 read

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 25 finally adopted by the following vote:

AYES—Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Carter, Cleary, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dozier, Duval, Emme, Erb, Fellom, Fox, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, Lyons, Mathews, McMillan, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr Speaker—60

NOES—Cleveland, Dorris, Fulwider, McDowell, Scott, and Spalding—6

Title read and approved.

Senate Constitutional Amendment No. 25 ordered transmitted to the Senate

SENATE CONSTITUTIONAL AMENDMENT No. 25.

A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the judicial department, and providing for the establishment of municipal courts.

The legislature of the State of California, at its regular session commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby propose that sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI of the constitution of the State of California be amended to read as follows

Section 1 The judicial power of the state shall be vested in the senate, sitting as a court of impeachment, in a supreme court, district court of appeal, superior courts, such municipal courts as may be established in any city or city and county, and such inferior courts as the legislature may establish in any incorporated city or town, township, county or city and county.

Sec 5. The superior courts shall have original jurisdiction in all cases in equity and in all cases at law, which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all

other cases, except as hereinafter provided, in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars, and in all criminal cases amounting to a felony, and in all cases of misdemeanor not otherwise provided for; of actions for forcible or unlawful entry or detainer, except as otherwise provided in this article, of proceedings in insolvency; of actions to prevent or abate a nuisance of all matters of probate, of divorce and for annulment of marriage; and of all such special cases and proceedings as are not otherwise provided for, and said courts shall have the power of naturalization, and to issue papers therefor

The superior court of any city and county in which there is a municipal court, and the superior court of any county wherein is located any city or cities having a municipal court, shall have such appellate jurisdiction on appeal in cases arising in any such municipal court and in such inferior courts as may be prescribed by law. The legislature may provide for the establishment of appellate departments of the superior court in any county or city and county wherein any municipal court is established, and for the constitution, regulation, jurisdiction, government and procedure of such appellate departments, and for the hearing and determination by district courts of appeal of causes in which judgment has been rendered by the superior court or an appellate department thereof *provided however*, that the appellate jurisdiction of appellate departments of the superior court and of district courts of appeal shall not extend to the hearing and determination of actions at law in which the demand, exclusive of interest, is less than three hundred dollars nor to actions of forcible or unlawful entry or detainer when the rental value is twenty-five dollars or less per month, and in which the whole amount of damages claimed is two hundred dollars or less Superior courts and municipal courts shall always be open, legal holidays and non-judicial days excepted. The process of superior courts shall extend to all parts of the state *provided*, that all actions for the recovery of the possession of, quieting the title to, or for the enforcement of liens upon real estate, shall be commenced in the county in which the real estate, or any part thereof, affected by such action or actions, is situated Said superior courts, and their judges, shall have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus on petition by or on behalf of any person in actual custody, in their respective counties Injunctions and writs of prohibition may be issued and served on legal holidays and non-judicial days. The process of any municipal court shall extend to all parts of the county or city and county in which the city is situated where such court is established and to such other parts of the state as may be provided by law, and such process may be executed or enforced in such manner as the legislature shall provide.

Sec. 11 In any city and county and in any city which is governed under a charter framed and adopted under the authority of this constitution containing a population of more than forty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States, a municipal court may be established as in this article provided, anything in this constitution to the contrary notwithstanding. For each such municipal court at least one judge shall be elected by the qualified electors of the city or city and county at the general municipal election, and such additional judges as shall be determined by the legislature. In any city, or city and county, in which there shall be more than one judge of a municipal court, the judges of such court may hold as many sessions of such court at the same time as there are judges thereof, and the business thereof shall be apportioned among the judges thereot in the manner prescribed by law. Municipal courts shall have original jurisdiction except as hereinafter provided, in all cases at law in which the demand, exclusive of interest, or the value of the property in controversy amounts to one thousand dollars or less, and of actions of forcible or unlawful entry or detainer where the rental value is one hundred dollars or less per month, and where the whole amount of damages claimed is one thousand dollars or less, and in cases to enforce and foreclose liens on personal property where the amount of such liens or the value of the property is one thousand dollars or less, and in all criminal cases amounting to misdemeanor punishable by fine and imprisonment in the city or city and county or county jail, or punishable by fine or such imprisonment The legislature may, however, provide for the establishment of courts inferior to municipal courts in cities and cities and counties where municipal courts are established, *provided, however*, that the jurisdiction of such inferior courts shall not extend to cases in which the claim or demand is more than fifty dollars.

The legislature shall determine the number of each of the inferior courts in incorporated towns, and in townships or counties, or in incorporated cities or cities and counties, where there is no municipal court, according to the population thereof, and the number of judges or justices thereof, and shall fix by law the powers, jurisdiction, duties and responsibilities of each of such inferior courts and of the judges or justices thereof, and until such inferior courts are otherwise so determined and provided for, such inferior courts now existing shall, until otherwise provided by law, continue in all respects as established at the time of the adoption of this

amendment; *provided*, that the powers of such inferior courts shall not in any case trench upon the jurisdiction of the several courts of record, except that the legislature shall provide that said courts shall have concurrent jurisdiction with the superior courts in cases of forcible or unlawful entry or detainer, when the rental value does not exceed seventy-five dollars per month, and where the whole amount of damages claimed does not exceed three hundred dollars, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to three hundred dollars.

The legislature shall provide by general law for the constitution, regulation, government and procedure of municipal courts, and for the jurisdiction thereof except in the particulars otherwise specified in this section, and for the establishment of municipal courts in cities or cities and counties governed under charters framed and adopted under the authority of this constitution, and having the population hereinbefore in this section specified. Upon the taking effect of such general law, a municipal court may be established in any such city or city and county whenever the charter thereof or amendment to such charter shall provide that there shall be a municipal court therein, or whenever the assent of a majority of the qualified electors of such city or city and county voting upon the question of the establishment of such municipal court, and expressed in such manner and form as the legislature shall by general law prescribe, is given to the establishment thereof. The manner in which, the time at which, the term for which the judges, clerks and other attaches of municipal courts shall be elected or appointed, the number and qualifications of said judges and of the clerks and other attaches, except as such matters are otherwise provided in this article, shall be prescribed by the legislature. The compensation of the justices or judges of all courts of record, shall be fixed and the payment thereof prescribed by the legislature.

In any city or in any city and county where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court except as herein provided, and pending actions, trials, and all pending business of inferior courts within such city or city and county or township, upon the establishment of any such municipal court, shall unless otherwise provided by law be transferred to and become pending in such municipal court, and all records of such inferior courts be transferred to and thereafter be and become records of such municipal court.

Upon the establishment of any such municipal court, and until the first election and the qualification of the judge or judges thereof and the first appointment and the qualification of the clerks and other attaches thereof, the judges or justices and the clerks and other attaches of any existing inferior courts in such city or city and county or township shall become and act as the judges, clerks and attaches respectively of such municipal court. Whenever any city having a municipal court is formed into a consolidated city and county with the combined powers of a city and county, under proceedings therefor as elsewhere in this constitution provided, such municipal court shall thereupon and thereby be and become the municipal court of such city and county, and the provisions of this article applicable to municipal courts in cities shall be applicable to the municipal court of such city and county.

Sec. 12. The supreme court, the district courts of appeal, the superior courts, the municipal courts, and such other courts as the legislature shall prescribe, shall be courts of record.

Sec. 14. The county clerks shall be ex officio clerks of the courts of record, other than municipal courts, in and for their respective counties or cities and counties. The legislature may also provide for the appointment, by the several superior courts, of one or more commissioners in their respective counties, or cities and counties, with authority to perform chamber business of the judges of the superior courts, to take depositions, and to perform such other business connected with the administration of justice as may be prescribed by law.

Sec. 18. The justices of the supreme court, and of the district courts of appeal, and the judges of the superior courts and of the municipal courts shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected or appointed, and no justice or judge of a court of record shall practice law in any court of the state during his continuance in office.

Sec. 23. No person shall be eligible to the office of a justice of the supreme court, or of a district court of appeal, or of a judge of a superior court, or of a municipal court, unless he shall have been admitted to practice before the supreme court of the state for a period of at least five years immediately preceding his election or appointment to such office.

Sec. 24. No justice of the supreme court nor of a district court of appeal, nor any judge of a superior court nor of a municipal court shall draw or receive any monthly salary unless he shall make and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court remains pending and undetermined that has been submitted for decision for a period of ninety days. In the determination of causes all decisions of the supreme court and of the district courts of appeal shall be given in writing, and the grounds of the decision shall be stated.

Senate Concurrent Resolution No. 26—Relative to the creation of the "Legislative Tax Committee of 1923," for the purpose of making an investigation and report on the systems of revenue and taxation in this State and of the methods in use in other states.

Senate Concurrent Resolution No. 26 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 26 refused adoption by the following vote:

AYES—Anderson, Badaracco, Bernard, Broughton, Carlson, Clarke, Cleary, Coombs, Crittenden, Cloter, Dean, Donohue, Dorris, Dozier, Emme, Fellom, Fox, Hawes, Heisinger, Jones, Lyman, Mathews, McDowell, McMillan, Miller, Morrison, Mueller, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Spalding, Spence, West, Whitacre, Woodbridge, and Wright—39.

NOES—Badham, Baker, C. C., Bromley, Burns, Carter, Cleveland, Connolly, Davis, Dawson, Duval, Foster, Fulwider, Graves, Hornblower, Kline, McPherson, Mitchell, A. G., Noyes, Pomeroy, Snyder, Stevenot, Stow, Weller, Williams, and Mr. Speaker—25.

WITHDRAWAL OF BILL.

Mr. Williams asked for and was granted unanimous consent to withdraw Senate Joint Resolution No. 9.

Senate Joint Resolution No. 9 withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Morris asked for and was granted unanimous consent to withdraw Senate Bill No. 338.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Morris asked for and was granted unanimous consent to withdraw Senate Bill No. 188.

Bill withdrawn and ordered stricken from the file.

WITHDRAWAL OF BILL.

Mr. Wright asked for and was granted unanimous consent to withdraw Senate Bill No. 166.

Bill withdrawn and ordered stricken from the file.

SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 13—An act to amend section 92 and 139 of the Civil Code and to amend the Civil Code by adding thereto a new section to be numbered 108, relating to the causes for divorce.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State;

Also Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended;

Also Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy

and collect taxes to pay the principal and interest on bonds and for carrying on their operations and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1367—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax list.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 1329—An act to regulate the use of American histories and other textbooks in institutions of learning in this State.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women;

Also: Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities;

Also: Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMETO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 47—A resolution to

propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported constitutional amendment ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 231—An act appropriating money to pay the claim of C. E. Bradbury against the State of California;

Also: Senate Bill No. 656—An act to require owners of forest lands to provide a fire patrol therefor;

Also: Senate Bill No. 348—An act validating and confirming the organization of irrigation districts;

Also: Senate Bill No. 95—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended;

Also: Senate Bill No. 717—An act to amend section 1125 of the Political Code, relating to election precincts;

Also: Senate Bill No. 458—An act to amend an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 5 thereof.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate refused passage to Assembly Bill No. 1351—An act requiring the chairman of the State Department of Labor and Industrial Relations to act as an investigator and conciliator of industrial controversies.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 703?

AMENDMENT NUMBER ONE

On page 2, line 23, of the printed bill, after the word "hereafter" and before the word "for" strike out the following "built, designed or intended" and insert in lieu thereof the following "erected and intended or designed,".

AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed bill, after the word "housed" and before the word "or" strike out the word "thirty" and insert in lieu thereof the following: "for educational purposes fifty".

AMENDMENT NUMBER THREE

On page 2, line 51, of the printed bill, after the word "level" strike out the period and insert a semicolon and the following "*provided, further*, that every school exceeding two stories in height shall have at least two stairways, exclusive of fire escapes, extending from the topmost story to the ground floor level."

AMENDMENT NUMBER FOUR

On page 3, line 13, of the printed bill, after the word "of" and before the word "story" strike out the words "three or more" and insert in lieu thereof the words "more than three".

AMENDMENT NUMBER FIVE

On page 3, line 18, of the printed bill, after the word "of" and before the word "stories" strike out the words "three or more" and insert in lieu thereof "more than three".

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, after the word "exceeding" and before the word "stories" strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER SEVEN.

On page 3, line 26, of the printed bill, after the word "school" and before the word "may" strike out the words "not exceeding one story in height".

AMENDMENT NUMBER EIGHT.

On page 3, line 41, of the printed bill, after the comma following the word "paper" strike out balance of the paragraph down to and including the period after the word "thick" on line 42, same page, and insert in lieu thereof the following "and there shall then be applied thereon metal lath or wire mesh securely fastened to said sheathing and well plastered with Portland cement plaster or any other cement of equal quality plaster, not less than three-fourths inch thick. In every such semi-fireproof school which is of two stories in height the ceilings and wooden stud walls of hallways and stairwells, the underside of wooden stairways and the soffits of such stairways shall be lathed with metal lath and plastered not less than three-fourths inch thick."

AMENDMENT NUMBER NINE.

On page 4, line 5, of the printed bill, after the word "of" and before the word "stories" strike out the word "two" and insert in lieu thereof the word "three".

AMENDMENT NUMBER TEN.

On page 4, line 37, of the printed bill after the word "than" and before the word "pounds" strike out the words "one hundred twenty-five" and insert in lieu thereof the words "one hundred".

AMENDMENT NUMBER ELEVEN.

On page 5, line 12 of the printed bill, after the period following the word "thick" insert the following sentence: "Any glass in any door or window or opening in the walls of a boiler room shall be wired glass not less than one-fourth (¼) inch thick set in a metal or metal covered sash."

The roll was called, and Senate amendments to Assembly Bill No. 703 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof, and to punish parents or guardians of such children who fail to provide food for such children—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1273?

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5 of the title of the printed bill, strike out all of lines 4 and 5 of said title.

AMENDMENT NUMBER TWO.

Also strike out the "comma" following the word "thereof" in line 3 of the title and insert in lieu thereof a "period".

The roll was called, and Senate amendments to Assembly Bill No. 1273 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1180?

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, strike out the words "here and after" and insert in lieu thereof the word "hereinafter".

AMENDMENT NUMBER TWO.

On page 5, line 24, of the printed bill, after the word "polls" insert a comma.

AMENDMENT NUMBER THREE.

On page 5, line 25, of the printed bill, after the word "election" insert a comma.

AMENDMENT NUMBER FOUR.

On page 7, line 25, of the printed bill, strike out the word "redeem" and insert in lieu thereof the word "redeemed".

AMENDMENT NUMBER FIVE.

On page 7, line 34, of the printed bill, strike out the word "party" and insert in lieu thereof the words "person or persons".

AMENDMENT NUMBER SIX.

On page 4, line 24, of the printed bill, after the word "which" insert the word "the".

AMENDMENT NUMBER SEVEN.

On page 4, line 38, of the printed bill, strike out the word "shall" and all the remainder of line 38 and all of lines 39, 40, 41, and in line 42 strike out the first word "and".

The roll was called, and Senate amendments to Assembly Bill No. 1180 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain and control a certain

fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 35?

AMENDMENT NUMBER ONE.

On page 1, strike out all of line 3, and insert in lieu thereof the words "director of institutions".

The roll was called, and Senate amendment to Assembly Bill No. 35 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Crotet, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.
NOES—None.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1051?

AMENDMENT NUMBER ONE.

On page 2, strike out all of section (f) lines 30, 31, 32, 33, 34, 35 and insert the following:

"Nothing in this act contained shall apply to or affect the transportation of perishable or semi-perishable agricultural, horticultural or viticultural products or empty carriers therefor between any of the following places, namely, farms, packing houses, canneries, driers or local assembling points during any part of the harvest or shipping period in any year. The words 'local assembling points' as used in this paragraph mean platforms, sheds, docks, warehouse, cars or receiving stations in the vicinity of the place of production generally used by one or more growers or shippers."

AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed amended bill, after the word "products" insert "and dairy products".

The roll was called, and Senate amendments to Assembly Bill No. 1051 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Crotet, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.
NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 491?

AMENDMENT NUMBER ONE.

On page 1, line 22, strike out the word "ninety" and insert in lieu thereof the word "thirty".

The roll was called, and Senate amendment to Assembly Bill No 491 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Crotet, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Procedure, relating to election contests—and respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 251?

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out the words "Any of the following sections in this title" and insert in lieu thereof the following "All of the sections of this code".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following:

"Where the contest is initiated for the purpose of determining the illegality of any proposition or measure submitted to the electors at any state wide election, the person or persons initiating such contest after filing said contest shall serve all pleadings, notices and orders upon the attorney general and the said attorney general shall defend said action or proceeding on behalf of the State of California. The person or persons initiating such contest shall immediately notify the governor of the state of the filing of such contest and thereupon the governor shall certify the fact of such contest to the superior courts of the state in and for the city and county, or county, in which such contest is initiated and such courts shall thereupon immediately proceed to determine such contest and the district attorney of each county shall defend such contest on behalf of the State of California The superior courts shall certify the result of such contest to the secretary of state who shall upon receipt of the certified results from such superior courts, officially declare the results of such contest. The costs of such contest shall be paid by the person or persons initiating such contest."

The roll was called, and Senate amendments to Assembly Bill No. 251 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Crotet, Davis, Dean, Dorris, Dozier, Fellom Fox, Fulwider, Graves Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A G, Morrison, Mueller, Noyes, Pomeroy, Prender-

gast, Remdollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 10, 25, 33, and 36 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1304?

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the amended bill, omit the words "ten, twenty-five, thirty-three and thirty-six," and insert in lieu thereof the words "eight, ten, twenty-five, and thirty-three."

AMENDMENT NUMBER TWO.

On page 2, line 27, of the amended bill, omit the words and dotted line following, "The year of my birth was_____".

AMENDMENT NUMBER THREE.

On page 2, lines 28 and 29, of the amended bill, omit the words "married or single" with the bracket and enclosed dotted line, and insert in lieu thereof the words and dotted line "duration of residence in California_____".

AMENDMENT NUMBER FOUR

On page 2, line 42, of the amended bill, omit the word "as," and insert in lieu thereof the word "at."

AMENDMENT NUMBER FIVE

On page 3, line 7, of the amended bill, omit the word "verified," and insert in lieu thereof the word "certified."

AMENDMENT NUMBER SIX.

On page 3 of the amended bill omit lines 10 to 25, inclusive, and insert in lieu thereof the following:

"(b) The declaration shall be made in duplicate except as hereinafter provided, and each copy thereof shall be subscribed and sworn to before some officer authorized to administer oaths, and thereupon at least sixty-five days before the August primary election, and at least forty-five days before a primary election other than the August primary, shall be left with the county clerk or registrar of voters in the county in which the candidate resides Such clerk or registrar of voters shall forthwith certify and transmit to the secretary of state one copy of the declaration of each candidate for state offices, United States senators, representatives in congress, members of the state senate and assembly, delegates to state conventions from hold-over senatorial districts, and all officers to be voted for in districts comprising more than one county, and shall file the other copy in his own office. In the case of candidates to be voted on at a municipal election at a primary other than the August primary, he shall transmit one copy of the declarations of such candidates to the city clerk of the municipality concerned, and shall file the other copy in his own office In the case of candidates for all other offices the declarations need not be made in duplicate, and shall be filed in the office of the county clerk or registrar of voters."

AMENDMENT NUMBER SEVEN.

On page 3, lines 48, 49 and 50 of the amended bill, omit the comma in line 48 and everything following and insert in lieu thereof a period and the following: "In the case of every candidate to be voted for at the primary election for whom the number of sponsor certificates is not above provided, the number shall be not less than

one-half of one per cent, nor more than two per cent, of the total vote cast at the last gubernatorial election in the county or political subdivision thereof in which such candidate seeks nomination. In the case of candidates for a party county central committee, the percentage shall be based upon the votes for the respective party candidates for governor, or, if there was no candidate for governor, for other state-wide office."

AMENDMENT NUMBER EIGHT.

On page 4, line 4, of the amended bill, at the end of the line leave a blank for insertion of date as follows: "_____, 19_____."

AMENDMENT NUMBER NINE.

On page 4, line 28, of the amended bill, after the word "be" insert the following "made in duplicate except as hereinafter provided, and shall be".

AMENDMENT NUMBER NINE *a*.

On page 4, line 40, of the amended bill, insert at the end of the line the words "any signature in".

AMENDMENT NUMBER TEN.

On page 5, line 13, of the amended bill, after the word "and" insert the following: "one copy of such certificate shall".

AMENDMENT NUMBER ELEVEN.

On page 5, line 7, of the amended bill, in place of the period insert a comma and the following: "and shall include therewith a typewritten list of the sponsors not marked "not sufficient," their addresses and occupations. The duplicate copies of such sponsor certificates he shall file in his own office."

AMENDMENT NUMBER TWELVE.

On page 5, line 13, of the amended bill, after the word "and" insert the following: "one copy of such certificate".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 16, of the amended bill, after the period insert as follows: "The duplicate copies of such sponsor certificates the county clerk or registrar of voters shall file in his own office."

AMENDMENT NUMBER FOURTEEN.

On page 5, line 20, of the amended bill, in lieu of the period insert as follows: A comma and the words "and such sponsor certificates shall not be made in duplicate, and shall be so arranged, by pluralizing of pronouns and otherwise, as to admit of the signatures of not exceeding fifty sponsors on the same sponsors' certificate."

AMENDMENT NUMBER FOURTEEN *a*.

On page 5, line 22 of the amended bill, after the words "number of" insert the words "blanks for".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 32, of the amended bill, after the word "certificate," insert the following: ", except as provided at the end of subdivision (*g*) above.".

AMENDMENT NUMBER SIXTEEN.

On page 5, lines 42, 43 and 44, of the amended bill, omit all of lines 42 and 43, and the first three words of line 44.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 2, of the amended bill, after the period insert the following: "He shall also furnish to each county clerk or registrar of voters a copy of the declarations and a list of sponsor certificates, including addresses and occupations of all candidates for state senate or assembly, and all candidates for delegate to state conventions, to be voted for in the county to which such copy and list is sent; *provided*, that in the case of such candidates to be voted for wholly within one county or city and county, the secretary of state need only refer to the declarations and sponsor certificates already on file in the office of the county clerk or registrar of voters."

AMENDMENT NUMBER EIGHTEEN.

On page 6, lines 4 and 5, of the amended bill, omit the following: "add all declarations filed in his office" and insert in lieu thereof the following: "of such pamphlet add thereto the declarations of all candidates for state senate and assembly and delegates to state conventions.".

AMENDMENT NUMBER NINETEEN.

On page 6, line 8, of the amended act, after the period insert the following: "As soon as said pamphlets are printed the county clerk or registrar of voters of each county or city and county, shall file one copy with the secretary of state and send one copy to each candidate whose declaration of candidacy is printed therein."

AMENDMENT NUMBER TWENTY.

On page 6, lines 10 and 11, of the amended bill, omit the words "fourteen point type" and the remaining portion of each certificate in ten point type," and insert in lieu thereof "black face type, the names of the candidates to be in capital letters."

AMENDMENT NUMBER TWENTY-ONE.

On page 6, lines 38 and 39, of the amended bill, omit the words "judicial, school, county and township" and insert in lieu thereof the words "judicial and school offices to be voted on in more than one county,".

AMENDMENT TWENTY-ONE *a*.

On page 7, line 32, of the amended bill, after the word "act", insert a comma and the words "and designated as nomination papers in other portions of the act,".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, omit all of lines 34 to 39, inclusive, of the amended bill, and insert in lieu thereof as follows: "in congress, members of the state senate and assembly, delegates to state conventions from hold-over senatorial districts, and all officers to be voted for in more than one county, one copy in the office of the secretary of state, and a duplicate copy in the office of the county clerk or registrar of voters of the county in which the candidate or sponsors reside.

2. For all officers to be voted for wholly within one county or city and county except as provided in subdivisions one and three of this section, in the office of the county clerk or registrar of voters of such county or city and county."

AMENDMENT NUMBER TWENTY-THREE

On page 8, in lines 3 to 8, inclusive, of the amended bill, omit everything to and including the word "Assembly" in line 8, and insert in lieu thereof as follows: "assembly

4. A filing fee of ten dollars, except as in subdivision six below, shall be paid to the county clerk or registrar of voters in any county or city and county when the declaration certificate of any candidate".

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, after line 40, of the amended bill, insert the following:

"SEC. 4. Section eight of said act is hereby amended to read as follows:

SEC. 8. The county clerk shall immediately pay to the county treasurer, and the registrar of voters in any city and county shall immediately pay to the city and county treasurer, all fees received from candidates. The city clerk or secretary of the legislative body of any municipality shall immediately pay to the city treasurer all fees received from candidates. Within ten days after the primary election the secretary of state shall pay to the state treasurer all fees received from candidates and shall apportion the fees paid to him by each candidate to the county in which such candidate resides if such candidate is to be voted for wholly within one county or city and county, and otherwise equally among the counties within which such candidate is to be voted for, and certify such apportionment to the state controller, who shall issue warrants on the state treasurer for the amount due each county and the state treasurer shall pay the same."

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 41, of the amended bill, omit the figure "4" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER TWENTY-SIX.

On page 9, after line 2, of the amended bill, insert the following:

"Such county clerk or registrar of voters shall forthwith, upon receipt thereof, publish under the proper party designation the title of each office (except a judicial office or a school office) which appears upon the certified list transmitted by the secretary of state as hereinbefore provided together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices in the office of the secretary of state, and also the names of all candidates for the state senate and assembly when such candidates are to be voted for wholly within one county or city and county, and for the county central committee, filed in the office of the county clerk or registrar of voters. He shall also publish the title of each judicial office, school office, county office, and township office, together with the names and addresses of all persons for whom nomination papers have been filed for each of said offices, either in the office of the secretary of state or in the office of the county clerk or registrar of voters, and shall state that candidates for said judicial, school, county, and township offices may be voted for at the primary election, by any registered, qualified elector of the county, whether registered as intending to affiliate with any political party or not. He shall also publish the date of the primary election, the hours during which the polls will be open, and that the primary election will be held at the legally designated polling places in each precinct, which shall be particularly designated. It shall be the duty of the county clerk or registrar of voters in any city and county to cause such publication to be made once each week for two successive weeks prior to said primary election."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 3, of the amended bill, omit the figure "5" and insert in lieu thereof the figure "6."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 32, of the amended bill, omit the figure "6" and insert in lieu thereof the figure "7."

AMENDMENT NUMBER TWENTY-NINE.

On page 10 of the amended bill, omit lines 39 to 46, inclusive

AMENDMENT NUMBER THIRTY

On page 2, line 28, of the printed bill, as amended May 11, 1923, strike out the following: "The state (or county) of my birth was _____."

AMENDMENT NUMBER THIRTY-ONE

On page 4, line 15, of the printed bill, as amended May 16, 1923, after the comma insert the following, "shall be affiliated with the party, if any, in which the nomination is proposed,".

The roll was called, and Senate amendments to Assembly Bill No. 1304 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 721?

AMENDMENT NUMBER ONE.

On page 1, line 22, strike out the word "ninety", and insert in lieu thereof the word "thirty".

The roll was called, and Senate amendment to Assembly Bill No. 721 was concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo Water District, prescribing its boundaries and providing for the government and control thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1297?

AMENDMENT NUMBER ONE.

On page 2, line 40, of the amended printed bill, after the word "authority" insert the following "(including the power to develop and store water for domestic, agricultural or hydro-electric power purposes)."

AMENDMENT NUMBER TWO

On page 2, line 44, of the amended printed bill, strike out the word "including", and all the remainder of said line, and lines 45 and 46

AMENDMENT NUMBER THREE.

On page 3, line 14, of the amended printed bill, strike out the word "directors", and insert in lieu thereof the word "officers".

AMENDMENT NUMBER FOUR.

On page 3, line 25, of the amended printed bill, after the word "property" insert "(including water and rights to water)".

AMENDMENT NUMBER FIVE.

On page 3, line 30 of the amended printed bill, after the word "distribution", strike out the word "of", and all of lines 31 and 32, and insert in lieu thereof "within its own boundaries, of water whether furnished by said Mono-Inyo water district or otherwise acquired".

AMENDMENT NUMBER SIX.

On page 4, line 21, of the amended printed bill, after the word "district" insert the following: "excepting however water owned or appropriated by municipal corporations for the municipal and domestic purposes of their inhabitants, or by or on behalf of an irrigation district formed, or to be formed".

AMENDMENT NUMBER SEVEN.

On page 4 line 22, of the amended printed bill, strike out the word "perfected", and insert in lieu thereof the words "acquired by appropriation or otherwise".

AMENDMENT NUMBER EIGHT.

On page 4, line 23, of the amended printed bill, at the end of the line, insert the following: "where application has heretofore been made to the division of water rights of the State of California for any of said waters by or on behalf of an irrigation district already formed, or the formation of which is contemplated, nothing in this act shall interfere with the right of said district to complete its said application and divert the amount of water necessary for the irrigation of the lands in said district provided reasonable diligence is used in the prosecution and completion of said work".

The roll was called, and Senate amendments to Assembly Bill No. 1297 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 828—An act to add a new section to the Penal Code to be numbered 645, relating to prevention of procreation of persons convicted of rape or carnal abuse of females under the age of ten years—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 828?

AMENDMENT NUMBER ONE.

Amendment to title. In line 3 of the title of the printed bill, following the words "convicted of", strike out the words "rape or".

AMENDMENT NUMBER TWO.

In line 5 of the printed bill following the comma after the word "years", strike out the word "or".

AMENDMENT NUMBER THREE.

In line 6 of the printed bill strike out the words "of rape by force and violence."

The roll was called, and Senate amendments to Assembly Bill No. 828 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 497?

AMENDMENT NUMBER ONE.

On page 5, line 20, of the printed bill, after the word "schools" strike out the remainder of the line and all of lines 21, 22, 23 and everything in line 24 down to and including the word "county".

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, commencing with line 4 strike out all of section 8 and insert in lieu thereof the following:

"The superintendent of schools, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools, one deputy superintendent of schools, who shall be appointed by the superintendent of schools, and shall be paid a salary of one hundred fifty dollars per month, one field deputy superintendent of schools, who shall be appointed by the superintendent of schools to assist the superintendent of schools in the discharge of his duty in visiting and examining schools, as provided by the state law, and it shall be the duty of said field deputy superintendent of schools to make written report of his examination, to be transmitted by the superintendent of schools to each trustee of all districts so examined; said field deputy shall receive a salary of two hundred fifty dollars per month, and his actual and necessary traveling expenses while engaged in performing the duties of his office under the direction of the superintendent of schools; one deputy superintendent of schools who shall be a registered nurse, to be appointed by the superintendent of schools, and who shall receive a salary of one hundred fifty dollars per month. The salary of the deputies provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of superintendent of schools is paid."

The roll was called, and Senate amendments to Assembly Bill No. 497 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.

NOES—None.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 841—An act to

prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 841?

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "to" after the word "advancement" and the comma after the word "to".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the comma after the word "defraud".

The roll was called, and Senate amendments to Assembly Bill No. 841 were concurred in by the following vote:

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carlson, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Dorris, Dozier, Fellom, Fox, Fulwider, Graves, Hawes, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—50.
NOES—None.

The above reported bill ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions, to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses, to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 738?

AMENDMENT NUMBER ONE.

On page 2, line 45, of the amended bill, strike out the word "five", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWO.

On page 2, line 48, of the amended bill, strike out the word "five" and insert in lieu thereof the word "four".

AMENDMENT NUMBER THREE.

On page 5 of the amended printed bill, amended in the Senate May 15, 1923, in lines 12 and 13, strike out the words "or like motor carriers" and insert in lieu thereof the following "drays, transfer vehicles and other like city motor vehicles".

AMENDMENT NUMBER FOUR

On page 5, of the amended printed bill, strike out all of line 15 after the word "vehicles" and all of lines 16, 17, 18, 19 and 20, and insert in lieu thereof a period.

AMENDMENT NUMBER FIVE.

On page 5, of the printed amended bill, on line 38, strike out the period after the word "repealed" and in lieu thereof insert a semicolon and the following "*provided, however*, that nothing herein shall be construed as affecting or repealing the provisions of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages, defining transportation companies and providing for the supervision and regulation thereof by the railroad commission, providing for the enforcement of the provisions

of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended.

SEC. 13. This act shall be and become effective January 1, 1924."

The roll was called, and Senate amendments to Assembly Bill No. 738 were concurred in by the following vote:

AYES—Anderson, Badham, Baker, C. C., Bernard, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Hawes, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—58.

NOES—None.

The above reported bills ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 108—An act to amend section 1142 of the Political Code relating to the appointment of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 108 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Carlson, Carter, Cleary, Coombs, Croter, Davis, Dawson, Dean, Eksward, Emme, Fellom, Fox, Fulwider, Heisinger, Hornblower, Johnston, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Snyder, Spalding, Spence, Stevenot, Stow, West, Whitacre, Woodbridge, and Wright—46.

NOES—Graves, and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

WITHDRAWAL OF BILL.

Mr. Spence asked for and was granted unanimous consent to withdraw Senate Bill No. 287.

Bill withdrawn and ordered stricken from the file.

CONSIDERATION OF GOVERNOR'S VETOES.

Assembly Bill No. 17—An act entitled an act declaring the public highway extending from Irwin Street within the corporate limits of the city of San Rafael, in Marin County, to Point San Quentin, in Marin County, to be a State highway.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Carlson, Fellom, Reindollar, and Schmidt—4.

NOES—Anderson, Badaracco, Baker, C. C., Bernard, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Eksward, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Rosenshine, Saylor, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43.

Assembly Bill No. 1148—An act declaring the county road extending from Bolinas in Marin County to Stinson Beach and to State highway

leading from Sausalito to Corte Madera in county of Marin, to be a State highway, and providing for the maintenance thereof

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Carlson, Fellom, Reindollar, and Schmidt—4

NOES—Anderson, Badaracco, Baker, C. C., Bernard, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Duval, Eksward, Foster, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Rosenshine, Saylor, Smith, Snyder, Spalding, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—43

Assembly Bill No. 915—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Reindollar—1.

NOES—Anderson, Badaracco, Badham, Bernard, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hornblower, Johnston, Kline, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 880—An act to provide for the county boards of supervisors paying indemnities for breeding dairy cattle branded as tubercular reactors by representatives of the United States Department of Animal Industry or the State Division of Animal Industry in the counties where bovine tuberculosis eradication and control work is being carried on under the provisions of an act entitled "An act to prevent, control and eradicate tuberculosis in cattle in the State of California; to empower the Director of Agriculture to establish tuberculosis eradication or free areas, providing penalties for the violation hereof," approved June 3, 1921.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Reindollar—1.

NOES—Anderson, Badaracco, Badham, Bernard, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hornblower, Johnston, Kline, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 590—An act to amend an act entitled "An act to promote the California fruit, nut and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the

certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof" and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith," approved May 27, 1919, approved June 3, 1921.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Reindollar—1.

NOES—Anderson, Badaracco, Badham, Bernard, Carlson, Carter, Clarke, Cleveland, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Hornblower, Johnston, Kline, McDowell, McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No 448—An act making an appropriation for the improvement of the State highway between a point near the town of Hume, in the county of Fresno and the floor of the Kings River Canyon, at or near Cedar Grove hotel in said county.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Heisinger McDowell, and Reindollar—3.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Carter, Clarke, Cleveland, Connolly, Crittenden, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Foster Fox, Fulwider, Graves, Hornblower, Johnston, Jones, Kline McMillan, McPherson, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Schmidt, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—48.

EXPLANATION OF VOTE

The following explanation of vote was received and ordered printed in the Journal:

My reasons for voting "Aye" on veto of Assembly Bill No. 448, Kings River Canyon road

In his budget message, the Governor said, "This budget shows $10,329,670 to pay interest and principal on bond money used in building roads in the counties. The policy of unloading county functions upon the State has helped increase the budget."

In other statements, he is reported as calling these "pork-barrel roads". I object to these statements upon the ground that practically, if not all of these State roads, carry more State traffic than local traffic, also upon the ground that the counties, at their own expense, have spent more on improving roads than the State has; and, further, that the income of the corporations upon which the State taxes are raised, comes from the use of those corporations by the people in the different counties. The Kings River Canyon road has been a State highway for many years and is partially completed and the bill provides that Fresno and Tulare counties should keep it in repair until it would be finally completed. In 1922 it served 100,000 tourists from all over the world and yet our Governor presumably dubs it a "pork-barrel" road, and while it performs a State function, he forces it to continue under county expense.

S. L. HEISINGER

Assembly Bill No 941—An act to amend section 460, relating to the degrees of burglary.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None

NOES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Carter, Clarke, Coombs, Crittenden, Croter, Dawson, Dean, Donohue, Eksward, Foster, Fox, Fulwider, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell McMillan, McPherson, Miller, Mitchell, A. G. Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Stevenot, Stow, Weller, West, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 276—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to the extension of time in which an act is to be done

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Cleveland—1

NOES—Anderson, Badaracco., Badham, Baker, C. C., Bernard, Carter, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, Miller Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Saylor, Schmidt, Scott, Smith, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—47.

Assembly Bill No. 942—An act to add a new section to the Penal Code to be numbered 460*a* and defining the words "inhabited building or dwelling" as used in chapter II, title XIII of the Penal Code.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith Snyder, Spalding, Spence, Stevenot Stow Weller, West, Whitacre, Williams, Woodbridge and Mr Speaker—47.

Assembly Bill No. 160—An act to add a new section to the Penal Code to be numbered 146*a*, relating to the sending or receiving of threatening letters and to the mailing or delivery of any paper or document intending to simulate court processes

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham Carter Clarke, Cleveland, Crittenden, Croter, Davis Dawson, Dean, Donohue, Eksward, Fellom Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones Kline McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47

Assembly Bill No. 291—An act entitled an act to add a new section to the Code of Civil Procedure to be numbered 1810*d*, relating to estates of minors.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 292—An act entitled an act to amend section 1491 of the Code of Civil Procedure, relating to time for presentation of claims against the estates of decedents.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 1032—An act to amend section 1131 of the Political Code, relating to the conduct of elections.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 205—An act to amend section 1739*a* of the Political Code, relating to high school districts.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 896—An act to provide for the organizing and government of public park districts.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 100—An act to amend section 1810c of the Code of Civil Procedure, relating to the compromise of claims of minors.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 101—An act to amend section 1810b of the Code of Civil Procedure, relating to attorneys' fees in actions where a minor is plaintiff.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 256—An act to amend section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War Veterans or of the American Legion or of the Veterans of Foreign Wars or of certain other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," as amended May 26, 1921

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 338—An act declaring the public highway extending from Fresno, in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to be a State highway.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 725—An act to amend section 1444 of the Code of Civil Procedure, relating to appraisers of estates of deceased persons.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 748—An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, approved April 23, 1915, by amending section 52 thereof.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 972—An act declaring the present county road at a point at Angels Camp, in Calaveras County, extending through Murphys and connecting with the Alpine State Highway at Calaveras Big Trees in Calaveras County, to be a State highway.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 124—An act authorizing the board of directors or other governing body of a cemetery corporation or association to reimburse, in whole or in part, those persons who voluntarily removed the bodies of friends or relatives from a cemetery or part thereof abandoned by declaration of such board or governing body as a burial place for the human dead.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 362—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the elementary schools and to add a new section to the Political Code to be numbered 1662*a*, relating to the registration of minors

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 375—An act to amend section 1859 of the Political Code, relating to the number of days school must be maintained.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Carter, Clarke, Cleveland, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Fellom, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Saylor, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—47.

Assembly Bill No. 257—An act to regulate the procuring of persons to take the places of employees in anticipation of or during strikes, lockouts or other labor troubles; and repealing an act entitled "An act

to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Badaracco, Bernard, Carlson, Crittenden, Dean, Donohue, Dorris, Emme, Heisinger, Hornblower, Miller, Morrison, Reindollar, Saylor, Schmidt, Scott, Spalding, West, Whitacre, and Woodbridge—20.

NOES—Anderson, Badham, Carter, Clarke, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Eksward, Foster, Fox, Fulwider, Graves, Jones, Kline, McDowell, McMillan, McPherson, Mitchell, A. G., Mueller, Noyes, Pomeroy, Prendergast, Roberts, Smith, Stow, Weller, Williams, and Mr. Speaker—31.

Assembly Bill No 847—An act declaring the county road commencing at Willows and extending through Fruto Elk Creek, and Alder Springs, all in Glenn County, and thence through Covelo, Dos Rios, Laytonville, Branscomb to Westport, all located in Mendocino County, to be a State highway.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Badaracco, Badham, Bernard, Carlson, Carter, Cleveland, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Hornblower, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—48.

Assembly Bill No. 676—An act to define collection agencies; to provide for the regulation, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Broughton, Crittenden, Davis, Dean, Donohue, Dorris, Emme, Fellom, Heisinger, Hornblower, Mueller, Reindollar, Rosenshine, Saylor, Snyder, and Whitacre—16.

NOES—Anderson, Badaracco, Badham, Bernard, Carter, Cleveland, Coombs, Dawson, Eksward, Foster, Fox, Fulwider, Graves, Jones, McDowell, McMillan, McPherson, Mitchell, A. G., Pedrotti, Pomeroy, Prendergast, Scott, Spalding, Weller, Williams, and Mr. Speaker—26.

Assembly Bill No. 603—An act to amend section 200 of the Code of Civil Procedure, relating to persons exempt from jury duty.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Whitacre—1.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, and Mr. Speaker—36

Assembly Bill No. 359—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis

Obispo, and making an appropriation therefor," approved March 8, 1901.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Whitacre—1.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, and Mr. Speaker—36.

Assembly Bill No. 501—An act to provide for the erection and maintenance of comfort stations for public convenience by incorporated towns, incorporated cities and incorporated cities and counties.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Whitacre—1.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, and Mr. Speaker—36.

Assembly Bill No. 516—An act to add a new section to the Political Code, to be numbered 4041*g*, relating to the powers of boards of supervisors.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Whitacre—1.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, and Mr. Speaker—36.

Assembly Bill No. 862—An act to amend section 626*c* of the Penal Code, relating to protection of deer.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Whitacre—1.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, and Mr. Speaker—36.

Assembly Bill No. 1315—An act authorizing the board of trustees of the California Industrial Farm for Women to accept donations or gifts for the purpose of carrying out the provisions of an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, con-

duct and government, to provide for commitment and admission thereto and to make an appropriation therefor," approved May 3, 1919.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Whitacre—1.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, McPherson, Mitchell, A. G., Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Williams, and Mr. Speaker—36.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Carter:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly in the sum of $79.95 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same

Hart's Lunch, for lunch, May 18, 1923	$69 50
Mohr and Yoerk, for lunch, May 18, 1923	10 45
Total	$79 95

Resolution read.

Mr. Carter moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Bernard, Broughton, Carter, Clarke, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Fellom, Foster, Fulwider, Heisinger, Jones, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—48.

NOES—Graves, and Noyes—2.

By Mr. Dawson:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly in the sum of $2.39 in favor of Arthur A. Ohnimus, Chief Clerk, to pay the amount as itemized below, and the State Treasurer is hereby authorized to pay the same

Western Union Telegraph Company, tolls	$2 39

Resolution read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Bernard, Broughton, Carter, Clarke, Cleveland, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Emme, Foster, Fox, Graves, Heisinger, Hornblower, Johnston, Jones, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Pedrotti, Prendergast, Roberts, Rosenshine, Saylor, Scott, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—45.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Dawson—*Resolved*, That the State Controller be and he is hereby authorized and directed to draw his warrant upon the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, in the sum of

$525.66 to pay the bills as itemized below, and the State Treasurer be and he is hereby authorized and directed to pay the same:

W. P. Fuller Company	$45 90
Western Union Telegraph Co.	2 28
Pacific Telephone & Telegraph Co., exchange service and tolls to May 18th	8 30
Cash, for 100 paper bags	30
A. Crossan, illuminating in water colors and gold on memorial resolution	6 00
Remington Typewriter Co., rent May 8, 1923, to May 21, 1923	8 00
Wholesale Typewriter Co., rent May 8, 1923, to May 20, 1923	36 00
Hart's Lunch, for lunch	66 40
State Purchasing Department, supplies	352 48
Total	$525 66

Has had the same under consideration, and respecttully reports the same back, and recommends that it be adopted.

(Signed out)

DAWSON, Chairman.
MITCHELL, A. G.
PEDROTTI.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Burns, Carter, Clarke, Cleary, Cleveland, Coombs, Crittenden, Croter, Davis, Dean, Donohue, Dorris, Eksward, Emme, Fox, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Scott, Spence, Stow, Weller, West, Whitacre, Williams, Woodbridge, and Mr. Speaker—46.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Rock (by request):

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly in the sum of $35.25 in favor of Charles Wilkinson, Assistant Sergeant-at-Arms, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same:

Taxicab hire, May 5th, 1 hour	$2 00
Taxicab hire, May 2d, 1 hour	2 00
Taxicab hire, May 1st, 1½ hours	3 00
Taxicab hire, April 18th, 2 hours	4 00
Taxicab hire, April 23d, 1½ hours	3 00
Taxicab hire, April 24th, 3½ hours	7 00
Taxicab hire, April 28th, 3 hours	6 00
Taxicab hire, April 13th (by mileage)	8 25
Total	$35 25

Resolution read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Broughton, Burns, Clarke, Cleary, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Foster, Heisinger, Hornblower, Jones, Kline, McDowell, Miller, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, and Mr. Speaker—44.

NOES—Graves—1.

Also:

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly in the sum of $5.85 in favor of

Jas. Henry, Assistant Sergeant-at-Arms, to pay the amounts as itemized below, and the State Treasurer is hereby authorized to pay the same

Taxicab (3 trips at $1.50)	$4 50
Telephone, Stockton	60
Telephone, San Francisco	75
Total	$5 85

Resolution read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Badaracco, Badham, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris, Eksward, Emme, Fellom, Foster, Fox, Graves, Heisinger, Jones, Kline, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Wright, and Mr. Speaker—48.

NOES—None.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ATTACHES

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report and recommends the adoption of the following resolution:

Resolved, That the following named persons heretofore employed for the position and at the per diem set opposite their respective names, be stricken from the pay roll from and including the following dates respectively:

Effective from and including May 13, 1923:

Frances Pomeroy, Committee Clerk	$4 00
Chester Forest, Page	2 50

Be it further resolved: That the following named person be and she is hereby appointed and employed for the position and at the per diem set opposite her name, said employment to date from and be effective as follows:

May 13, 1923:

Frances Pomeroy, Assistant Engrossing and Enrolling Clerk	$5 00

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named person upon the appropriation for the payment of officers and employees of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same.

CARTER, Chairman.

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badham, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Croter, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Jones, Kline, McDowell, McMillan, McPherson, Miller, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Scott, Smith, Spalding, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Dawson:

WHEREAS, The course of study prescribed for the schools of this State requires a constant resort and reference to the constitution of the State, and

WHEREAS, It is of vital importance and of paramount value to the State that every person desiring a constitution of the State of California and of the United States should be furnished with a copy of the same, and

WHEREAS, It is necessary in order to properly consider matters coming before the Legislature that the members of the Senate and of the Assembly should have available for constant use copies of the constitution conveniently arranged and indexed; and

WHEREAS, Since the war there has been an awakened interest in the study of the constitution, and demand and request for copies of the same from ex-service men, schools, women's clubs and persons desiring to study the constitution of our great State and nation in their efforts to prepare themselves for a more complete participation as citizens and to prepare themselves to become citizens, and

WHEREAS The supply of constitutional pamphlets heretofore printed by the State has become exhausted, and recent amendments have been adopted by the people; now, therefore, be it

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Legislative Counsel Bureau for the sum of $750 for the compilation and publication of a new edition of the constitution, said sum to be payable out of the contingent fund of the Assembly, and the Treasurer is hereby directed to pay the same; and be it further

Resolved, That the Legislative Counsel Bureau be and it is hereby instructed to compile and cause to be published and to be distributed to persons requesting copies of the same a new edition of the constitution.

MOTION TO LAY ON TABLE.

Mr. Graves moved that the above resolution by Mr. Dawson be laid upon the table.

MOTION TO AMEND.

Mr. Cleveland offered the following amendment to the above resolution by Mr. Dawson:

At the end of the resolution, add the following paragraph: "And be it further resolved that each member of the Legislature be forwarded twenty copies".

The question being on the motion to amend by Mr. Cleveland.

Motion carried.

The question being on the adoption of the resolution as amended.

The roll was called, and the resolution by Mr. Dawson refused adoption by the following vote:

AYES—Anderson, Badham, Broughton, Cleary, Cleveland Connolly, Coombs, Croter, Dawson, Dean, Donohue, Dorris Duval, Eksward, Erb, Fox, Fulwider, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Pedrotti, Pomeroy, Reindollar, Roberts, Saylor, Scott, Stevenot, Stow, West, Whitacre, Williams, and Woodbridge—37.

NOES—Badaracco, Bernard, Burns, Carlson, Carter, Clarke, Crittenden, Davis, Dozier, Emme, Fellom, Foster, Graves, Heisinger, Hornblower, Johnston, Jones, McMillan, Morrison, Noyes, Prendergast, Rosenshine, Snyder, Spalding, Spence, Weller, Wright, and Mr. Speaker—28.

MOTION TO CORRECT JOURNALS.

Mr. Carter moved that the Journals of Monday, May 14, 1923, Tuesday, May 15, 1923, Wednesday, May 16, 1923, and Thursday, May 17, 1923, be approved as corrected by the Minute Clerk.

Motion carried.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance—report that we have met a like Committee of the Senate, consisting of Senators Johnson, M. B., Jones and Osborne, and we report that the Committee on Free Conference have agreed to recommend the following: That the Assembly concur in the Senate amendments.

JOHNSON, M. B.,
JONES,
OSBORNE,
Senate Committee on Free Conference.

WELLER,
JOHNSTON,
DAVIS,
Assembly Committee on Free Conference.

The question being on the adoption of the report.

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

AYES—Anderson, Badham, Bernard, Broughton, Burns, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Croter, Davis, Dawson, Dean, Donohue, Dorris, Duval, Erb, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Saylor, Scott, Smith, Snyder, Stow, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—53.

NOES—Eksward, and Spence—2.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Conference concerning Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526*a*, relating to the powers of the Board of State Harbor Commissioners—report that we have met a like committee of the Senate, consisting of Senators Handy, Sharkey and Powers, and we report that the Conference Committee is unable to agree, and recommend that a Committee on Free Conference be appointed.

MORRIS,
SMITH,
WELLER,
Assembly Committee on Conference.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Burns, Rosenshine and Spence as a Committee on Free Conference to meet with a like committee from the Senate to consider Assembly amendments to Senate Bill No. 167.

MOTION.

Mr. Connolly moved that his resolution as printed on page 100, of the Journal of Thursday, May 17, 1923, be taken up for consideration at this time.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Mr. Connolly:

RELATIVE TO THE APPOINTMENT BY THE GOVERNOR OF COMMITTEES TO INVESTIGATE THE VARIOUS STATE INSTITUTIONS.

WHEREAS, The rapid increase in the State's expenditures for the various State institutions and the biennial demands for larger appropriations become more insistent at each session of the Legislature, and

WHEREAS, That at the present session of the Legislature the heads of some institutions have stated that the institutions under their direction can not properly function with the appropriations allotted to them under the present budget, and

WHEREAS, These statements have created in the minds of the people of the State of California a feeling that such institutions are not managed as skillfully and as economically as they might be, and

WHEREAS, As demonstrated by the last general election it is the opinion of the electors of this State that all institutions should be able to economically function with the funds allotted to them, now, therefore, be it

Resolved by the Assembly, That His Excellency Governor Friend Wm. Richardson be and he is hereby respectfully requested to appoint from each community in which is located a State institution a committee of three qualified citizens, who shall serve without compensation and whose duty it shall be to investigate the needs and the general management of such institution in order that the next Legislature may be better informed in regard to the needs and the management of such institution, and be it further

Resolved, That said committees report their findings and recommendations to the Governor in writing for transmittal to the Legislature when it convenes in January, 1925.

Resolution read.

MOTION TO LAY ON TABLE.

Mr. Jones moved that the above resolution by Mr. Connolly be laid upon the table.

Motion carried.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on Conference concerning Assembly Bill No. 1378 —An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907 as amended—report that we have met a like committee of the Senate, consisting of Senators Osborne, Crowley and Gates, E. J., and we report that the Conference Committee is unable to agree and recommend that a Committee on Free Conference be appointed.

BADHAM,
DAWSON,
FULWIDER,
Assembly Committee on Conference

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Smith, Cleveland and Snyder as a Committee on Free Conference to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 1378.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California

Assembly Bill No. 1197 is returned herewith without my approval

This bill appropriates $80,000 for improvements at the California Industrial Farm for Women at Sonoma, and is returned to you for the reason that the State's revenues do not warrant this expenditure for this purpose at this time. If the State is to go seriously into the business of reforming adult women and taking care of narcotics outside of the State hospitals, it would be necessary to appropriate at least half a million dollars for the purpose. An appropriation of $80,000 would be too small to accomplish any satisfactory purpose. As a great majority of these women are narcotic they can be well taken care of in the seven State hospitals of the State and can then be nearer to their places of residence

Although this bill was received within ten days of the end of the session, I have decided to waive my right of a pocket veto, and am returning the bill without my approval so you may, if you desire, pass it over my veto.

Respectfully submitted.

FRIEND WM RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Anderson, Bernard, Broughton, Carlson, Cleary, Coombs, Crittenden, Crofer, Dean, Donohue, Dorris, Emme, Erb, Fellom, Jones, Lyman, McDowell, Miller, Mueller, Reindollar, Rosenshine, Saylor, Schmidt, Spence, Stevenot, West, Whitacre, Woodbridge, and Wright—29.

NOES—Badham, Baker, C. C., Bromley, Burns, Carter, Connolly, Davis, Dawson, Dozier, Duval, Eksward, Foster, Fulwider, Graves, Hornblower, Johnston, Kline, McPherson, Mitchell, A. G., Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Scott, Snyder, Stow, Weller, Williams, and Mr Speaker—30

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 167—An act to add a new section to the Political Code, to be numbered 2526a, relating to the powers of the Board of State Harbor Commissioners—report that we have met a like Committee of the Senate, consisting of Senators McDonald, Burnett and Murphy and we report that the Committee on Free Conference have agreed to recommend the following.

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the word "the" and before the word "board" strike out the word "state".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, after the word "of" insert the word "state".

BURNS,
SPENCE,
ROSENSHINE,
Assembly Committee on Free Conference.

McDONALD,
BURNETT,
MURPHY,
Senate Committee on Free Conference.

The question being on the adoption of the report and amendments.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Burns, Carter, Clarke, Connolly, Coombs, Davis, Dawson, Dean, Dorris, Duval, Emme, Fellom, Fulwider, Graves, Heisinger, Hornblower, Jones, Kline, Lyman, McDowell, Mitchell, A. G., Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Rosenshine, Saylor, Schmidt, Scott, Spalding, Spence, Stow, Weller, West, and Mr. Speaker—44.

NOES—None.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California.

Assembly Bill No. 1373 is returned herewith without my approval.

This bill declares a certain street in the city limits of East San Diego a State highway. The policy of declaring a city street a State highway is bad, and the constitutionality doubtful. Besides such a proceeding would be unfair to other cities who enjoy no such favors.

The Highway Commission has recommended that no more roads be added to the State system at the present time. To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it. At the present time there are hundreds of miles of highways put in the system by legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Croter, Davis, Hornblower, Mueller, Reindollar, and Saylor—6.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carter, Connolly, Coombs, Dawson, Dean, Emme, Fox, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, McPherson, Mitchell, A. G., Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Scott, Spalding, Spence, West, Williams, and Mr. Speaker—33.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California

Assembly Bill No. 315 is returned herewith without my approval

This bill amends sections 1250 and 1251 of the Political Code and provides for the establishment of election return centers at certain places within a county for the purpose of dissemination of election returns. A number of county clerks have filed protests against the passage of this bill. Henry Pfister, County Clerk of Santa Clara County and Chairman of the Legislative Committee of the County Clerk Association, says "I am opposed to Assembly Bill No. 315 as unnecessary legislation, creating additional expense to State and county, and casting additional labor upon State and county and election officers, without any adequate return or any good reason therefor In my opinion the present system of receiving election returns and supplies is sufficient"

There is a demand for the passage of this bill from Los Angeles County, but the other counties that I have heard from are opposed to the bill. There has been great delay in gathering returns in Los Angeles County owing to the large number of voters. *This condition I think, is primarily due to the fact that the State is still* using an old and antiquated method of canvassing election returns. A few days ago I signed a bill permitting the use of voting machines, and I believe that with the installation of voting machines, all of this delay will be avoided, as the minute the polls close the result can be taken from the back of the machine and the announcement made quickly The present method of tallying votes leads to a great many errors and permits gross frauds.

Respectfully submitted.

FRIEND WM RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Croter, Davis, Hornblower, Mueller, Reindollar, and Saylor—6.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carter, Connolly, Coombs, Dawson, Dean, Emme, Fox, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, McPherson, Mitchell, A G, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Scott, Spalding, Spence, West, Williams, and Mr. Speaker—33.

Also

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California.

Assembly Bill No. 73 is returned herewith without my approval.

This bill amends the 1921 act and makes a public highway of the county road between Sonora and Groveland.

The Highway Commission has recommended that no more roads be added to the State system at the present time To put this road into the State system would accomplish nothing as the Highway Commission has no funds to use upon it. At the present time there are hundreds of miles of highways put in the system by legislative action without regard to their importance. It is planned to make, in the next two years, a careful survey of the entire system and decide what roads should be in the system. *To lay the matter of this road over for two years can do no* harm. While this adds but very little to the present road and is not particularly important, still it comes within the objections of road bills heretofore vetoed for the reasons set forth above.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Croter, Davis, Hornblower, Mueller, Reindollar, and Saylor—6.

NOES—Anderson, Badaracco, Badham, Bernard, Broughton, Burns, Carter, Connolly, Coombs, Dawson, Dean, Emme, Fox, Fulwider, Graves, Heisinger, Johnston, Jones, Kline, Lyman, McPherson, Mitchell, A G, Morrison, Noyes, Pedrotti, Pomeroy, Prendergast, Scott, Spalding, Spence, West, Williams, and Mr. Speaker—33.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California

Assembly Bill No. 430 is returned herewith without my approval

This bill is aimed at the eradication of noxious weeds The act of 1903 prevents the propagation of noxious weeds The evident purpose of this bill is a good one, but its provisions are carried too far. The provision making it unlawful for any person to permit a noxious weed to mature and disseminate its seed on any land controlled or released by such person, seems to me rather drastic. It is practically impossible to keep all weeds off property and under the provisions of this act if a thistle or a cocklebur went to seed on a person's land he would be guilty of a misdemeanor If this bill should become a law, almost every person in the State who lives on a piece of land large enough to allow a weed to find a foothold, would be guilty of a misdemeanor. The act places its enforcement at the discretion of the County Horticultural Commissioner, who could allow some land owners to permit weeds to go to seed while enforcing the law against others.

In 1921 an act was passed whereby the Director of Agriculture was empowered to remove noxious weeds from areas and regulate or prohibit the growth of noxious weeds in such areas. The present act seems to be objectionable and unnecessary.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Dorris, and Prendergast—2.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Jones, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Scott, Snyder, Spalding, Spence, West, Whitacre, Williams, and Mr. Speaker—49.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California.

Assembly Bill No 921 is returned herewith without my approval.

This bill repeals sections 150 and 208 of the Political Code and adds a new section giving the legal distances from Sacramento to the various county seats.

On checking up the distances I find that a number of them are inaccurate. If changes are to be made in the legal distances to the Capitol, it seems to me that they should be made on the basis of automobile mileage.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Dorris, and Prendergast—2.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emme, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Jones, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Scott, Snyder, Spalding, Spence, West, Whitacre, Williams, and Mr. Speaker—49.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California.

Assembly Bill No 2 is returned herewith without my approval.

This bill adds to the Juvenile Court Law a section providing for the establishment and maintenance of elementary public schools in connection with county detention homes, "for the education of such children as may be in said detention home." For the first year the salaries of teachers are to be paid out of the general fund of the county. It also provides that the average daily attendance shall be separately

reported, and money shall be apportioned to the school on average daily attendance as in the case of other public schools.

In my judgment a public school cannot legally be created within a detention home. The term "public school" necessarily indicates a school which is open to the general public, resident within the school district. A school within a detention home, and limited to attendance by minors within such home, would not be a public school such as our constitution and statutes contemplate.

The inmates of a detention home are withdrawn from the body of the general public, for the good of the public, as well as for the benefit which may accrue to such inmates themselves. While confined in the detention home, they are to be regarded as the peculiar charges of the county maintaining the home, and to that extent, at least, they have ceased to be a part of the general public.

I do not question the right or authority of the board of supervisors to provide school facilities and teachers for such inmates, and to pay for the same out of county funds, but I do question the power of the Legislature to make such a school a public school, and to divert to its support a part of the State funds reserved for its public school system. For the reasons indicated I am unable to approve this bill.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Dorris, and Prendergast—2.

NOES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dozier, Duval, Eksward, Emine, Erb, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Jones, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Scott, Snyder, Spalding, Spence, West, Whitacre, Williams, and Mr. Speaker—49.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California:

Assembly Bill No. 1107 is returned herewith without my approval.

This bill would nullify the term "lowest responsible bidder" and make such term meaningless. As a matter of good public policy it should not become a law.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Croter, and McPherson—2.

NOES—Anderson, Badham, Baker, C. C., Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dorris, Duval, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Woodbridge, and Mr. Speaker—47.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California:

Assembly Bill No. 607 is returned herewith without my approval.

This bill amends section 345 of the Civil Code, relating to delinquent stock sales by adding the words "at least once in a paper in which the original notice was published."

Section 339 defines how these publications shall be made. This bill would limit the number of publications, and the provision requiring the use of the same newspaper as printed the original notice might be impossible.

Respectfully submitted,

FRIEND WM. RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Croter, and McPherson—2

NOES—Anderson, Badham, Baker, C. C., Bernard, Broughton, Burns, Carter, Clarke, Connolly, Coombs, Crittenden, Davis, Dawson, Donohue, Dotris, Duval, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, McDowell, McMillan, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, Woodbridge, and Mr. Speaker—47.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1166—An act to amend section 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"—and appointed Senators Osborne, Gates, Dr., and Crowley, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Assembly Bill No. 1378 the following Senators: Gray, Murphy, and Godsil, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended."

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 167—An act providing that one-half of the expense of maintenance of the fire boats "David Scannell" and "Dennis Sullivan" including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State Harbor Improvement Fund.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the viola-

tion thereof, approved March 6, 1907 as amended"—report that we have met a like committee of the Senate, consisting of Senators Godsil, Murphy and Gray, and we report that the Committee on Free Conference have agreed to recommend the following: Amended by striking out the comma after the word "provided" in line 13 of the printed bill as amended in Senate on May 17, 1923.

GODSIL,
MURPHY,
GRAY,
Senate Committee on Free Conference.

SNYDER
CLEVELAND,
SMITH,
Assembly Committee on Free Conference.

The question being on the adoption of the report and amendment.

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

AYES—Anderson, Badham, Bernard, Bromley, Broughton, Burns, Clarke, Coombs, Crittenden, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Ekswärd, Fulwider, Jones, McDowell, McMillan, McPherson, Miller, Mitchell, A. G. Morris, Morrison, Mueller, Noyes, Pedrotti, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, and Mr. Speaker—45.

NOES—None

The above reported bill ordered to enrollment

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, MAY 18, 1923

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending sections 1, 5, 11, 12, 14, 18, 23 and 24 of article VI thereof, relating to the Judicial Department, and providing for the establishment of municipal courts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, MAY 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 108—An act to amend section 1142 of the Political Code, relating to the appointment of election officers;

Also Senate Bill No. 336—An act concerning aeronautics and to make uniform the law with reference thereto;

Also Senate Bill No. 513—An act relating to the sanitation of places where food is served to the public for profit and providing for the inspection of all such places.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully concurs in Assembly amendments to Senate Bill No. 552—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for its violation.

J. A. BEEK, Secretary of Senate
By G. MELVIN WARREN, Assistant Secretary.

RESOLUTION.

The following resolution was offered:

By Mr. McDowell:

WHEREAS, The members of the Assembly of the State of California and accredited newspaper correspondents are desirous of having a complete file of Senate and Assembly bills, Senate and Assembly constitutional amendments, Senate and Assembly resolutions and the Senate and Assembly journal for reference, and

WHEREAS, Many of the above named files at the present time are not complete, therefore be it

Resolved by the Assembly, That we do request the Chief Clerk of the Assembly to have all files completed, and in the case of Senate and Assembly bills, all original and amended bills introduced at the forty-fifth session; and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby instructed to send the files, when completed, to the home of each Assemblyman and accredited newspaper correspondent to the forty-fifth session of the California legislature.

Resolution read, and on motion of Mr. McDowell, adopted.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

WHEREAS, There is due the officers and employees of the Assembly the per diem set opposite their respective names for May 18, 1923, now therefore:

For the purpose of carrying out the object of this resolution, the Controller is hereby authorized and directed to draw his warrant upon the fund for the payment of officers and employees of the Assembly, in favor of Arthur A. Ohnimus, the Chief Clerk, for sufficient amount as may be necessary for the purpose as set forth in this resolution, said amount not to exceed the sum of two hundred eighty-eight dollars ($288.00) and the Treasurer is hereby directed to pay the same.

Herman Crow, Page, one day	$2 50
Gertrude Anderson, Stenographer, one day	5 00
Ralph Blakesley, Clerk Judiciary Committee, one day	6 00
C. William Booth, Minute Clerk, one day	9 00
Albert Brady, Journal Clerk, one day	7 00
Martha J. Clark, Stenographer, one day	5 00
Barney Collum, Assistant Sergeant-at-Arms, one day	5 00
F. A. Cooley, Assistant Minute Clerk, one day	7 00
Everett Cox, History Clerk, one day	7 00
Madge Cross, Stenographer, one day	6 00
Ami J. Davis, Assistant Engrossing and Enrolling Clerk, one day	5 00
Mary Desmond, Committee Clerk, one day	4 00
Ethyl Doebler, Stenographer, one day	5 00
Margaret Duffy, Stenographer, one day	5 00
Estelle Eksward, Committee Clerk, one day	4 00
Charles Erb, File Clerk, one day	7 00
Ellsworth E. Eustice, Assistant Clerk, one day	9 00
Barney Ferguson, Assistant Sergeant-at-Arms, one day	5 00
A. S. Gomes, Assistant Sergeant-at-Arms, one day	5 00
Lawrence C. Green, Assistant Sergeant-at-Arms, one day	5 00
George Hager, Bookkeeper, one day	5 00
R. T. Howard, Assistant Sergeant-at-Arms, one day	5 00
Charles C. Joyce, Engrossing and Enrolling Clerk, one day	7 00
P. T. Kline, Clerk Ways and Means, one day	6 00
Theo. Lafayette, Assistant Sergeant-at-Arms, one day	5 00
Margaret Lawrence, Stenographer, one day	5 00
W. J. Leflar, Sergeant-at-Arms, one day	8 00
Gertrude Magruder, Assistant Journal Clerk, one day	5 00
Bessie Manning, Stenographer, one day	5 00
Hazel McIntosh, Assistant Journal Clerk, one day	5 00
Edith J. Mensing, Stenographer, one day	5 00
Bishop Wm. H. Moreland, Chaplain, one day	4 00
Daven Morey, Assistant History Clerk, one day	5 00
Arthur A. Ohnimus, Chief Clerk, one day	10 00
Robert Orr, Assistant Clerk, one day	7 00
Mrs. Anna Perry, Postmistress, one day	4 00
Frances Pomeroy, Assistant Clerk Engrossing and Enrolling Committee, one day	5 00
James Powers, Assistant Clerk, one day	7 00
Thomas Prendergast, Page, one day	2 50
Theo. Reindollar, Page, one day	2 50
Harriett Russell, Stenographer, one day	5 00
Gerald Scannell, Assistant Sergeant-at-Arms, one day	5 00
Wilhelmina Snyder, Stenographer, one day	5 00
Adelyn B. Stafford, Assistant Minute Clerk, one day	7 00
Frank Sullivan, Page, one day	2 50
Jack Walker, Assistant Engrossing and Enrolling Clerk, one day	5 00
W. H. Westphal, Assistant Sergeant-at-Arms, one day	5 00
C. E. Whiteside, Assistant Sergeant-at-Arms, one day	5 00
Charles Wilkensen, Assistant Sergeant-at-Arms, one day	5 00
F. F. Williamson, Assistant File Clerk, one day	5 00
E. Meyerson, Assistant Sergeant-at-Arms, one day	5 00
Reynold A. Waestman, Assistant Clerk, one day	7 00
Ella Dobbins, Assistant Engrossing and Enrolling Clerk, one day	5 00

Mr. Carter moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

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

AYES—Anderson, Badaracco, Badham, Baker C. C., Bernard, Broughton Burns, Carter, Clarke, Cleary, Connolly, Coombs, Dawson, Dean, Donohue, Duval, Eksward, Emme, Fellom, Foster, Fulwider, Graves, Heisinger, Hornblower, Jones, Kline, Mathews, McDowell, McPherson, Miller, Mitchell, A. G., Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—55.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Kline:

WHEREAS, The members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the close of this session; therefore, be it

Resolved, That the Chief Clerk, Arthur A. Ohnimus, be authorized to procure such boxes, packing and other material as are necessary for the purpose of shipping the same, properly packed, to said members; and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of said Arthur A. Ohnimus in a sum not to exceed four hundred dollars ($400.00), and the State Treasurer is hereby directed to pay the same

For the purpose of carrying the above resolution into effect, the State Controller is hereby authorized and directed to draw his warrants weekly upon the appropriation for the payment of officers and employees of the Assembly in a sum not to exceed two hundred sixty dollars ($260.00), in favor of the following named persons, and the State Treasurer is hereby authorized and directed to pay the same:

Wm. J. Leflar, not to exceed 20 days at $8.00	$160.00
C. E. Whiteside, not to exceed 20 days at $5.00	100.00

Resolution read.

Mr. Kline moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Bernard, Bromley, Burns, Carter, Clarke, Crittenden, Davis, Dawson, Dean, Donohue, Eksward, Erb, Fox, Fulwider, Graves, Jones, Kline, Lyman, McDowell, McMillan, McPherson, Mitchell, A. G., Morris, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Saylor, Smith, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—46.

NOES—None.

By Mr. Graves:

WHEREAS, It is necessary to furnish to the members of the Assembly complete copies of the final histories, chaptered laws, Journals and other printed legislative material of this forty-fifth session of the California Legislature; and

WHEREAS, The Journal must be corrected and properly indexed, the final calendar of legislative business arranged and published, a great number of bills to be printed, and other details pertaining to this session of the Legislature taken care of; therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to compile, compare and have printed, after final adjournment, one thousand copies of the final calendar of the legislative business of the forty-fifth session (or such number as may be necessary to fill the demand), and any other information that will create a permanent and complete guide and history of the session's business.

When the Governor shall have completed the consideration of all measures presented to him and the final calendar is prepared, the Chief Clerk is hereby directed to mail or express two copies of the final calendar to each member of the Assembly.

The Chief Clerk is further authorized and directed to mail or express to each member a copy of the completed Journal and to have printed one thousand copies of each bill, resolution or constitutional amendment which has passed both Houses and been signed by the Governor, and to mail or express two sets of said chaptered laws to each member of the Assembly

For the purpose of carrying out the object of this resolution, the Controller is hereby authorized and directed to draw his warrants weekly upon the fund for the payment of officers and employees of the Assembly, upon the authorization of Arthur A. Ohnimus, Chief Clerk, in an amount not to exceed the sum of one thousand five hundred ten dollars in favor of the following named persons, to wit:

Arthur A. Ohnimus, not to exceed 60 days at $10.00 per day	$600 00
E. E. Eustice, not to exceed 30 days at $9.00 per day	270 00
Albert Brady, not to exceed 30 days at $7.00 per day	210 00
C. Wm. Booth, not to exceed 2 days at $9.00 per day	18 00
One Stenographer, not to exceed 60 days at $5.00 per day	300 00
Chas. C. Joyce, not to exceed 7 days at $7.00 per day	49 00
Robert Orr, not to exceed 1 day at $7.00 per day	7 00
James E. Powers, not to exceed 1 day at $7.00 per day	7 00
R. A. Waestman, not to exceed 1 day at $7.00 per day	7 00
F. A. Cooley, not to exceed 1 day at $7.00 per day	7 00
A. B. Stafford, not to exceed 1 day at $7.00 per day	7 00
Everett Cox, not to exceed 1 day at $7.00 per day	7 00
Daven Morey, not to exceed 1 day at $5.00 per day	5 00
C. H. Erb, not to exceed 1 day at $7.00 per day	7 00
F. F. Williamson, not to exceed 1 day at $5.00 per day	5 00
Anna Perry, not to exceed 1 day at $4.00 per day	4 00
	$1,510 00

Resolution read.

Mr. Graves moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badham, Baker, C. C., Burns, Carter, Cleary, Cleveland, Connolly, Coombs, Croter, Dawson, Dean, Donohue, Duval, Eksward, Erb, Fellom, Foster, Fulwider, Graves, Hornblower, Kline, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Rosenshine, Schmidt, Scott, Snyder, Spalding, Spence, Stevenot, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—49.

NOES—None.

By Mr. Davis:

Resolved, That in order to pay the necessary expenses for the disposition of the closing business of this Assembly after adjournment, and for the payment of all bills, such as supplies from the Purchasing Department, telephoning, telegraphing, expressage, postage, etc., and for any other bills that may be presented accompanied by proper vouchers covering such expenses, the State Controller is hereby authorized and directed to draw his warrant in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, upon the contingent fund of the Assembly in the sum of five hundred dollars ($500.00), or such portion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same.

Resolution read.

Mr. Davis moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Badaracco, Badham, Baker, C. C., Bernard, Burns, Carter, Clarke, Cleveland, Coombs, Cuttenden, Dawson, Dean, Donohue, Dorris, Duval, Eksward, Erb, Fellom, Foster, Heisinger, Hornblower, Johnston, Jones, Lyman, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Roberts, Rosenshine, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, West, Williams, Woodbridge, Wright, and Mr. Speaker—51.

NOES—None.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923

To the Assembly of the State of California:

Assembly Bill No. 1084 is returned herewith without my approval.

This bill appropriates $35,000 for the purchase and improvement of additional land for the use of the State Teachers College of Fresno. The State's revenues do

not warrant this expenditure at this time. This college was liberally treated in the budget.

Respectfully submitted.

FRIEND WM RICHARDSON, Governor.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Coombs, Crittenden, Crotel, Dorris, Heisinger, Hornblower, Jones, McDowell, and Mueller—9.

NOES—Anderson, Badaracco Badham, Bromley, Broughton, Clarke, Connolly, Dawson, Donohue, Dozier, Eksward, Erb, Foster, Fox, Fulwider, Graves, Kline, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Noyes, Pedrotti, Pomeroy, Roberts, Rosenshine, Scott, Smith, Snyder, Spalding, Weller, West, Woodbridge, and Mr Speaker—37.

ASSISTANT CLERK WAESTMAN READING.

RESOLUTIONS.

The following resolutions were offered:

By Mr. West:

WHEREAS, The Rt. Rev Bishop Wm. H. Moreland, Chaplain of the Assembly during the forty-fifth session, has by his prayers morning by morning brought to the remembrance of the members their dependence on and obligations to God and their duty to their fellow men and to the State and the nation, and

WHEREAS, His intellectual attainments have compelled the admiration, his character has commanded the respect and his geniality has won the personal regard of the members; now, therefore, be it

Resolved, That the Assembly hereby expresses appreciation and commendation of his services as Chaplain, and assures him that he will be ever held in kind and grateful remembrance, and be it further

Resolved, That the Chief Clerk of the Assembly be and he hereby is authorized and instructed to have printed one hundred seventy-five booklets containing the prayers offered at this session, and that he send one of said booklets to each member of the Assembly and to each desk clerk of the House, and fifty to the Rt. Rev. Bishop Wm. H. Moreland.

Resolution read, and on motion of Mr. West, unanimously adopted.

By Mr. Williams:

Resolved That the Assembly hereby extends its thanks to the Honorable Frank Anderson for the uniform courtesy and constantly evidenced geniality with which he has presided over the Assembly as Speaker pro tempore, and that we heartily appreciate his courtesies when presiding over this House.

Resolution read, and on motion of Mr. Williams, unanimously adopted.

By Mr. Erb:

Resolved That Arthur Ohnimus, Chief Clerk, or W. J Leflar, Sergeant-at-Arms, be and they are hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly after the close of the session or that may be drawn upon the Contingent Fund of the Assembly.

Resolution read, and on motion of Mr. Erb, unanimously adopted.

By Mr. McPherson:

Resolved That the thanks of the Assembly are hereby tendered to Arthur A. Ohnimus, Chief Clerk and to the desk force for the painstaking and efficient manner in which they have conducted the business of the Assembly during the forty-fifth session.

Resolution read, and on motion of Mr. McPherson, unanimously adopted.

By Mr. Smith:

WHEREAS, Miss Madge Cross, and her corps of stenographers, have at all times and under all conditions, served this Legislature with greatest dispatch and efficiency, therefore, be it

Resolved, That we, the members of the Assembly, extend to them our sincere thanks and appreciation.

Resolution read, and on motion of Mr. Smith, unanimously adopted.

By Mr. Eksward:

Resolved, That the Assembly extends to the Sergeant-at-Arms, William J. Leffat, its thanks for the manner in which he and his assistants have performed the duties of his office.

Resolution read, and on motion of Mr. Eksward, unanimously adopted.

By Mr. Scott:

Resolved, That the members of the forty-fifth session of the Assembly of California Legislature are extending herewith a vote of thanks to our Bookkeeper, Geo. L. Hager, for his efficient work, and the indomitable energy he has shown by the many hours of arduous labor that he has contributed toward the successful functioning of the session.

Resolution read, and on motion of Mr. Scott, unanimously adopted.

By Mr. Mitchell, A. G.:

Resolved, That the Assembly extend to Assistant Sergeant-at-Arms, C. E. (Doc) Whiteside, its thanks for the courteous manner in which he has performed the duties of his office.

Resolution read, and on motion of Mr. Mitchell, A. G., unanimously adopted.

THE SPEAKER PRO TEMPORE IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. Frank W. Anderson, Speaker pro tempore of the Assembly, in the chair.

By Mr. Rosenshine:

WHEREAS, The members of the Assembly recognize and appreciate the ability, uniform courtesy, impartiality and fairness with which the Honorable Frank F. Merriam, Speaker of the Assembly, has presided over the deliberations of this House; now, therefore be it

Resolved, That the thanks of the Assembly are hereby tendered to Honorable Frank F. Merriam.

Resolution read, and on motion of Mr. Rosenshine, unanimously adopted by a rising vote.

By Mr. Foster:

Resolved, That this Assembly appreciates the patience and great ability with which Mr. James E. Powers has performed the duties of his office in calling the rolls of this body.

Resolution read, and on motion of Mr. Foster unanimously adopted.

By the San Francisco delegation:

The San Francisco delegation hereby declares that its associations with the interior, mountain, cow-county, southern and Los Angeles representatives have been most happy, and that the most regrettable feature of adjournment of this Legislature is the abrupt severing of these relations which, even though fanned by the heat of rivalry and partisanship, has had an underlying chord of real amity and fellowship which will long be remembered and cherished by the representatives of the city of St. Francis.

Resolution read, and on motion unanimously adopted.

THE SPEAKER IN THE CHAIR.

At four o'clock and twenty-five minutes p.m., Hon. Frank F. Merriam, Speaker of the Assembly, in the chair.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At four o'clock and thirty-one minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Carter.

The roll of absentees was called, and Senate Bill No. 466 finally passed by the following vote:

AYES—Anderson, Badaracco, Badham, Baker, C. C., Baker, Edwin, Bernard, Bromley, Broughton, Burns, Carlson, Carter, Clarke, Cleary, Cleveland, Connolly, Coombs, Crittenden, Crotei, Davis, Dawson, Dean, Donohue, Dorris, Dozier, Eksward, Emme, Erb, Fellom, Foster, Fox, Fulwider, Graves, Heisinger, Hornblower, Johnston, Jones, Kline, Lyman, Mathews, McDowell, McMillan, McPherson, Miller, Mitchell, A. G., Moore, Morris, Morrison, Mueller, Noyes, Pedrotti, Pomeroy, Prendergast, Reindollar, Roberts, Rosenshine, Saylor, Schmidt, Scott, Smith, Snyder, Spalding, Spence, Stevenot, Stow, Weller, West, Whitacre, Williams, Woodbridge, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received, read, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

To the Assembly of the California State Legislature.

Your special committee appointed pursuant to the resolution of Assemblyman Crittenden, pertaining to the investigation of expenditures of candidates and statements of candidates' expenditures respectfully reports as follows:

Public hearings were held in San Francisco on February 27, 1923, and following, at which witnesses were sworn and their testimony was given. From their testimony we find as follows:

(1) That the present law does not require the expenditures of individuals for and on behalf of candidates to be reported unless within the personal knowledge of the candidate.

(2) That there is now no way of knowing how much money is spent for or in behalf of any candidate or from whom such donations are received or by whom such money is expended.

(3) That the present candidates' expenditure statements are misleading because of the above stated facts.

(4) That it is the opinion of your committee that in practically all instances where a candidate has a hard contest for an office voted for over the entire State, large sums of money are required to make such campaigns, many times amounting to hundreds of thousands of dollars.

(5) That the voter has no way of knowing from what source such contributions are made.

Our findings are based on the testimony given before your committee, a transcript of which is herewith filed with you.

Respectfully submitted.

BROMLEY.
CRITTENDEN.
DOZIER
FULWIDER

Attested
ELMER P. BROMLEY, Chairman
EARNEST DOZIER, Secretary

RECESS.

At four o'clock and thirty-three minutes p.m., on motion of Mr. Carter, the Assembly was declared at recess until four o'clock and thirty-eight minutes p.m. of this day.

REASSEMBLED.

At four o'clock and thirty-eight minutes p.m., the Assembly reconvened.

Speaker Merriam in the chair.

Assistant Clerk Waestman reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 134—An act appropriating money to pay the judgment recovered by J. B. Curtin against the State of California, which judgment was recovered under the provisions of chapter DCCCXXVIII of the laws of 1921;

Also: Assembly Bill No. 178—An act appropriating money to pay the claim of the Saint Francis School of Watsonville;

Also: Assembly Bill No. 183—An act making an appropriation to pay the claim of William Kent against the State of California;

Also: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 737*p*, relating to salaries of judges of the superior court in Stanislaus County;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p. m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 241—An act appropriating money to pay the claim of Raymond Benjamin against the State of California;

Also: Assembly Bill No. 342—An act appropriating money to pay the claim of R. E. Collins against the State of California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p. m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1228—An act to reappropriate the sum of $32,290 for the purpose of carrying out the provisions of an act entitled "An act appropriating money to provide for the grading, paving, curbing, guttering and drainage of that portion of Oxford Street, Berkeley, California, fronting upon the property of the University of California," approved June 3, 1921;

Also: Assembly Bill No. 615—An act to amend section 1232 of the Code of Civil Procedure, relating to hearing of application for dissolution;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1326—An act to amend section 10 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended;

Also: Assembly Bill No. 1038—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Assembly Bill No. 1337—An act to enable any water company organized under the laws of this State to cancel certain shares of stock hereinafter described, and in lieu thereof to issue a new certificate therefor to the owner of the land to which said shares of stock are attached or appurtenant;

Also: Assembly Bill No. 984—An act to amend section 1279 of the Code of Civil Procedure, relating to copy of decree filed with Secretary of State;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p. m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1076—An act to add a new section to the Code of Civil Procedure, to be numbered 1593, relating to administrators or guardians;

Also: Assembly Bill No. 1245—An act to repeal sections 1518, 1519, and 1527 of the Code of Civil Procedure, relating to sales of personal property;

Also: Assembly Bill No. 1248—An act to amend section 274a of the Code of Civil Procedure relating to matter to be taken down in shorthand by official reporter or other stenographer;

Also: Assembly Bill No. 1249—An act to amend sections 852, 855, 857a, and 858, and to repeal section 857 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 1279—An act to amend section 442 of the Code of Civil Procedure, relating to pleadings in the superior court;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1348—An act to amend section 1158 of the Civil Code, relating to recording;

Also: Assembly Bill No. 1298—An act to amend section 4266 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-seventh class;

Also: Assembly Bill No. 1219—An act providing for damages and the collection thereof by owners of certain live stock and other domestic animals injured or killed by railroad engines and cars, requiring railroads to provide openings along their rights of way, requiring the giving of notice of animals killed or injured, providing penalties for violations, repealing acts in conflict therewith, and other matters relating thereto;

Also: Assembly Bill No. 619—An act to amend section 1808 of the Code of Civil Procedure, relating to the entry of order appointing guardian;

Also: Assembly Bill No. 620—An act to amend section 1760 of the Code of Civil Procedure relating to transfer of proceedings from one county to another county;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 622—An act to repeal section 927n of the Code of Civil Procedure, relating to abstract of judgment and the docketing thereof;

Also: Assembly Bill No. 629—An act to amend section 2168 of the Political Code, relating to insanity, affidavit for arrest for, warrant of arrest; certificate of service;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 645—An act to amend section 1313 of the Civil Code, relating to charitable bequests;

Also: Assembly Bill No. 550—An act to amend section 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof, to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers and making an appropriation to carry this act into effect," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1060—An act to appropriate money now remaining in the "operators' license fund" to the "motor vehicle fund";

Also: Assembly Bill No. 1059—An act to appropriate money in the State treasury collected under an act entitled "An act concerning the registration numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1366—An act authorizing the use of convict labor on State highways or State roads, providing for the compensation of such convict labor; regulating the handling of such convict labor, providing for payment of compensation to the dependents of such convicts providing for a forfeiture of such compensation, providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison authorizing allowance of extra good time credits for such labor, providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 202—An act to amend section 4241 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twelfth class;

Also Assembly Bill No. 1397—An act to amend section 597 of the Political Code, relating to insurance companies.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 573—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 40*a*, relating to the refunding and correction of assessments;

Also Assembly Bill No. 580—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds or irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 3*b* thereof, relating to consent of commission for expenditure of funds;

Also Assembly Bill No. 129—An act to amend an act entitled, "An act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of said officers thereof, and to repeal an act entitled, 'An act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and to provide for officers of said courts and fix the compensation of said officers thereof" which became a law under the provisions of the constitution of the State of California without the Governor's approval, on the fifth day of March, 1901, and all acts amendatory of said act or supplementary thereto," approved June 6, 1913, by adding thereto two new sections to be numbered 5*a* and 5*b*, relating to the jurisdiction of police courts in cities of the first and one-half class, and to the powers and duties of judges and officers thereof in dealing with certain officers or defendants;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and three minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 405—An act to amend sections 1193 and 1227 of the Penal Code, relating to judgments against persons convicted of the commission of crime;

Also: Assembly Bill No. 640—An act to amend the title and sections 1, 2, 4 and 36 of, and to add a new section to, an act entitled "An act to provide for work upon streets, avenues, lanes, alleys courts and places forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, and providing for the construction of sewers, drains and sidewalks thereon and in connection therewith," approved April 21, 1911, as amended;

Also Assembly Bill No 1151—An act to amend sections 29 and 30 of an act entitled "An act to provide for the establishment and change of grade of public

streets, lands, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended;

Also Assembly Bill No. 1341—An act to amend section 7 of an act entitled "An act amendatory of and supplemetnary to an act entitled 'An act to authorize the county judge of Tehama County to distribute town lots held by him in trust for the citizens of the town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests,' approved March 6, 1868";

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 86—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fifth class;

Also: Assembly Blil No. 53—An act to amend section 1723 of the Code of Civil Procedure, relating to termination of life estates,

Also: Assembly Bill No 106—An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation, or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for the naming of such parks, providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act, and prescribing the procedure for carrying out the provisions of this act;

Also: Assembly Bill No. 774—An act to amend section 10 of the Code of Civil Procedure, relating to holidays;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 11—An act to add a new section to the Political Code to be numbered 737*a* relating to the salary of superior judges,

Also Assembly Bill No. 41—An act making an appropriation to pay the claim of Jeff McElvaine against the State of California

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 711—An act to provide for the prevention of forest fires in the San Gabriel Canyon in the San Gabriel Mountains California, and to make an appropriation therefor—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p m.

ROBERTS, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 456—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also Assembly Bill No. 511—An act to provide for the prevention of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also Assembly Bill No 512—An act to provide for the prevention of forest fires in the Big Dalton and Little Dalton Water Sheds between San Dimas and San Gabriel Canyons in the San Gabriel Mountains and to make an appropriation therefor,

Also Assembly Bill No. 652—An act appropriating money to pay the claim of Dunn, White and Aiken against the State of California,

Also Assembly Bill No. 740—An act to provide for the prevention of forest fires in the San Dimas Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 507—An act to empower the State Highway Commission to acquire rights of way along State highways for the maintenance and preservation of scenic beauties along such highways;

Also Assembly Bill No. 323—An act to amend section 2632 of the Political Code, relating to the construction and repair of sidewalks by owners of property;

Also Assembly Bill No. 1373—An act declaring that certain avenue or public highway known as "El Cajon Avenue," within the corporate city limits of East San Diego, from Boundary Street to Euclid Avenue, in San Diego County, California, to be a State Highway;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following,

Assembly Bill No. 502—An act to amend section 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for allowances of attorney's fees to attorneys representing claimants before appellate courts authorizing Industrial Accident Commission to fix the fees of attorneys for applicants, and conferring authority on said commission to regulate the appearance of representatives of applicants before it, also providing for service of notice of liens on insurance carriers;

Also Assembly Bill No 1368—An act to cure defects in maps or plats filed for record prior to January 1, 1923, and in deeds or conveyances referring to such maps;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No 139—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges;

Also Assembly Bill No. 596—An act to amend section 1545 of the Political Code, relating to the duties of the Superintendent of Schools;

Also Assembly Bill No 1100—An act permitting the insertion of provisions in contracts for public work for the arbitration of disputes arising under such contracts or in the performance of the work thereunder between the contracting parties;

Also Assembly Bill No 1346—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No 1339—An act making an appropriation to defray the expense of legislative printing for the forty-fifth session of the Legislature of the State of California.

Also Assembly Bill No 853—An act to amend section 632 of the Penal Code, relating to protection of trout;

Also Assembly Bill No. 424—An act to add a new section to the Penal Code, to be numbered 1599a, relating to property taken from persons detained in city, county, or city and county jails;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 685—An act to provide for the formation and establishment of county toll road districts, the construction, acquisition, maintenance, control and use of county toll roads, and the inclusion of existing county roads or portions thereof as a part of such county toll roads, defining the term county toll road, providing for the establishment of grades and routes of such toll roads, for the construction therein or thereon of bridges, gutters, culverts, tunnels and viaducts, for the issue of bonds representing the costs and expenses thereof and defining the status of such bonds providing for the fixing of rates of toll and the collection thereof to provide funds for the purposes of paying any expenditure authorized by this act; and to provide for a special fund derived in part from county or road district funds and in part by special assessment upon a district and for the establishment of such districts—and reports that the same has been correctly enrolled and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California to amend section 14 of article XIII of the constitution, relative to taxation—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p m.

ROBERTS, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 887—*An act providing for the formation and incorporation of rural credit unions or cooperative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest*,

Also Senate Bill No. 522—An act to amend section 647 of the Civil Code, defining the various classes of securities upon which a building and loan association may *invest or borrow*,

Also Senate Bill No. 551—An act to permit and regulate the deposit of money of counties, municipalities and irrigation districts with building and loan associations,

Has had the same under consideration, and respectfully reports the same back without recommendation.

SPALDING, Chairman.

ON LIVE STOCK AND DAIRIES

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 431—An act to amend section 30a of an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine, to license the manufacture and sale of renovated butter, and oleomargarine, to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4,

1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, as amended;

Also: Assembly Bill No. 878—An act providing for the branding of all cattle affected with tuberculosis, requiring a report of all cases of tuberculosis in cattle and prescribing penalties for the violation thereof;

Also: Assembly Bill No. 1174—An act to amend an act entitled "An act to prevent, control, and eradicate tuberculosis in cattle in the State of California; to empower the Director of Agriculture to establish tuberculosis eradication or free areas; providing penalties for the violation hereof":

Has had the same under consideration, and respectfully reports the same back without recommendation

MOORE, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 736—*An act to add a new section to be numbered 7a to an act entitled* "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, providing for the seizure and holding of agricultural seed not labeled according to provisions of said act and providing penalties for the violation of the provisions hereof,

Also: Assembly Bill No. 737—An act to add a new section to be numbered 4c to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof and prescribing penalties for violations of the provisions hereof," approved June 3, 1921,

Also: Assembly Bill No. 877—An act to amend an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended,

Also: Assembly Bill No. 962—An act to add a new section to the Political Code, to be numbered 2319*m*, relating to inspection of nursery stock, trees, plants, shrubs and vines at initial point of shipment,

Also: Assembly Bill No. 994—An act to regulate exchanges organized for establishing the market price, and regulating the marketing of perishable agricultural products, providing for the enforcement and prescribing penalties for the violation of this act;

Also: Assembly Bill No. 1115—An act to add a new section to the Civil Code to be numbered 3066, relating to the creation of a lien on land for the sale price of fertilizers and other materials;

Also: Assembly Bill No. 1222—An act to amend sections 361*a* and 361*c* of the Political Code, relating to the Department of Agriculture;

Also: Assembly Bill No. 1371—An act to repeal an act entitled "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California and making an appropriation therefor," approved April 25, 1911,

Also: Assembly Bill No. 1079—An act to make an appropriation for viticultural service in the Department of Agriculture,

Also: Assembly Bill No. 61—An act to amend section 2322*a* of the Political Code relating to the duties of county horticultural commissioners;

Also: Assembly Bill No. 475—An act to add a new subsection to section 1191 of the Code of Civil Procedure, to provide a lien for clearing, leveling and breaking land

Also: Assembly Bill No. 474—An act to add a new section, with subsections, to the California Civil Code, to provide for farm laborers' liens and the method of their enforcement,

Also: Assembly Bill No. 337—An act to add a new section to be numbered section 5½ to an act entitled "An act to promote the development of the California fruit, nut and vegetable industry in State and interstate markets, and to protect

the State's reputation in these markets by establishing standards and standard packages for certain fruits, nuts and vegetables specified therein, and to prevent deception in the packing and sale of fruits, nuts and vegetables, to provide for the certification of fruits and vegetables including the payment of fees, to prescribe penalties for violation of the provisions hereof and to repeal an act entitled "An act to promote the development of the California fruit and vegetable industry in State and interstate markets, and to protect the State's reputation in these markets by establishing standards and standard packages for certain fruits and vegetables specified therein, and to prevent deception in fruit packages, prescribing penalties for violation of the provisions hereof and making an appropriation for the enforcement of all provisions hereof, and repealing all acts inconsistent herewith, approved May 27, 1919," as amended.

Has had the same under consideration, and respectfully reports the same back without recommendation.

STOW, Chairman.

ON MANUFACTURES.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 28—An act to add a new section, to be numbered section 4, to an act entitled "An act to prevent the adulteration of paints, oils, varnishes and pigments," approved March 22, 1907, relating to labeling of paint containers.

Also: Assembly Bill No. 99—An act requiring the marking or labeling of all cloth, fabrics, garments or articles of apparel sold or offered for sale in this State which contain wool, or purporting to contain wool, and of all samples containing, or purporting to contain wool displayed in this State in soliciting orders and providing for punishment for violations of the act.

Also: Assembly Bill No. 126—An act to add a new section to the Penal Code to be numbered 383b, relating to adulteration and sale of white lead paint, or compound intended to be used as such, providing for its enforcement, and making an appropriation therefor.

Also: Assembly Bill No. 223—An act to regulate sweatshops, requiring a license for the purpose of manufacturing, altering, repairing or finishing, for wages or for sale, any articles whatsoever in any room or apartment in any tenement or dwelling house or in a building situated immediately in the rear of any department, tenement or dwelling house, prescribing the requirements or conditions for the operation of such sweatshops, defining the powers of the Commissioner of the Bureau of Labor Statistics, of local boards of health or health officers, or State or municipal factory inspectors, in the enforcement of the provisions of this act, and providing penalties for the violation thereof.

Also: Assembly Bill No. 379—An act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

Also: Assembly Bill No. 825—An act defining and regulating the business of dry cleaning and dyeing, and providing for the construction, maintenance and inspection by the State of dry cleaning and dyeing buildings and establishments, and providing ways and means for enforcing this act, and penalties for the violation thereof.

Has had the same under consideration, and respectfully reports the same back without recommendation.

ERB, Chairman.

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 780—An act to amend section 389Sa of the Political Code, relating to the education of dependents of veterans.

Also: Assembly Bill No. 426—An act to provide for retirement of employees of the State of California on account of permanent physical or mental disability after twenty-five years of continuous service, and for retirement after twenty-five years of continuous service of employees who may then be more than seventy years of age, with one-half pay thereafter during life, to provide means and methods for the payment of retired salaries, and for the filling of vacancies caused by such retirements, and creating a board of retirement regarding the same.

Has had the same under consideration, and respectfully reports the same back without recommendation.

JOHNSON, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 30—An act to amend an act entitled "An act to regulate the issuance of licenses for the resale to hunters and anglers," approved May 20, 1915, as amended, to provide for the disposition of license fees.

Also: Assembly Bill No. 225—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propaga-

tion, restoration and conservation of fish in the waters of the State of California," approved March 13, 1909, as amended,

Also: Assembly Bill No. 393—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts" approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915, as amended," by amending sections 1, 28 and ____ thereof, and by adding a new section thereto, to be numbered section 56.

Also: Assembly Bill No. 524—An act to add a new section to the Penal Code, to be numbered 637½*a*, relating to wild birds and animals.

Also: Assembly Bill No. 600—An act to amend section 626*d* of the Penal Code, relating to the protection of fish and game.

Also: Assembly Bill No. 602—An act to amend section 626 of the Penal Code, relating to the protection of fish and game.

Also: Assembly Bill No. 692—An act to amend section 626*m* of the Penal Code, relating to the killing of game birds and fish;

Also: Assembly Bill No. 694—An act to amend section 344 of the Political Code, relating to the interpretation of various terms and titles used in relation to the fish and game commissions and commissioners, and creating the office of Fish and Game Commissioner and providing for the employment and appointment by the commissioner of necessary deputies, assistants and employees and providing for their compensation and defining their qualifications, and repealing all acts in conflict herewith;

Also: Assembly Bill No. 793—An act to amend section 626 of the Penal Code, relating to the protection of game.

Also: Assembly Bill No. 858—An act to add a new section to an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909, as amended.

Also: Assembly Bill No. 1001—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1012—An act to amend section 626 of the Penal Code, relating to the protection of game.

Also: Assembly Bill No. 1095—An act to amend section 643 of the Political Code of the State of California, relating to the Fish and Game Commissioners.

Also: Assembly Bill No. 1172—An act to regulate and license the business of maintaining hunting and shooting grounds within this State, providing for the collection of license taxes, prescribing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith.

Also: Assembly Bill No. 1214—An act to amend section 626 of the Penal Code, relating to fish and game.

Also: Assembly Bill No. 1215—An act to prohibit the feeding on shooting and hunting preserves during the open season.

Also: Assembly Bill No. 1225—An act to amend section 634 of the Penal Code, relating to the protection of salmon.

Also: Assembly Bill No. 1254—An act to promote the public health by prohibiting the keeping or storing of crabs in crates, boxes or other containers, in any of the waters or streams of this State, within two miles of the outlet of any sewer.

Also: Assembly Bill No. 1258—An act to amend section 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

Also: Assembly Bill No. 1272—An act to add a new section to the Penal Code, to be numbered 632*c*, relating to the protection of fish.

Also: Assembly Bill No. 768—An act to add a new section to the Penal Code, to be numbered 636*d*, relating to fish and game.

Has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 763—An act to amend section 632 of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 36—An act to amend sections 626*h* and 626*i* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Assembly Bill No. 460—An act to amend section 3 of section 626*e* of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 477—An act to amend sections 1, 2, 3, 5, 7 and 27 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' approved May 1, 1911, and all acts or parts of acts herewith approved May 15, 1915," approved May 5, 1917, as amended, as approved May ___, 1919, as amended, approved May 20, 1921, as amended;

Also: Assembly Bill No. 492—An act to amend section 634 of the Penal Code, relating to fish and game;

Also: Assembly Bill No. 522—An act to amend section 626*f* of the Penal Code and to repeal section 626*i* thereof, relating to the killing of deer;

Also: Assembly Bill No. 598—An act to amend section 626*j* of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 599—An act to amend section 626*o* of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 658—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended;

Also: Assembly Bill No. 693—An act to establish public shooting ground by purchase, rental, or gift, and to regulate the use of same, and to provide funds for such purchase or rental;

Also: Assembly Bill No. 695—An act to amend section 631*a* of the Penal Code, relating to penalty for violation of fish and game laws;

Also: Assembly Bill No. 765—An act to amend an act entitled "An act to create a fish and game preservation fund and to unite the 'fish commission fund,' and the 'game preservation fund,' into a common fund to be known as 'fish and game preservation fund,'" approved March 15, 1909, as amended, by adding a new section thereto to be numbered 4, creating a new fund, to be known as the "game bounty fund".

Has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 766—An act to amend section 1 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission" approved May 18, 1917, as amended;

Also: Assembly Bill No. 767—An act to amend section 626*f* of the Penal Code, relating to the protection of deer;

Also: Assembly Bill No. 768—An act to add a new section to the Penal Code to be numbered 636*d* relating to fish and game;

Also: Assembly Bill No. 770—An act to encourage the destruction of predatory wild animals; to provide bounties for the killing thereof, making an appropriation for the payment of such bounties; providing a penalty for making a false affidavit under the provisions of this act; and repealing acts inconsistent herewith;

Also: Assembly Bill No. 777—An act to amend section 634 of the Penal Code, relating to fish and game;

Also: Assembly Bill No. 826—An act to prevent all persons not eligible to citizenship in the State of California, or in the United States of America, from catching or taking fish or shellfish in the waters of the State of California;

Also: Assembly Bill No. 852—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 854—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 859—An act to add a new section to an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom, for game and fish preservation and restoration," approved March 22, 1909, as amended;

Also: Assembly Bill No. 918—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 919—An act to permit the killing of bear at any time in fish and game district No. 1;

Also: Assembly Bill No. 920—An act to amend section 3 of an act entitled "An act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for fish and game preservation and restoration," approved March 27, 1909, as amended.

Also. Assembly Bill No 976—An act to amend section 636 of the Penal Code, relating to fish and game.

Has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 977—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also Assembly Bill No. 978—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No 1065—An act to amend section 632 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 1088—An act to amend section 636 of the Penal Code of the State of California;

Also Assembly Bill No. 1089—An act to amend section 634 of the Penal Code of the State of California,

Also Assembly Bill No. 1093—An act to amend section 628*a* of the Penal Code of the State of California;

Also: Assembly Bill No 593—An act to amend section 628*a* of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 1303—An act to amend section 4 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 530—An act to amend section 34 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to registration certificates and relating to the disposition of receipts for transfer and operators licenses;

Also. Assembly Bill No. 1073—An act to amend paragraph "*n*" of section 20 of an act entitled "The Vehicle Act," aprpoved May 10, 1915, as amended;

Also Assembly Bill No. 1040—An act to amend sections 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, 24, 25, 26, 27, 28 29, 32, 36 and 37 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof; and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected thereunder; to create a Motor Vehicle

Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

Also:

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 526—An act to repeal section 35 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon, to limit the power of local authorities to enact or enforce ordinances rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to fines and forfeitures;

Also Assembly Bill No 527—An act to amend section 22 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor to provide for the licensing of persons operating motor vehicles to prohibit certain persons from operating vehicles upon the public highways to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof to provide for carrying out the objects of this act, and to make appropriation therefor and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to the operation and equipment and use of motor vehicles

Also Assembly Bill No. 1360—An act to safeguard the traveling public and others by requiring operators of motor vehicles carrying passengers for hire and of school busses and of motor trucks carrying certain inflammable and explosive substances to stop at certain railroad crossings and to take other safety precautions; and to prescribe punishment for violation hereof.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman

Also:

MR SPEAKER Your Committee on Motor Vehicles to which was referred Assembly Bill No. 469—An act to repeal section 7 of an act entitled "An act to amend the vehicle act approved May 10, 1915, as amended by an act entitled 'An act to amend the vehicle act approved May 10, 1915, by repealing sections 10, 18, 23, 33 and 42 thereof, and by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 22, 24, 26, 27, 28, 32, 34, 35, and 37 thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise, for the registration and identification of motor and other vehicles, and for the payment of registration fees therefor; to prohibit the operation of any motor vehicle without the consent of the owner thereof; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matter embraced within the provisions of this act, to provide for the organization and conduct of the motor vehicle department created by this act, and to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act, to provide for carrying out the objects of said act and of said amendments thereto, and to make appropriation therefor, to provide for the printing and distribution of said act as amended, and

to provide for the time that said amendments shall go into effect," approved May 10, 1917, by amending sections 1, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 20, 24, 28, 32, 34, 36, and 37 thereof, said amendments to provide for the regulation of the use and occupation of the public highways by vehicles and otherwise and for the regulation of traffic and travel over such highways, for the registration and identification of motor and other vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, and for the payment of license fees therefor, to prohibit the operation or use of any vehicle by any person under the influence of intoxicating liquor and the use of any motor vehicle without the consent of the owner thereof, to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to any of the matters embraced within the provisions of this act, to provide for the organization and conduct of the Motor Vehicle Department created by this act and the salaries of the officers and employees thereof to provide for the disposition of registration and license fees, fines and forfeitures collected under the provisions of said act; to provide for the carrying out of the object of said act as amended as aforesaid and of these amendments thereto, and to make appropriation therefor, to provide for the printing and distribution of said act as amended as aforesaid and as hereby amended, and to provide for the time that said amendments shall go into effect, and repealing all acts or parts of acts in conflict herewith," approved May 2, 1919, in so far as it relates to the fee to be paid for chauffeur's licenses—has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 279—An act to amend section 14 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to the examination and testing of brakes on motor vehicles by testing agencies and providing for the fee for such examination;

Also, Assembly Bill No. 219—An act to add a new section, to be numbered 23, to an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor, and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to the equipment by motor vehicles of a speed governor,

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 222—An act to amend section 35 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended;

Also Assembly Bill No 378—An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission defining the rights, remedies, powers and duties of transportation companies, and the rights and remedies of patrons of the same: declaring all automobiles, jitney busses, auto trucks, stages and auto stages, used in violation of the terms and provisions of this act nuisances, and providing for the abatement and prevention of such nuisances by injunction and otherwise: providing for the enforcement of the provisions of this act, and for the punishment of violations thereof, and repealing chapter CCXIII of the Laws of 1917 and amendments thereto, and all acts and parts of acts inconsistent with the provisions of this act:

Also Assembly Bill No. 284—An act to amend section 22 of "The Vehicle Act" approved May 10, 1915, as amended, relating to the manner of making arrests for violations of speed regulations.

Also Assembly Bill No. 27—An act levying a tax of two cents per gallon on motor vehicle fuels purchased for use in motor vehicles operated or intended to be operated upon public highways of the State of California, providing for the regulation of such sales and the collection of said tax and for the crediting of the same to the State highway fund, defining terms, providing for certain exemptions, and prescribing penalties

Also Assembly Bill No. 132—An act to amend an act known as "The Vehicle Act", approved May 10, 1915, as amended.

Also Assembly Bill No 1194—An act to amend sections 13, 22, and 24 of the act known as the Vehicle Act," approved May 10, 1915, as amended, said amendments to provide for the regulation and use of the public highway by vehicles: to provide for the licensing of persons operating motor vehicles, and to provide for the examination of such operators, to prohibit the operation of any motor vehicle by any person under the age of eighteen years and to provide penalties for the violation of the provisions thereof

Also Assembly Bill No 1170—An act to amend "The Vehicle Act," approved May 10, 1915, as amended,

Also Assembly Bill No 717—An act to amend an act known as the "Motor Vehicle Act" approved May 10, 1915, as amended

Also Assembly Bill No 594—An act to amend an act known as the "Motor Vehicle Act" approved May 10 1915, as amended.

Also Assembly Bill No 585—An act to amend an act known as the "Motor Vehicle Act," approved May 10, 1915, as amended;

Also Assembly Bill No 584—An act to provide for the licensing of dealers in motor vehicle tires, the payment of a license fee therefor and to provide a fund to maintain the highways, roads and streets in municipal corporations.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

Also:

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 872—An act to amend section 36 of an act entitled "The Vehicle Act" approved May 10 1915, as amended, said amendment to provide for record by the court of cases in which a person is charged with violation of the act

Also Assembly Bill No 886—An act to amend an act entitled "The Vehicle Act," approved May 10, 1917, as amended.

Also Assembly Bill No. 1168—An act to provide for the levying and collection of a tax of one cent per gallon on all gasoline manufactured or distributed within the State of California.

Also Assembly Bill No. 965—An act to amend sections 1, 2 3, 4, 6, 7, 8, 9 10 11 12, 13 16, 17, 20 21, 22, 24, 25, 26 27, 28, 29, 32, 34, 36 and 37 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere: to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor, to provide for the licensing of persons operating motor vehicles to prohibit certain persons from operating vehicles upon the public highways: to prohibit the possession or use of a motor vehicle without the consent of the owner thereof: and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon: to provide penalties for violations of the provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon: to limit the power of local authorities to enact or enforce ordinances rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees fines and forfeitures collected thereunder: to create a Motor Vehicle Department and to provide for the organization and conduct thereof: to provide for carrying out the objects of this act and to make appropriation therefor: and to repeal all acts or parts of acts in conflict with this act," approved May 10 1915, as amended

Also Assembly Bill No. 482—An act to amend the Vehicle Act approved May 10, 1915, as amended by Statutes of 1917, page 382, and by Statutes of 1919, page 191, by adding a new section thereto, to be numbered section 37a, providing for the appointment of chief traffic officer and traffic officers in each county of the State of California and providing that the sheriff may be made ex officio chief traffic officer;

Also Assembly Bill No. 1223—An act to amend section 4 of "The Vehicle Act," approved May 10, 1915, and adding a new section thereto, to be numbered 4½,

Also. Assembly Bill No 233—An act to amend sections 7, 20, 22 and 36 of an act entitled the "Vehicle Act," approved May, 1915, as amended.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

Also:

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No 882—An act to amend an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages, providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney buses, auto trucks, stages and auto stages, empowering incorporated cities and towns, cities and counties, and counties, to enact ordinances for the supervision and regulation of automobiles jitney buses auto trucks, stages and auto stages, and providing penalties for the violation of such ordinances, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 10, 1917, as amended:

Also Assembly Bill No. 1035—An act amending sections 6 and 7 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles to prohibit certain persons from operating vehicles upon the public highways, to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done thereon to provide penalties for violations of provisions of this act and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended.

Also Assembly Bill No 69—An act to amend sections 13 22 and 24 of the act known as the "Vehicle Act," approved May 10 1915, as amended, said amendments to provide for the regulation and use of the public highway by vehicles to provide for the licensing of persons operating motor vehicles, and to provide for the examination of such operators, to prohibit the operation of any motor vehicle by any person under the age of eighteen years and to provide penalties for the violation of the provisions thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman

ON PUBLIC MORALS

ASSEMBLY CHAMBER SACRAMENTO May 17, 1923.

MR SPEAKER Your Committee on Public Morals to which was referred Assembly Bill No 77—An act to amend sections 92 and 124, and to repeal sections 94 95, 96 97, 98 99, 100, 101, 102, 103 104 105, and 106 of the Civil Code relating to divorce

Also Assembly Bill No 827—An act to amend the Penal Code by adding thereto a new section to be numbered 337b relating to the publication distribution, selling or giving away of tips or other information concerning horse races or betting upon horse races.

Also Assembly Bill No 144—An act to amend section 330a of the Penal Code, relating to gambling by the use of slot machines or card dice, or other dice having more than six faces or bases each.

Also Assembly Bill No 1271—An act to repeal an act entitled "An act to enforce the provisions of article XVIII of the amendments to the constitution of the United States prohibiting all acts or omissions prohibited by the Volstead Act; imposing duties on courts, prosecuting attorneys sheriffs and other officers, and

extending their jurisdiction and providing for the disposition of fines and forfeitures," approved May 7, 1921.

Also Assembly Bill No. 111—An act to amend section 330 of the Penal Code, relating to gambling;

Also Assembly Bill No. 1138—An act creating a State Board of Review of Motion Pictures and defining the powers thereof.

Also Assembly Bill No 1125—An act creating a State Board of Review of Motion Pictures and defining the powers thereof

Also Assembly Bill No 135—An act to amend sections 320, 321, 322 and 323 of the Penal Code, and to add a new section thereto to be known as section 325a, all relating to lotteries, and fixing the punishment for the violation of said sections;

Also Assembly Bill No 1209—An act to prohibit the giving or offering of money as a reward or purse to be contested for by horses

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, Chairman

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 147—An act to regulate the discharge of sewage into the ocean, or into bays, harbors, or inlets thereof.

Also Assembly Bill No 26—An act entitled an act to add a new section to the Civil Code to be numbered 69b, relating to physical examination as a requirement of persons contracting marriage.

Also Assembly Bill No 425—An act to amend an act entitled "An act declaring the existence of inflammable vegetable matter constituting a fire menace to be a public nuisance, providing for its abatement, and prescribing the manner of collecting the expense thereof," approved June 3, 1921

Also Assembly Bill No 399—An act to amend section 4225a of the Political Code, relating to health officers.

Also Assembly Bill No 769—An act to amend an act entitled "An act for preventing the manufacture sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907, as amended, by amending sections 3, 4, 15 and 16 thereof.

Also Assembly Bill No 1280—An act to provide for the appointment of a commission to investigate and report a plan for the control of tuberculosis in the State of California and making an appropriation therefor;

Also Assembly Bill No. 458—An act to regulate the occupation of barbering, to create a State Board of Examiners for the licensing of persons to carry on such practice, to insure the better education of such practitioners, to provide rules regulating the proper sanitation of barber shops, barber schools and colleges, preventing the spreading of contagious and infectious diseases, thereby insuring the general public cleaner and better service; and provide penalties for violations thereof.

Also Assembly Bill No 565—An act to add a new section to be numbered 9a to an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions, to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine, to license the manufacture and sale of renovated butter and oleomargarine, to regulate the business of producing, buying and selling dairy products oleomargarine, renovated or imitation butter and cheese to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, as amended, relating to the manufacture of oleomargarine

Also Assembly Bill No 535—An act to regulate the pollution with human excreta of rights-of-way and other property by common carriers.

Has had the same under consideration, and respectfully reports the same back without recommendation.

DOZIER, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER Your Committee on Mines and Mining, to which was referred Assembly Bill No. 486—An act to provide for the safety of men employed in mines by requiring intercommunication of adjacent mines at or near working levels, providing for supplementing the provisions of this act by special safety orders of the Industrial Accident Commission, and providing a penalty for violation of the provisions of this act.

Also Assembly Bill No 329—An act to amend an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works" approved May 30, 1913

Also: Assembly Bill No 1253—An act to regulate and control dredging for gold or other minerals or metals on cultivated or arable land, and giving the State Railroad Commissioners power to control and regulate the same

Also Assembly Bill No 987—An act to amend an act approved April 27, 1911, entitled "An act relating to lakes and streams the waters of which contain minerals in commercial quantities, withdrawing State lands within the meander lines thereof from sale prescribing conditions for taking such minerals from said waters and lands and providing for the leasing of lands uncovered by the recession of waters of such lakes and streams," by adding thereto a new section, to be numbered 18, relating to the leasing for certain purposes of State lands submerged by salt tidal waters;

Has had the same under consideration, and respectfully reports the same back without recommendation

SCOTT Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 57—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties, and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act." Approved April 23, 1915, as amended.

Also Assembly Bill No 63—An act repealing section 591 of the Political Code, relating to the maintenance of office and contingent expenses of the Insurance Commissioner;

Also Assembly Bill No 428—An act to add a new section to the Political Code, to be numbered 247*a*, relating to the appointment of the employees of the Legislature,

Also Assembly Bill No 442—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article III*a* embracing sections 365 to 365*e*, both inclusive, relating to a department of professional standards.

Also Assembly Bill No. 644—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production, providing for the appointment of a State Oil and Gas Supervisor prescribing his duties and powers fixing his compensation providing for the appointment of deputies and employees, providing for their duties and compensation providing for the inspection of petroleum and gas wells requiring all persons operating petroleum and gas wells to make certain reports, providing procedure for arbitration of departmental ruling creating a fund for the purposes of the act providing for assessment of charges to be paid by operators and providing for the collection thereof and making an appropriation for the purposes of this act" approved June 10 1915 as amended

Has had the same under consideration and respectfully reports the same back without recommendation.

FULWIDER, Chairman

Also:

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 953—An act to amend sections 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664 665, 666, 667, 668, 669, 670, 671, 672, 673, 674 675, 676, 677, 678, 679, 680 681, 682, 683, 684, 685, 686, 687, 688, 689, 690 and 691 of the Political Code, relating to the Board of Control;

Also: Assembly Bill No. 954—An act to repeal an act entitled "An act creating a cash revolving fund for the use of the State Water Commission in making determinations of water rights as provided by the 'Water Commission Act,' approved June 16, 1913, making an appropriation therefor," approved June 3, 1921;

Also Assembly Bill No 957—An act providing that the duties now performed by the Adjutant General of the State of California be performed by an officer detailed by the United States Army for such purpose, upon request of the Governor of the State,

Also Assembly Bill No 958—An act to transfer the mineral museum maintained by the State Mining Bureau to the University of California;

Also Assembly Bill No 1004—An act to abolish the office and position of attorney for the State Bureau of Labor Statistics,

Also Assembly Bill No 1034—An act creating the California State Historical Association and appropriating money for its support during the seventy-fifth and seventy-sixth fiscal years;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FULWIDER, Chairman.

Also:

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 756—An act to amend an act entitled "An act to define real estate brokers and salesmen, to provide for the regulation, supervision and licensing thereof to create a state real estate department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled 'An act to define real estate brokers, agents, salesmen solicitors to provide for the regulation, supervision and licensing thereof to create the office of Real Estate Commissioner and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 28, 1919, as amended, by amending section 9 thereof and adding eight new sections thereto to be numbered sections 9a, 9b, 9c, 9d, 9e, 9f, 9g, and 9h, relating to the creation of a Board of Examiners and providing for their appointment, prescribing their duties and fixing their compensation;

Also: Assembly Bill No 871—An act creating the office of Highway Tree Inspector, placing such office under the jurisdiction of the State Forester, and providing a salary therefor,

Also: Assembly Bill No 885—An act to regulate the validation of district bonds and providing for the supervision thereof by the Superintendent of Banks;

Also Assembly Bill No. 908—An act creating a Department of Law Enforcement, providing for the appointment of a Commissioner of Law Enforcement, one deputy commissioner of law enforcement, and an enforcement force not to exceed two hundred, prescribing their powers and duties fixing their compensation, and repealing all acts or parts of acts in conflict herewith

Also Assembly Bill No. 951—An act to transfer the duties, powers, purposes and responsibilities and jurisdiction of the Department of Petroleum and Gas of the State Mining Bureau to the Surveyor General

Has had the same under consideration, and respectfully reports the same back without recommendation.

FULWIDER, Chairman.

Also:

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1094—An act creating a contingent fund, to be known as the State Board of Forestry contingent fund

Also Assembly Bill No 1097—An act to amend an act entitled "An act to create a State Purchasing Department, to define the authority, powers, and duties thereof, to provide for the appointment of and to define the authority, powers and duties, and to fix the compensation of the officers and employees thereof, and to appropriate money for the support of said department and to repeal all acts or parts of acts in conflict with the provisions of this act," approved May 18, 1915, as amended,

Also Assembly Bill No. 1098—An act to amend sections 718 and 719 of the Political Code, relating to the employees of the Superintendent of Capitol Building and Grounds;

Also Assembly Bill No. 1178—An act to amend an act entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production, providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers, fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation, providing for the inspection of petroleum and gas wells requiring all persons operating petroleum and gas wells to make certain reports, providing procedure for arbitration of departmental ruling, creating a fund for the purposes of the act providing for assessment of charges to be paid by operators and providing for the collection thereof, and making an appropriation for the purposes of this act" approved June 10 1915, as amended,

Also: Assembly Bill No 1183—An act to amend an act entitled "An act regulating the employment of women minors and establishing an industrial welfare commission to investigate and deal with such employment, including minimum wage; providing for an appropriation therefor and fixing a penalty for violation of this act, approved May 26, 1913, as amended",

Has had the same under consideration, and respectfully reports the same back without recommendation.

FULWIDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1188—An act making an appropriation to carry out the purposes of an act entitled "An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11*b*, embracing sections 361 to 361*d*, both inclusive, relating to a Department of Agriculture";

Also: Assembly Bill No. 1207—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by amending section 23 thereof, relating to fees on applications, and by adding thereto two new sections, to be numbered 23*a*, relating to fees on permits, and 23*b*, relating to payment of fees into the State treasury and providing for exemption from fees;

Also: Assembly Bill No. 1239—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office;

Also: Assembly Bill No. 1241—An act to amend section 11 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1242—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office;

Also: Assembly Bill No. 1251—An act making an appropriation for the support of and salaries of the officers of the State Mining Bureau;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FULWIDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1256—An act to abolish the office and position of attorney for the Industrial Accident Commission;

Also: Assembly Bill No. 1349—An act to provide for the semimonthly payment of the salaries of all civil service employees of the State of California;

Also: Assembly Bill No. 726—An act to provide for the transfer of the duties, powers, purposes, responsibilities and jurisdiction of the Immigration and Housing Commission to the Bureau of Labor Statistics;

Also: Assembly Bill No. 848—An act to confer and impose upon the Superintendent of Banks of the State of California all the authority, powers, jurisdiction, duties and responsibilities conferred and imposed by law upon the Building and Loan Commissioner;

Also: Assembly Bill No. 861—An act to transfer the duties, powers, purposes and responsibilities and jurisdiction of the "Bureau of Building and Loan Supervision" and the Building and Loan Commissioner to the State Banking Department;

Also: Assembly Bill No. 1039—An act to transfer certain duties, powers, purposes, and responsibilities and jurisdiction of the State Mining Bureau to the Industrial Accident Commission;

Also: Assembly Bill No. 54—An act to amend section 589 of the Political Code, relating to the salary of the Insurance Commissioner;

Also: Assembly Bill No. 105—An act to amend section 120 of an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FULWIDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 278—An act to amend section 32 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915;

Also: Assembly Concurrent Resolution No. 9—Relative to the investigation and report of a board to the extent of the feasibility and existing necessity for the establishment of a State institution for women.

Also: Assembly Concurrent Resolution No. 15—Relative to adjournment on April 3, 1923, for the purpose of attending the opening game of the Pacific coast league.

Also: Senate Bill No. 54—An act providing for the manufacture, distribution, use and sale of cement and cement products by the department of public works of the State of California, defining the powers and duties of said board relative thereto, and making an appropriation to carry out the purposes of this act.

Also: Senate Bill No. 748—An act relating to the use of the moneys in special funds in the State treasury heretofore created by law, and supplementing the Budget Act passed at the present session of the Legislature;

Also: Resolution by Whitacre;

Has had the same under consideration and respectfully reports the same back without recommendation.

FULWIDER, Chairman.

ON HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 913—An act appropriating money for the erection of a building for male patients at Agnews State Hospital.

Also: Assembly Bill No. 914—An act appropriating money to be used in the improvement of the heating system at Agnews State Hospital.

Also: Senate Bill No. 112—An act to amend section 2192 of the Political Code relating to the Sonoma Home for Feeble-Minded.

Has had the same under consideration and respectfully reports the same back without recommendation.

CLARKE, Chairman.

ON PRISONS AND REFORMATORIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 326—An act to amend section 1 of an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State, and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, by amending section 1 thereof so as to prohibit the use of products of State prisons in public schools—has had the same under consideration, and respectfully reports the same back without recommendation.

PEDROTTI, Chairman.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 82—An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of apartment houses and hotels, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings in incorporated towns, incorporated cities and incorporated cities and counties, and the maintenance, use and occupancy of the premises and land on which such apartment houses, hotels and dwellings are erected or located, and to provide for its enforcement, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, approved April 16, 1909, Statutes of California of 1909, page 948," approved April 10, 1911, Statutes of California of 1911, page 869, and approved June 13, 1913, Statutes of California, 1913, page 737, and approved May 29, 1915, Statutes of California, page 952, and all acts amendatory thereof," and approved May 31, 1917, Statutes of California of 1917, page 1473, and repealing an act entitled "An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorpo-

rated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429," and approved May 31, 1917, Statutes of California of 1917, page 1422, and repealing an act entitled "An act to regulate the construction, reconstruction, moving, alteration, maintenance, use and occupancy of dwellings, and the maintenance, use and occupancy of the premises and land on which dwellings are erected or located in incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof," and approved May 31, 1917, Statutes of California, 1917, page 1461

Also: Assembly Bill No. 525—An act to add two new sections to the Penal Code of the State of California, to be numbered 384*b* and 384*a*, relating to keeping perishable foods in cold storage, marking the date thereof, and providing a penalty therefor,

Also: Assembly Bill No. 831—An act to preserve the public health, prevent the spread of contagious, infectious or communicable diseases, to establish quarantine or isolation of persons suffering or afflicted with such diseases, to provide for the enforcement of such quarantine and isolation and to prescribe penalties for violation of this act,

Also: Assembly Bill No. 888—An act appropriating money to be used for malaria control by the State Board of Health,

Also: Assembly Bill No. 1220—An act to amend section 373*a* of the Penal Code, relating to public nuisances

Has had the same under consideration, and respectfully reports the same back without recommendation.

DOZIER, Chairman.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 626—An act to amend section 653*d* of the Civil Code, relating to articles of association

Also: Assembly Bill No. 982—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance," approved May 10, 1915;

Has had the same under consideration, and respectfully reports the same back without recommendation

JOHNSTON, Chairman.

ON BANKING

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 687—An act to amend section 66 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended,

Also: Assembly Bill No. 1048—An act to provide for the regulation of the sale of bonds of reclamation and irrigation districts under the supervision of the State Superintendent of Banks, and defining his powers and duties in relation thereto,

Also: Assembly Bill No. 930—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended

Also: Assembly Bill No. 929—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended

Also: Assembly Bill No. 809—An act to amend section 9 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended;

Also: Assembly Bill No. 696—An act relating to banks, providing for the security of deposits thereof, including certain deposits of public funds, creating a depositors' guaranty fund, providing for the administration thereof, prescribing the powers and duties of certain officers with reference thereto, providing penalties for violations thereof, and making an appropriation

Also: Assembly Bill No. 1260—An act creating the office of public trustee in each county of the State, providing for the appointment of a public trustee in counties of the first, second and third class and that the county treasurer in all other counties shall act as public trustee, requiring such public trustee to execute a bond, prescribing the powers and duties and salary of and the fees to be charged by such public trustee, prescribing the procedure to be followed in dealing with and rules relating to deeds of trust, and relating to release of trust deeds

Also: Assembly Bill No. 1049—An act to amend sections 2 and 3 of an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds, and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties

counties school districts or municipalities and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized" approved June 13, 1913.
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYONS, Chairman.

Also:

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 303—An act to amend section 9 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to the establishment of branch offices.

Also: Assembly Bill No. 533—An act to amend sections 9, 28, 31, 31*a*, 31*b*, 120, and 132 of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act", all relating to the definition and regulation of the business of banking.
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYONS, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1190—An act to add a new section to the Political Code of the State of California, to be known as section 1886*a*, relating to the sale of bonds of school districts;

Also: Assembly Bill No. 1191—An act to add a new section to the Political Code of the State of California, to be known as section 1746*b*, relating to the sale of bonds of high school districts;

Also: Assembly Bill No. 1192—An act to amend section 1745 of the Political Code of the State of California, relating to the issuance of high school district bonds;

Also: Assembly Bill No. 1200—An act to add a new chapter to title III, part III of the Political Code, to be numbered chapter IV, to be entitled "Non-public schools," embracing article I, sections 1893, 1894, 1894*a*, 1894*b*, 1894*c* and 1894*d*, providing for the submission of courses of study of non-public schools to the State Superintendent of Public Instruction, for his approval, providing for the inspection of non-public schools by the State Superintendent of Public Instruction, and by county, city, city and county, or district superintendents of schools; providing for the submission of certain reports by the officials of non-public schools to the State Superintendent of Public Instruction, and to the county, and city, or city and county, and district superintendents of the counties, cities, cities and counties, and districts in which the schools are situated; providing for hearings for non-public schools failing to comply with the provisions of the law relative to non-public schools, and providing for the suspension or closing of non-public schools refusing or failing to comply with such provisions, and providing for the accrediting of non-public schools to the public schools of the State;

Also: Assembly Bill No. 1237—An act to add a new section to the Political Code, to be numbered 1853, providing for the payment of the clerks of union school and union high school boards;

Also: Assembly Bill No. 1281—An act to add a new section to the Political Code, to be numbered 4099*b*, requiring county auditors to make and publish monthly statements of expenditures of school districts, union school districts, joint school districts, joint union school districts, junior high school districts, high school districts, union high school districts, joint union high school districts, county high school districts and junior college districts;

Also: Assembly Bill No. 1308—An act to amend section 1733*a* of the Political Code, relating to high school districts;

Also: Assembly Bill No. 1285—An act to amend section 1 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended.
Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, C. C., Chairman.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 842—An act to add three new sections to the Political Code, to be numbered 1519*c*, 1620*a* and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Assembly Bill No. 864—An act to amend section 1533 of the Political Code, relating to the annual convention of county and city superintendents;

Also: Assembly Bill No. 926—An act to repeal section 1553 of the Political Code, which imposes certain restrictions upon the county superintendents of schools;

Also: Assembly Bill No. 973—An act to amend section 1734b of the Political Code, relating to the formation of high school districts and embracing therein common school districts.

Also: Assembly Bill No. 1008—An act to amend section 1662 of the Political Code, relating to the course of study in elementary schools and the age of admission of children into the primary schools.

Also: Assembly Bill No. 1126—An act to amend section 1665 of the Political Code, relating to the subjects in which instruction shall be provided in the elementary schools of the state;

Also: Assembly Bill No. 1140—An act to amend section 1755 of the Political Code, relating to duties of high school boards in regard to tax for building purposes;

Also: Assembly Bill No. 1141—An act to amend section 1764 of the Political Code, relating to the method of estimating high school tax;

Also: Assembly Bill No. 1142—An act to amend section 1756 of the Political Code, relating to duties of high school boards in regard to tax for maintaining high schools;

Also: Assembly Bill No. 1143—An act to amend section 1840 of the Political Code, relating to support of schools, estimate of money needed, levying of tax and for what purpose available;

Also: Assembly Bill No. 1145—An act to amend section 1838 of the Political Code, relating to powers and duties of governing boards of school districts in levying taxes for building purposes;

Also: Assembly Bill No. 1146—An act to amend section 1612a of the Political Code, relating to school district budgets and school district taxes;

Also: Assembly Bill, No. 1156—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education, relating to the insurance of school districts from liability for injury to pupils;

Also: Assembly Bill No. 1182—An act requiring the teaching of the constitution of the United States in the public and private schools of the State of California;

Also: Assembly Bill No. 1189—An act to amend section 1882 of the Political Code of the State of California, relating to the issuance of bonds of school districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, C. C., Chairman.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 514—An act to validate bonds of Brawley Union High School District;

Also: Assembly Bill No. 531—An act to amend section 1576 of the Political Code, relating to separate school districts in cities except cities of the sixth class, and additional contiguous territory;

Also: Assembly Bill No. 558—An act to amend sections 1, 3 and 7 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language, to enforce attendance upon such part-time classes where established, and providing penalties for violation of the provisions of this act," approved May 27, 1919;

Also: Assembly Bill No. 560—An act to amend section 1687 of the Political Code, relating to public school teachers;

Also: Assembly Bill No. 659—An act to add a chapter to title V of part III of the Political Code, to be numbered chapter II, embracing sections 2236 to 2245, both inclusive, and sections 2251 to 2260, both inclusive, relating to the education of the deaf and the blind;

Also: Assembly Bill No. 759—An act to amend "An act authorizing the board of trustees of the Whittier State School to maintain a department for the clinical diagnosis of inmates of the school and other State institutions, and to inquire into the causes and consequences of delinquency and mental deficiency, and related problems," approved May 11, 1917;

Also: Assembly Bill No. 760—An act to provide for the transfer of the duties powers, purposes, responsibilities and jurisdiction of the board of trustees of the Whittier State School and of the State Department of Institutions, relating to the California Bureau of Juvenile Research to the State Department of Education;

Also: Assembly Bill No. 776—An act to amend sections 1830 and 1880 of the Political Code, relating to school taxes and public school bonds;

Also: Assembly Bill No. 833—An act entitled an act to amend section 1566 of the Political Code relating to trustees' meetings;

Also: Assembly Bill No. 834—An act to amend sections 1560 and 1564 of the Political Code, relating to teachers' institutes;

Also: Assembly Bill No. 835—An act to amend sections 1760 and 1701 of the Political Code of the State of California, relating to paying of salaries of teachers;

Also Assembly Bill No 836—An act to amend section 1552 of the Political Code of the State of California, relating to traveling expenses of county superintendents.

Also, Assembly Bill No 837—An act to add a new section to the Political Code, relating to the powers and duties of city superintendents of schools and of district superintendents of schools and to be numbered section 1609*a*.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, C. C., Chairman.

Also:

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 43—An act to amend section 1569 of the Political Code of the State of California relating to the calling and holding of teachers' institutes in counties, cities and counties, and cities governed by a board of education; and compelling the attendance of the sessions thereof by teachers and the penalty in case of neglect or failure to attend without excuse, and the granting of such excuse by the trustees of the district.

Also Assembly Bill No 153—An act to provide for a grant of State funds to school districts in which State land settlements are situated to meet losses arising from the withdrawal of real property in such districts from taxation on account of title to such property vesting in the State.

Also Assembly Bill No. 172—An act relating to liability for injury to school children;

Also Assembly Bill No 173—An act to amend section 1668 of the Political Code, relating to the powers of boards of school trustees and city boards of education, relating to the insurance of school districts from liability for injury to pupils.

Also Assembly Bill No. 209—An act to add a new chapter to title III, part III of the Political Code, to be numbered chapter IV, to be entitled "Private Schools" embracing article I, sections 1893, 1894, 1894*a*, providing for the submission of courses of study of private schools to the State Department of Education, for its approval, and providing for the inspection of private schools by the State Superintendent of Public Instruction, providing for the inspection by county or city superintendent of schools and the accrediting of courses of study in such schools by the said superintendents and providing for the admission of students of private schools to the public schools of the State.

Also Assembly Bill No 232—An act to amend section 1543 of the Political Code, relating to the duties of school superintendents regarding requisitions on auditor for expenses and warrants on county treasury.

Also Assembly Bill No. 264—An act to amend section 1735 of the Political Code, relating to the lapsing of high school districts.

Also Assembly Bill No 273—An act to amend section 1733*a* of the Political Code, relating to high school districts.

Also Assembly Bill No 313—An act to add a new section to the Political Code, to be numbered 1894*c*, relating to the granting of a permit to those establishing or conducting private schools in this State.

Also, Assembly Bill No 314—An act to add a new section to the Political Code to be numbered 1894*b* relating to the establishment and abolishment of private schools.

Also Assembly Bill No. 345—An act to add a new section to the Political Code to be numbered 1741*a*, relating to the powers and duties of high school boards.

Also Assembly Bill No. 406—An act to amend sections 2, 3, 12 and 13 of an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921;

Also Assembly Bill No 408—An act to add a new section to be numbered 1753 to the Political Code, relating to a State convention of boards of high school trustees.

Also Assembly Bill No 483—An act to amend section 1734*b* of the Political Code, relating to boards of supervisors.

Has had the same under consideration and respectfully reports the same back without recommendation

BAKER, C. C., Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1923.

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 44—An act to appropriate moneys for, and to authorize and direct the California Highway Commission to complete and hard-surface that part of the State highway system of the State of California between the towns of Hopland in Mendocino County and Lakeport in Lake County, provided for by an act of the Legislature of the State of California entitled "An act calling a special election to be held on Tuesday, July 1, 1919, and providing for the submission thereof to the qualified electors of the State of an amendment to the constitution of the State of California known as Senate Constitutional Amendment No. 27, proposed by the Legislature of said State at its forty-third session, providing for the issuance

of bonds to the amount of $40,000,000 for the completion of the State highway system and the acquisition and construction of other State highways by the State Department of Engineering, and making an appropriation for the purposes of this act" adopted July 1, 1919,

Also Assembly Bill No 71—An act to authorize the State Treasurer to make a loan of $300,000 from the treasury of the State to the California Highway Commission for the purpose of improving the "Sierra-to-the-sea" State highway, otherwise designated as route No. 10. San Lucas to Sequoia National Park; providing for the manner in which the said loan shall be returned, and providing for the payment of interest money for the use of the same.

Also Assembly Bill No. 78—An act to make an appropriation for the construction and completion of a State highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Also Assembly Bill No. 238—An act to authorize and provide for a bond issue by the people of the State of California in the sum of ———— million dollars for the purpose of completing the construction of State highway of said State, providing for the submission of said proposition to the voters of said State at the general election to be held November ————, 1925; providing for the appropriation and sale of said bonds, payment of interest thereon, for a sinking fund to pay the principal, and for the apportionment and distribution of the moneys received and for their use by the State highway;

Also Assembly Bill No 268—An act making an appropriation for the completion of that portion of the State highway between El Centro, in the county of Imperial, and the Yuma Indian reservation.

Also Assembly Bill No 310—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to provide for the construction and completion of the system of State highways contemplated by and designated in an act of the Legislature approved May 22, 1909, known as the "State Highways Act," and in an act of the Legislature approved May 20, 1915, and known as the "State Highways Act of 1915," and in section 2 of article XVI of the constitution of this State, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts liability or liabilities as such principal matures, to appropriate money for the expense, preparing and of advertising the sale of bonds herein authorized to be issued creating the fourth highway fund, specifying the work, fixing the payments to be made by counties for moneys expended therein, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people.

Also Assembly Bill No 370—An act to amend section 2653 of the Political Code, relating to property highway tax

Also Assembly Bill No 396—An act to amend section 2645 of the Political Code, relating to the duties of road commissioners

Also Assembly Bill No 582—An act entitled an act to provide for the preparation, printing and distribution of road maps and maps of portions and parts of the State highway and making an appropriation for the establishment of a revolving fund to defray the expenses thereof

Also Assembly Bill No 583—An act to prohibit the use of any sign, sign post or sign board upon any public road street, highway, avenue, lane or alley any advertising, advertising matter or the name or address of any person, copartnership, association or corporation.

Also Assembly Bill No 751—An act to amend section 4043 of the Political Code, relating to the protection of highways from damage by floods;

Also Assembly Bill No 752—An act to amend section 2646 of the Political Code, relating to highways in charge of supervisors

Also Assembly Bill No 753—An act to amend section 2639 and section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over the roads and highways of the county

Also Assembly Bill No 916—An act making an appropriation to pay the cost of making surveys and preparing plans and estimates for the construction of a highway beginning at the town of Mill Valley, Marin County, and extending through said county of Marin, through Steep Ravine in said county and thence to Bolinas in said Marin County.

Also Assembly Bill No. 923—An act making an appropriation for the construction and improvement of the State highway now under construction between Holtville and Yuma from a point at the "east high line canal" to the "new county well";

Also Assembly Bill No. 1162—An act to amend section 35 of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended;

Also Assembly Bill No. 1103—An act amending section 9 of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and

alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereon, for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose, and for county aid in such work," approved March 19, 1907;

Also Assembly Bill No 1104—An act amending section 9 of an act entitled "An act providing for the laying out, constructing, straightening, improvement and repair of main public highways in any county, providing for the voting, issuing, and selling of county bonds and the acceptance of donations to pay for such work and improvements, providing for a highway commission to have charge of such work and improvements, and authorizing cities and towns to improve the portions of such highways within then corporate limits and to issue and sell bonds therefor," approved March 19, 1907, as amended,

Also: Assembly Bill No 1107—An act amending section 2640 of the Political Code, relating to the powers and duties of boards of supervisors over roads and highways of the county,

Also Assembly Bill No 1108—An act amending section 2644 of the Political Code, requiring report of labor on roads to accompany expense claims,

Also, Assembly Bill No 1185—An act making an appropriation to be used by the State Highway Commission for the construction and repair of the present system of State highways;

Also Assembly Bill No. 1203—An act to amend section 2870 of the Political Code, relating to toll bridges,

Also: Assembly Bill No 990—An act to amend section 2871 of the Political Code, relating to toll bridges;

Also Assembly Bill No. 991—An act to amend section 2872 of the Political Code, relating to toll bridges;

Also Assembly Bill No 992—An act to amend section 2878 of the Political Code, relating to toll bridges,

Also: Assembly Bill No. 993—An act to amend section 2873 of the Political Code, relating to toll bridges,

Also: Senate Bill No. 721—An act creating a State highway from the county line of the city and county of San Francisco to Redwood City in San Mateo County, and authorizing the California Highway Commission to lay out and acquire the right of way therefor; also authorizing any county or city and county to contribute money or property toward the cost of construction and maintenance of said highway, and authorizing the California Highway Commission to accept said contributed money or property and place the same and any other unappropriated money which may come under the control of said California Highway Commission in the general fund of the California Highway Commission, which fund is hereby created; Has had the same under consideration, and respectfully reports the same back without recommendation.

CONNOLLY, Chairman.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No 4—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class,

Also Assembly Bill No. 79—An act to add a new section to be numbered section 1925 to an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, said section relating to the salaries of probation officers,

Also: Assembly Bill No 155—An act to amend section 4264 of the Political Code, relating to the compensation of officers of counties of the thirty-fifth class,

Also: Assembly Bill No. 201—An act to amend section 3801 of the Political Code, relating to duties of the tax collector

Also Assembly Bill No 754—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also Assembly Bill No 224—An act to amend section 4307 of the Political Code, relating to county charges.

Also Assembly Bill No. 240—An act to amend section 4307 of the Political Code, relating to county charges.

Also: Assembly Bill No. 311—An act to add a new section to the Political Code to be numbered 4041*a*, providing for the establishment of landing places for air craft by county boards of supervisors;

Also: Assembly Bill No 312—An act to authorize and provide for the formation, by county boards of supervisors, of county assessment districts for the purpose of the construction, improvement and maintenance of parks, park ways, streets, and boulevards; and providing for the construction and maintenance within said districts of playgrounds and for the construction and maintenance within said districts of street lighting systems, to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes in said districts, Has had the same under consideration, and respectfully reports the same back without recommendation

SMITH, Chairman.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 350—An act to amend section 4029 of the Political Code, relating to boards of supervisors

Also Assembly Bill No 374—An act to amend sections 3356 and 3357 and to repeal section 3358 of the Political Code, relating to licenses;

Also Assembly Bill No 384—An act to authorize the use by a city of the county jail.

Also Assembly Bill No. 394—An act to amend "An act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein and providing for a penalty for the illegal deposit and use thereof" approved March 23, 1907, as amended.

Also. Assembly Bill No. 403—An act to amend section 4275 of the Political Code, relating to the appointment, powers, duties and compensation of health officers in counties and unincorporated towns;

Also: Assembly Bill No. 414—An act to amend section 4284 of the Political Code, relating to salaries of officers of counties of the fifty-fifth class,

Also: Assembly Bill No 452—An act to amend section 4287 of the Political Code, relating to salaries and fees of officers in counties of the fifty-eighth class.

Also: Assembly Bill No 453—An act to amend section 4274 of the Political Code, relating to salaries and fees of officers in counties of the forty-fifth class.

Also. Assembly Bill No. 454—An act to amend section 4278 of the Political Code, relating to the salaries fees, and expenses of officers in counties of the forty-ninth class,

Also: Assembly Bill No. 747—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class,

Also Assembly Bill No 455—An act to amend section 4277 of the Political Code, relating to salaries and fees of officers in counties of the forty-eighth class,

Also. Assembly Bill No. 621—An act to amend section 4178 of the Political Code, relating to the duties of the county clerk,

Also: Assembly Bill No. 617—An act to amend section 4024 of the Political Code, relating to appointment of deputies,

Has had the same under consideration, and respectfully reports the same back without recommendation.

SMITH, Chairman

Also:

MR. SPEAKER. Your Committee on County Government, to which was referred Assembly Bill No. 997—An act to amend an act entitled "An act providing for a county engineer for each county in this State, providing for his appointment, manner of removal, qualifications, compensation and duties; transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the board of supervisors; also authorizing the board of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act, to provide said county engineer with an office and necessary assistants, to provide for abolishing the office of county surveyor and for the fixing and levying of taxes for road purposes, approved May 27, 1919, as amended;

Also Assembly Bill No. 830—An act to amend section 4021 of the Political Code, relative to elective county and township officers.

Also Assembly Bill No 873—An act to amend section 4253 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 874—An act to amend section 4131 of the Political Code, relating to instruments to be recorded by county recorders;

Also: Assembly Bill No. 904—An act to add a new section to be known as 9a4 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,' approved February 25, 1911, as amended, said section relating to salaries of county librarians;

Also: Assembly Bill No. 907—An act to amend section 4233 of the Political Code, relating to counties of the fourth class;

Also: Assembly Bill No. 1013—An act to amend section 4157 of the Political Code, relating to the duties of the sheriff;

Also: Assembly Bill No. 1046—An act to amend section 4041f of the Political Code, relating to powers of boards of supervisors;

Also: Assembly Bill No. 1109—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 1101—An act amending section 2639 of the Political Code, relating to the powers and duties of boards of supervisors over roads and highways of the county;

Also: Assembly Bill No. 1130—An act to amend section 2639 of the Political Code, relating to the powers of the boards of supervisors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SMITH, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1153—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907;

Also: Assembly Bill No. 1238—An act to amend section 4041 of the Political Code, relating to boards of supervisors, their jurisdiction, and limitation of powers, and vesting them with the power of providing for assistance of county officers, and the fixing of their salaries and the payment thereof;

Also: Assembly Bill No. 1287—An act relating to the care of mentally sick or near insane persons, creating the office of psychopathic probation officer in the several counties of the State, providing for the appointment of such officer and for necessary deputies, prescribing the powers and duties of such officers and providing for the salaries thereof, and repealing all acts in conflict;

Also: Assembly Bill No. 493—An act authorizing boards of supervisors of the several counties in this State to employ expert and competent persons to furnish maps, plats and any and all other data for the use of the board of supervisors while sitting as a Board of Equalization;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SMITH, Chairman.

ON STATE GROUNDS AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 446—An act to amend the title and sections 2 and 2½ and to repeal sections 1 and 4 of an act entitled "An act providing for the management of the California Redwood Park and creating a board of five commissioners with power to manage said California Redwood Park," approved February 6, 1911, as amended;

Also: Assembly Bill No. 1003—An act providing for the control and management of a tract of land owned by the State of California and situated in the county of Los Angeles in said State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

REINDOLLAR, Chairman.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 955—An act to amend an act entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended;

Also: Assembly Bill No. 988—An act to amend section 51 of the Workmen's Compensation, Insurance and Safety Act of 1917 by providing an assessment against employers, based upon the payroll of the employees of such employers, which said assessment shall be paid into the "Accident Prevention Fund" of the

State of California, and applied to the support of the work of the department of safety of the Industrial Accident Commission.

Also: Assembly Bill No. 1015—An act to prohibit the computation and collection of insurance premiums upon workmen's compensation insurance policies issued to employers in this State upon such portion of the wages or payroll of employees of assured employers as shall represent earnings of such employees over the maximum earnings for which workmen's compensation benefits are prescribed in the Workmen's Compensation, Insurance and Safety Act of 1917.

Also: Assembly Bill No. 1043—An act to amend section 618 of the Political Code, relating to deposits of securities by insurance companies.

Also: Assembly Bill No. 1128—An act to prohibit discrimination by insurance companies between persons of the same age, sex, general condition of health and prospect of longevity;

Also: Assembly Bill No. 1164—An act to amend section 6 of an act entitled, "An act providing for reciprocal and inter-exchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee,' approved December 24, 1911," approved May 26, 1917, relating to the maintenance of reserves and assets of the concerns transacting such character of business, and providing for the liability of the directors of such concerns.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, EDWIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 801—An act to amend section 9 of an act entitled "An act to promote the comfort, health, safety and general welfare of the people of this state as affected by injury causing the disability or death of employees in the course of their employment, providing for a complete plan of workmen's compensation by creating a liability on the part of immediate employers, principal employers, contracting employers and their insurance carriers to compensate employees and their dependents for such disability or death, irrespective of the fault of any party, providing the means and methods of enforcing such liability and providing for certain liens upon compensation and regulating compensation insurance coverage against such liability, securing the payment of compensation and confirming the establishment and transactions of the State Compensation Insurance Fund and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety and requiring reports of industrial injuries and providing penalties for offenses, as defined herein, by employers, their officers and agents and by employers and other persons and corporations and defining the powers and duties of the Industrial Accident Commission under this act and providing for a review of its orders, decisions and awards and repealing sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 75*a*, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86 and 87 of chapter 176, Statutes of 1913, and all other acts and parts of acts inconsistent herewith, except sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 88 and 90 of said chapter 176, Statutes of 1913," approved May 23, 1917, as amended, by providing that compensation shall be payable from the day of the injury where the injury results in disability lasting more than seven days.

Also: Assembly Bill No. 851—An act to amend sections 1, 2 and 3 of an act entitled "An act to provide for the establishment and maintenance by fire insurance corporations of guaranty surplus funds and special reserve funds and thereby limiting liability and to provide for the waiver by policyholders of recourse against stockholders of such corporations," approved May 31, 1917, and to add a new section to said act to be numbered section 4, relating to guaranty surplus and special reserve funds of fire insurance corporations.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, EDWIN, Chairman.

ON HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 128—An act to repeal an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919, and providing for the application of property and funds thereof for the benefit of shell-shocked veterans of the World War;

Also: Assembly Bill No. 186—An act to repeal sections 2168, 2170 and 2171 of the Political Code, relating to the amendment of insane persons; to amend section 2169 of the Political Code, relating to the attendance and examination of witnesses, to amend section 2172, relating to the delivery of committed persons to the hospital; and to add a new section to the Political Code to be numbered 2168, relating to the commitment of insane persons, and to add a new section to be numbered 2170, relating to emergency commitments of insane persons in condition dangerous to self or others and to add a new section numbered 2171, relating to the temporary care of patients incapable of making voluntary application for admission to the State Hospital.

Also: Assembly Bill No. 708—An act appropriating money for the erection and equipment of an industrial building at the Agnews State Hospital;

Also: Assembly Bill No. 709—An act appropriating money for the erection and equipment of quarters for employees at the Agnews State Hospital;

Also: Assembly Bill No. 771—An act appropriating money for the erection of a new garage at the Sonoma State Home;

Also: Assembly Bill No. 772—An act appropriating money for alteration of second floor Madron Building for industrial building,

Also: Assembly Bill No. 773—An act appropriating money for improvement to roads and grounds at the Sonoma State Home,

Has had the same under consideration, and respectfully reports the same back without recommendation.

CLARKE, Chairman.

ON INSURANCE.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 37—An act to amend section 2757 of the Civil Code, relating to the value of interest in policy of insurance,

Also: Assembly Bill No. 95—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the insurance commissioner; providing for review of rates by insurance commissioner, providing against unfair discrimination in rates, providing for chief examiners for rating bureaus and prescribing their duties providing for filing with insurance commissioner by insurance companies of schedules of rates, providing for inspection of risks rated by rating bureaus; providing entire act not to be affected by unconstitutionality of part thereof, providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing all laws in conflict with this act;

Also: Assembly Bill No. 98—An act to amend section 2777 of the Civil Code, relating to indemnity insurance;

Also: Assembly Bill No. 110—An act to add a new section to the Civil Code to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors;

Also: Assembly Bill No. 216—An act to amend the act known and cited as the "Workmen's Compensation, Insurance and Safety Act of 1917," chapter 586, Statutes of 1917, approved May 23, 1917, as amended, by adding thereto a new section to be designated section 11cc, prescribing the method for ascertaining what is an "unreasonable refusal" to submit to medical or surgical treatment pursuant to the provisions of subsection (c) of section eleven of said act;

Also: Assembly Bill No. 258—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by providing a graduated scale of compensation for dependents of employees whose injuries, arising out of or in the course of their employment, result in death; Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, EDWIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1134—An act to amend section 37 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents, and providing penalties for offenses by employers, their officers, agents and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and

awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act" approved May 26, 1913, as amended;

Also: Assembly Bill No 1171—An act to amend an act entitled the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended;

Also Assembly Bill No. 1237—An act to amend section 599 of the Political Code, relating to subpoenas by the Insurance Commissioner;

Also: Assembly Bill No. 1236—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner, providing against unfair discrimination in rates, providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with insurance commissioner by insurance companies of schedules of rates, providing for inspection of risks rated by rating bureaus; providing entire act not to be affected by unconstitutionality of part thereof, providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative, repealing all laws in conflict with this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, EDWIN, Chairman.

Also:

MR. SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No 332—An act to amend section 4 of an act entitled the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended,

Also Assembly Bill No 647—An act to amend section 8 of "Workmen's Compensation, Insurance and Safety Act of 1917" approved May 23, 1917, as amended;

Also: Assembly Bill No 675—An act to add a new section, to be numbered 2768, to the Civil Code, relating to life insurance,

Also Assembly Bill No 718—An act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business, providing for inquiries into such rating bureaus by the Insurance Commissioner; providing for review of rates by Insurance Commissioner, providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties, providing for filing with Insurance Commissioner by insurance companies of schedules of rates providing for inspection of risks rated by rating bureaus, providing entire act not to be affected by unconstitutionality of part thereof, providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing all laws in conflict with this act,

Also Assembly Bill No. 870—An act to add a new section to the Political Code to be numbered 594b, relating to forms of liability insurance policies;

Also Assembly Bill No. 895—An act to amend section 9 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by providing for the inclusion of advisement, education and training of persons disabled in industry as a part of compensation benefits;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, EDWIN, Chairman.

ON DRAINAGE SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 147—An act to authorize reclamation districts to refund outstanding bonded indebtedness,

Also: Assembly Bill No 270—An act to amend sections 12, 14 and 21 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended, relating to the collections of assessments, to the conducting of delinquent sales, and to maintenance and operation of flood control works and structures by the State Department of Engineering,

Also Assembly Bill No 1325—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing

the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work, and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States, entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917, approved May 26, 1921.

Also Assembly Bill No. 269—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin drainage district based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919;

Also Assembly Bill No. 1152—An act to empower any county, city, or city and county to require property owners to keep natural drainage channels open;

Also Assembly Bill No. 180—An act to amend section 4042 of the Political Code;

Also: Assembly Bill No. 803—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin drainage district, based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919.

Also Assembly Bill No. 416—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expense of such examinations and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended by amending sections 6, 9, 12, 13, 14, 17, 21, and 24 and repealing sections 7, 16½, 18 and 33;

Has had the same under consideration, and respectfully reports the same back without recommendation.

NOYES, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 910—An act to repeal section 4085½ of the Political Code, relating to innavigable streams which may be declared highways for fishing;

Also Assembly Bill No. 1099—An act to amend an act to provide for bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters, approved March 14, 1881, to provide for tolls thereon, the issuance of licenses therefor, for the length of term thereof;

Also Assembly Bill No. 1204—An act to amend an act entitled "An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bays that may be outside of the line of navigable waters," approved March 14, 1881;

Also Assembly Bill No. 729—An act authorizing the creation of development districts between the counties of this State or parts thereof, providing a method for the creation, enlargement and dissolution thereof, providing for the government of such districts and prescribing the powers and functions thereof, authorizing the levy of taxes, the issuance and sale of bonds and the payment of the cost and expenses of works and improvement by special assessment, providing a method of letting contracts, declaring the bonds issued by such districts to be legal investment;

Also Assembly Bill No. 504—An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

McPHERSON, Chairman.

ON ELECTIONS

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923

MR. SPEAKER. Your Committee on Elections, to which was referred Senate Bill No. 722—An act to add two new sections to the Penal Code, to be numbered 54c and 54d, relating to crimes against the elective franchise;

Also: Assembly Bill No. 157—An act to amend section 1142 of the Political Code, relating to election boards;

Also: Assembly Bill No. 228—An act to amend section 1195b, of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments and propositions, measures and questions to be submitted to the vote of the electors;

Also: Assembly Bill No. 282—An act entitled "An act to amend section 1210 of the Political Code, relating to sample ballots".

Also: Assembly Bill No. 376—An act to provide for and regulate general elections, and to provide a method for choosing United States Senators, United States Representatives, State officers, members of the Legislature, electors of President and Vice President of the United States and delegates for political parties to State conventions, by a system of preferential voting, and to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, and to preserve the features of "The Direct Primary Law," approved June 16, 1913, as amended, and to harmonize the same with the provisions of this act;

Also: Assembly Bill No. 383—An act to amend section 1160 of the Political Code, relating to the conduct of elections;

Also: Assembly Bill No. 459—An act to amend section 24 of an act approved June 16, 1913, entitled "An act to provide for and regulate primary elections, and providing a method of choosing the delegates for political parties to State conventions and for nominating electors of President and Vice-President of the United States, and providing for the election of party county central committees and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act", as amended by an act approved May 29, 1917; as amended by an act approved April 8, 1919.

Also: Assembly Bill No. 612—An act to amend section 1263 of the Political Code, relating to delivery of returns and ballots to a member of the board;

Also: Assembly Bill No. 613—An act to amend section 1264 of the Political Code, relating to delivery and sealing of ballots;

Also: Assembly Bill No. 614—An act to amend section 1268 of the Political Code, relating to filing of returned register by county clerk;

Has had the same under consideration, and respectfully reports the same back without recommendation.

POMEROY, Chairman.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 45—An act to amend section 4232 of the Political Code, relating to the compensation of officers in counties of the third class, the assistants, deputies and other employees of said officers—has had the same under consideration, and respectfully reports the same back without recommendation.

SMITH, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 44—An act relating to liability for injury to school children;

Also: Assembly Bill No. 123—An act to amend section 1616 of the Political Code, relating to kindergartens;

Also: Senate Bill No. 345—An act to add a new section to the Political Code to be numbered 1608d, to authorize the governing boards of school districts to rent, purchase or build and furnish school buildings to house employees of the school district;

Also: Senate Bill No. 353—An act to amend section 1552 of the Political Code, relating to traveling expenses of county superintendents;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BAKER, C. C., Chairman.

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 699—An act to provide for the establishment and maintenance of a division of dental hygiene for children under the direction of the State Board of Health, defining its powers and duties; and making an appropriation

therefor—has had the same under consideration, and respectfully reports the same back without recommendation.

DOZIER, Chairman.

ON MOTOR VEHICLES.*

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 115—An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semi-trailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages, to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles, to provide for carrying out the objects of this act, and to make appropriation therefor, to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 191—An act to regulate and license the business of producing, refining or distributing gasoline distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 195—An act to repeal sections 367c, 367d, 499b and 499c of the Penal Code, relating to the use and unlawful taking of vehicles, and the duty of drivers of vehicles and to the driving of vehicles by drivers while they are intoxicated;

Also: Senate Bill No. 244—An act requiring that all motor vehicles owned by the State of California or by any board, commission or department thereof, or any officers thereof in the discharge of official duties, be suitably marked with the name of the department by which the same is used and providing penalties for the failure to thus mark vehicles or for the use thereof for other than official purposes connected with the duties of the particular department or political subdivision by which said vehicle is controlled;

Also: Senate Bill No. 707—An act to add a new section to the Political Code, to be numbered 3650½, relating to assessments;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 130—An act to amend section 32 of an act entitled "An act to divide the State of California into fish and game districts," and to repeal an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 28, 1917, as amended—has had the same under consideration, and respectfully reports the same back without recommendation.

GRAVES, Chairman.

ON UNIVERSITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Universities to which was referred Assembly Bill No. 513—An act to appropriate the sum of $4,000 for the purchase of additional land and equipment for the experimental station of the University of California, located in Imperial County.

Also: Assembly Bill No. 353—An act to amend an act entitled "An act repealing sections 1, 2 and 3 of an act entitled 'An act to establish a branch State Normal School,' approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing the regular normal school training courses and providing an appropriation for the support and maintenance thereof," approved May 23, 1919;

Also Assembly Bill No 532—An act to enable the regents of the University of California to establish special courses in agriculture or horticulture where funds or property therefor are provided by private endowment, donation, bequest or devise.

Also Assembly Bill No. 274—An act to amend section 1426 of the Political Code, relating to regents of the University of California.

Also, Assembly Bill No 1216—An act appropriating money to provide for the curbing, paving, guttering drainage and sidewalks of that portion of Fourth avenue, San Francisco, California, fronting upon the property of the University of California.

Has had the same under consideration, and respectfully reports the same back without recommendation.

BADHAM, Chairman.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923

MR. SPEAKER: Your Committee on Constitutional Amendments to which was referred Senate Constitutional Amendment No 2—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 23 of article VI, relating to the eligibility of judges for office—has had the same under consideration, and respectfully reports the same back without recommendation.

MITCHELL, A. G, Chairman.

Also:

MR SPEAKER Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 2 of article IV thereof, relating to the sessions and business of the Legislature,

Also Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article XII thereof relating to the Railroad Commission,

Also Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 18, article XI thereof, relating to school district bonds,

Also Assembly Constitutional Amendment No 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II thereof, relating to the right of suffrage,

Also Assembly Constitutional Amendment No 10—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 19 of article XI thereof, relating to municipal operation and regulation of public works;

Also Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article IV thereof, to be designated as section 1b, relating to the amendment or repeal of statutes passed under provisions of section 1 of article IV,

Also Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article IV thereof, to be designated as section 1a, relating to the re-submission of constitutional amendments to the electors of the State,

Also Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section XI of article VI thereof, relating to inferior courts;

Also Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California to add a new section to be numbered 1b, to article XIII of the constitution relative to homesteads,

Also Assembly Constitutional Amendment No 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XIII thereof, relating to taxpayers' statements of property,

Also Assembly Constitutional Amendment No 18—A resolution to propose to the people of the State of California an amendment to section 3, article IX, of the constitution of the State of California, relating to the election of a superintendent of schools in each county;

Also Assembly Constitutional Amendment No 19—Resolution to propose to the people of the State of California an amendment to article XX of the constitution of the State of California, by adding a new section thereunto to be numbered section 22 and relating to the establishment of a State insurance system,

Also Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section 21 of article XX of the constitution of the State of California, relating to workmen's compensation;

Also Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California to amend section 9 of article XI of the constitution relative to compensation of municipal officers and deputies;

Also Assembly Constitutional Amendment No 28—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section, to be numbered section 26, providing a special water court with exclusive power to adjudicate all water rights and claims to use of water, to distribute water in accordance with adjudications, to grant and establish new water rights, and to hear and determine all proceedings involving the condemnation of water rights and claims to the use of water; providing also the number, qualifications, method of appointment and tenure of office of members of the court, providing for the condemnation of water rights in certain cases and also for special methods of procedure and appeal and of taking of evidence, providing also other incidental powers and duties of the court;

Also Assembly Constitutional Amendment No 32—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 20, 21, 22 and 23 of article XII thereof, relating to corporations,

Also Assembly Constitutional Amendment No 33—A resolution to propose to the people of the State of California to amend section 4 of article VI of the constitution, relative to justices of the district courts of appeal,

Also Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California to amend section 3 of article VI of the constitution, relative to judges of the Supreme Court

Also Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California to amend section 6 of article VI of the constitution, relative to judges of the superior court,

Also Assembly Constitutional Amendment No 40—A resolution to propose to the people of the State of California to amend section 1 of article II of the constitution of said State, relating to the right of suffrage,

Also Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California to amend section 11 of article VI of the constitution, relative to inferior courts;

Also Assembly Constitutional Amendment No 43—A resolution to propose to the people of the State of California an amendment to the constitution by amending section 1 of article IV thereof, relating to the Legislative Department of the State of California,

Also Assembly Constitutional Amendment No 45—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 3 of article XI thereof, relating to new counties

Also Assembly Constitutional Amendment No 48—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16 of article XX thereof relating to the term of office of any officer or commissioner when the term of office of such officer or commissioner is not fixed by the constitution,

Also Assembly Constitutional Amendment No 54—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 6 of article IV thereof, relative to legislative reapportionment;

Also Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 5 of article XI, relating to the compensation of officers and jurors and defining the term "employment"

Has had the same under consideration, and respectfully reports the same back without recommendation.

MITCHELL, A. G., Chairman.

ON OIL INDUSTRIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER Your Committee on Oil Industries to which was referred Assembly Concurrent Resolution No. 14—Relative to the investigation of the production of crude petroleum and refined petroleum products by the State Railroad Commission—has had the same under consideration, and respectfully reports the same back without recommendation.

FOSTER, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 1208—An act appropriating money for salaries, support and maintenance of the Bureau of Labor Statistics;

Also Assembly Bill No 1150—An act to make an appropriation for the support and salaries of the Immigration and Housing Commission;

Also Assembly Bill No. 1113—An act to appropriate money for making changes in and to and equipping the Ferry building at San Francisco, necessary to the establishment and maintenance therein of a permanent exhibit of the products and resources of the whole State of California;

Also Assembly Bill No. 1068—An act making an appropriation for the construction of suitable memorials commemorating the battle of La Mesa:

Also: Assembly Bill No. 1067—An act making an appropriation for the construction of a suitable memorial commemorating the battle of San Gabriel River;

Also Assembly Bill No. 706—An act appropriating money for improvements at the State Teachers College of San Jose;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 1085—An act appropriating money for improvements to the streets and grounds at the State Teachers College of Fresno:

Also Assembly Bill No 604—An act appropriating money for the construction and equipment of a building or buildings for training school and shops at the State Teachers College of San Diego,

Also Assembly Bill No 421—An act appropriating money for the construction and equipment of a building or buildings at the North Beach training school of the State Teachers College of San Francisco,

Also Assembly Bill No. 1318—An act making an appropriation for additional support for the California Industrial Farm for Women;

Also Assembly Bill No. 1317—An act making an appropriation for the erection and equipment of an administration building at the California Industrial Farm for Women;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Constitutional Amendment No 59—A resolution to propose to the people of the State of California to amend the constitution of the State of California by adding to article VI thereof a new section to be numbered 26, relative to the continuation in service of retired justices of the Supreme Court, justices of the district court of appeal and judges of the superior court of the State of California.

Also: Assembly Bill No. 1327—An act to appropriate the unexpended balance of the moneys heretofore appropriated under an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 3, 1919,

Also Assembly Bill No. 1176—An act to provide for the investigation by the State of California of the possibilities of the storage, control and diversion of water for public use and public protection in the State of California, and making an appropriation for said purpose.

Also Assembly Bill No. 177—An act to appropriate money to control the flood waters of the Pajaro River:

Also. Assembly Bill No. 161—An act providing for the establishment, government, and maintenance of a child welfare research station under the management of the regents of the University of California and making an appropriation therefor.

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 187—An act providing for the establishment of the California Psychopathic Hospitals, a corporation, with two hospitals, and for the establishment, government and maintenance thereof, regulating the admission of patients thereto their treatment therein and discharge therefrom, for out-patient, preventive and follow-up work; providing for the transfer of patients between institutions and the expense of transfer and maintenance in the hospitals;

Also: Assembly Bill No. 68—An act providing that one-half of the expense of maintenance of the fire boats "Daynd Scannell" and "Dennis Sullivan" including salaries of the officers, firemen and crews thereof, shall be borne and paid by the State of California out of the State harbor improvement fund

Also: Assembly Bill No 605—An act appropriating money for improvements at the State Teachers College of San Diego;

Also. Assembly Bill No. 606—An act appropriating money for the purchase of land for the State Teachers College of San Diego,

Also: Assembly Bill No. 633—An act appropriating money for the construction and equipment of a gymnasium for the State Teachers College of Chico,

Also: Assembly Bill No. 634—An act appropriating money for improvements at the State Teachers College of Chico;
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 635—An act appropriating money for the purchase of land for the State Teachers College of Chico;

Also: Assembly Bill No. 655—An act appropriating money for the completion of buildings of the Humboldt State Teachers College;

Also: Assembly Bill No. 656—An act appropriating money for the purchase of additional land for the Humboldt State Teachers College;

Also: Assembly Bill No. 657—An act appropriating money for improvements at the Humboldt State Teachers College;

Also: Assembly Bill No. 658—An act appropriating money for the purchase of additional land for the State Teachers College of San Francisco;

Also: Assembly Bill No. 875—An act to provide for the transportation of certain dependent children for whom proper homes are offered outside the State and making an appropriation therefor;

Also: Assembly Bill No. 674—An act appropriating the sum of _____ dollars for the erection and equipment of State buildings in the city of Sacramento for State purposes;
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 702—An act appropriating money for building and furnishing an observatory in the city and county of San Francisco, arranging for its upkeep by said city and county;

Also: Assembly Bill No. 755—An act directing the Department of Public Works to construct and maintain the uncompleted portions of the State highway extending from Rio Vista to Fairfield, Solano County, California, and making an appropriation for the same;

Also: Assembly Bill No. 805—An act making an appropriation to be used for improvements at Davis farm;

Also: Assembly Bill No. 1010—An act to appropriate money to be used by the State Labor Commissioner for the clerical and commercial department of the State Board of Labor Statistics, in the city and county of San Francisco;

Also: Assembly Bill No. 1018—An act making an appropriation for the purpose of restoring the channel of Paper Mill Creek in Marin County;

Also: Assembly Bill No. 1023—An act to appropriate money for the rock crusher and pulverizer for making concrete aggregate, and road work at the Folsom State Prison;

Also: Assembly Bill No. 1024—An act to appropriate money for an ice house at Folsom State Prison;
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1025—An act to appropriate money for contingent requirements and emergencies at Folsom State Prison;

Also: Assembly Bill No. 1026—An act to appropriate money for the purpose of repairing cottages at Folsom State Prison;

Also: Assembly Bill No. 1027—An act to appropriate money for the repairing of electrical equipment at Folsom State Prison;

Also: Assembly Bill No. 1028—An act to appropriate money for the erection of cottages for Folsom State Prison;

Also: Assembly Bill No. 1029—An act to appropriate money for general repairs and improvements at Folsom State Prison;

Also: Assembly Bill No. 1030—An act to appropriate money for completion of buildings and extensions of walls at Folsom State Prison;

Also: Assembly Bill No. 735—An act making an appropriation to be used for the completion of the equipment and the elevator in the dairy building at Davis farm;
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 1195—An act making an appropriation for the construction and improvement of the State highway extending from Porterville, in Tulare County, to Lone Pine, in Inyo County,

Also, Assembly Bill No 1196—An act making an appropriation for the construction and improvement of the State highway extending from Earlimart, Tulare County, to a point where such highway connects with the highway extending from Lost Hills, Kern County, to Cholame, San Luis Obispo County,

Also, Assembly Bill No. 903—An act appropriating money for improvements at the California Polytechnic School at San Luis Obispo, California,

Also: Assembly Bill No 705—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of San Jose;

Also: Assembly Bill No. 704—An act appropriating money for the construction and equipment of a gymnasium building for the State Teachers College of San Jose;

Also Assembly Bill No. 700—An act appropriating money for the purchase of additional land for the State Teachers College of Santa Barbara;

Also Assembly Bill No 699—An act appropriating money for the construction and equipment of a training school building for the State Teachers College of Santa Barbara;

Also, Assembly Bill No. 701—An act appropriating money for improvements for the State Teachers College of Santa Barbara,

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR SPEAKER Your committee on Ways and Means, to which was referred Assembly Bill No 698—An act appropriating money for the construction and equipment of a main building for the State Teachers College of Santa Barbara

Also Assembly Bill No 24—An act making an appropriation for the construction of a grand stand at the State Agricultural Park;

Also Assembly Bill No 21—An act making an appropriation for the improvement of the State highway from the southern limits of the city of Sacramento, Sacramento County, to the town of Galt, Sacramento County,

Also Assembly Bill No 94—An act to assist persons of moderate means in acquiring lots of ground and building houses thereon, such lots and houses to become homesteads and to be sold on the installment plan and making an appropriation therefor,

Also Assembly Bill No 239—An act making an appropriation for the purchase of filing cases for the district court of appeal, first district,

Also Assembly Bill No. 411—An act making an appropriation for the construction, reconstruction and improvement of all State highways in San Joaquin County,

Also Assembly Bill No. 467—An act to appropriate the unexpended balance of the moneys heretofore appropriated under an act entitled "An act appropriating money for the erection of additional buildings at Norwalk State Hospital and equipping the same," approved May 26, 1921;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 555—An act to appropriate money to carry out the provisions of an act entitled "An act to repeal an act entitled 'An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor,' approved May 3 1919, and providing for the application of property and funds thereof for the benefit of shell-shocked veterans of the World War," enacted at the forty-fifth session of the Legislature, and providing for the disposition of the inmates of the California Industrial Farm for Women;

Also Assembly Bill No. 544—An act declaring the highway extending between Susanville and Bieber, via Willow Creek Valley in Lassen County, to be a State highway and making an appropriation therefor;

Also Assembly Bill No. 540—An act appropriating money for the improvement to electric system at the Sonoma State Home

Also Assembly Bill No 539—An act appropriating money for the erection of a cottage for employees at the Sonoma State Home;

Also Assembly Bill No 1278—An act appropriating money for the construction and equipment of an additional building for the Woman's Relief Corps Home,

Also Assembly Bill No 1255—An act appropriating money for salaries, support and maintenance of the State Harbor Commission,
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 120—An act to appropriate moneys for, and to authorize and direct the California Highway Commission to complete that part of the State highway system of the State of California between the towns of Middletown and Lower Lake in Lake County, provided for by an act of the Legislature of the State of California entitled, "An act calling a special election to be held on Tuesday, July 1, 1919, and providing for the submission thereat to the qualified electors of the State of an amendment to the constitution of the State of California known as Senate Constitutional Amendment No. 27, proposed by the Legislature of said State at its forty-third session, providing for the issuance of bonds to the amount of $40,000,000 for the completion of the State highway system and the acquisition and construction of other State highways by the State Department of Engineering, and making an appropriation for the purposes of this act" approved July 1, 1919,

Also Assembly Bill No 663—An act appropriating money for the construction and equipment of buildings for the California School for the Blind at Berkeley, California;

Also Assembly Bill No. 664—An act appropriating money for the construction and equipment of a hospital building for the California Schools for the Deaf and the Blind at Berkeley, California;

Also Assembly Bill No. 200—An act to provide for the survey, location and estimate of cost of a State highway known as the Pinto Pass road, from a point on south fork of the San Joaquin River at Florence Lake, Fresno County, to North Lake on the north fork of Bishop Creek, Inyo County.

Also Assembly Bill No. 500—An act making an appropriation for the construction and improvement of the State highway extending from Mojave in Kern County to Independence in Inyo County,
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 1257—An act to appropriate money for the purpose of cooperation in the construction of the public works included in and provided for by that certain project heretofore adopted by the Reclamation Board, known as Sacramento River Outlet Project No 2 of the Sacramento and San Joaquin Drainage District, with such modifications and amendments thereof as may be hereafter made, in accordance with law, the said work described in the plans of said Sacramento River Outlet Project No. 2, as heretofore duly modified and amended, being in conformity with the report of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the twenty-seventh day of June, 1911, and the said report of the California Debris Commission together with such amendments and modifications thereof as may be made by the Reclamation Board, having been heretofore duly adopted by the State of California, and directing the said Reclamation Board to apply the said moneys so appropriated as it is now, or may hereafter be, provided by law, for the benefit of the said Sacramento and San Joaquin Drainage District, in connection with said Sacramento River Outlet Project No 2, or any modification or amendments thereof, that may hereafter be made in accordance with law;

Also Assembly Bill No 195—An act making an appropriation for the construction of a highway from the city of Madera, Madera County, to Wawona, Mariposa County;

Also Assembly Bill No 136—An act declaring the public highway extending from a point one-half mile north of the town of Bishop, Inyo County, to the Nevada state line near the point where the main branch of the Southern Pacific Railroad crosses such state line to be a public highway and making an appropriation for the improvement thereof;

Also Assembly Bill No. 127—An act declaring the public highway extending from the eastern limits of the city of San Jose, Santa Clara County to Lick Observatory on Mount Hamilton, Santa Clara County, to be a State highway and making an appropriation for the improvement thereof,
Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 51—An act appropriating money for premiums at fairs held by the Twenty-fifth Agricultural District Association during the seventy-fourth and seventy-fifth fiscal years;

Also Assembly Bill No. 62—An act making an appropriation for the improvement of the State highway between Bricelung, Mariposa County, and El Portal, Mariposa County;

Also. Assembly Bill No. 662—An act to provide readers for blind students in the University of California and other colleges and to assist deaf students attending the National College for the Deaf at Washington, D C., and making appropriation therefor,

Also Assembly Bill No 661—An act appropriating money for the construction and equipment of a kindergarten and entering building for the California School for the Deaf at Berkeley, California.

Also Assembly Bill No. 665—An act appropriating money for the construction and equipment of a residence for the business manager of the California Schools for the Deaf and the Blind at Berkeley, California.

Also Assembly Bill No. 666—An act appropriating money for improvements at the California Schools for the Deaf and the Blind at Berkeley, California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 538—An act appropriating money for the purchase of equipment for the new cottage for employees at the Sonoma State Home.

Also Assembly Bill No. 537—An act appropriating money for an addition to the sewer system at the Sonoma State Home;

Also. Assembly Bill No. 1284—An act appropriating money for the construction of an engineers building at the University of California farm school at Davis, California.

Also Assembly Bill No 16—An act declaring that portion of the public highway in Sutter County, California, extending from the east and west public highway at the quarter section corner between sections 5 and 6, in township 13 north, range 3 east, Mount Diablo meridian, southerly and southwesterly and across the Sutter By-Pass, to a point in the southeast quarter of section 19, in township 13 north, range 3 east, and being a portion of the public highway, connecting the county seat of Yolo County with the county seat of Sutter County, to be a State highway and making an appropriation for the construction thereof

Also Assembly Bill No 203—An act to add a new section to the Political Code to be numbered 73Sec, relating to the salaries of superior judges.

Also Assembly Bill No 10—An act making an appropriation for the reconstruction of the causeway on the Auburn Boulevard at the end of the American River bridge,

Also Assembly Bill No. 1217—An act appropriating money for the support of the State Board of Health in continuing the work on social hygiene and public health education during the seventy-fifth and seventy-sixth fiscal years,

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 689—An act appropriating money for the construction of buildings for the State Teachers College of San Francisco,

Also Assembly Bill No. 690—An act appropriating money for the equipment of buildings for the State Teachers College of San Francisco,

Also Assembly Bill No 883—An act appropriating certain moneys for the improvement of the State highway between the present State highway at or near Mecca, Riverside County, and the Colorado River at Blythe, Riverside County.

Also. Assembly Bill No 242—An act appropriating money for summer session courses for the College of Agriculture of the University of California, at Riverside;

Also Senate Bill No. 234—An act appropriating money for the completion of buildings of the Humboldt State Teachers College

Also Senate Bill No. 323—An act appropriating money to pay the claim of the Voorhies Investment Company against the State of California.

Also Senate Bill No 197—An act to amend section 456 of the Political Code, relating to the salaries of employees in the office of the State Treasurer;

Also Senate Bill No. 116—An act appropriating money to complete the construction of the trail in the Sierra Nevada mountains known as the "John Muir Trail" and laterals therefrom;

Has had the same under consideration and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 118—An act to appropriate money for the purpose of carrying out the provisions of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921;

Also, Senate Bill No. 35—An act to regulate the sale of agricultutral minerals, and to provide penalties for the infraction thereof, and means for the enforcement of the act;

Also: Senate Bill No. 627—An act to provide for the survey and construction of a State highway from Governor's Camp, in the California redwood park, to the coast road at a point where said coast road crosses the divide between Waddell Creek and Scott Creek, and making an appropriation therefor;

Also: Senate Bill No. 94—An act to amend section 739 of the Political Code, relating to salaries of officers connected with the Supreme Court;

Also: Assembly Bill No. 194—An act making an appropriation for the improvement of the State highway between Coalinga, Fresno County, and San Lucas, Monterey County;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 996—An act to make an appropriation to erect a building on a lot of land in the city and county of San Francisco as a branch of the State library to be known as the Sutro library;

Also: Assembly Bill No. 707—An act appropriating money for the construction and equipment of a dormitory and cafeteria building for the State Teachers College of San Jose;

Also: Assembly Bill No. 902—An act appropriating money for the construction and equipment of buildings for the California Polytechnic School at San Luis Obispo, California;

Also: Assembly Bill No. 1081—An act appropriating money for the improvement of the summer session property of the State Teachers College of Fresno at Huntington Lake, Fresno County, California;

Also: Assembly Bill No. 1082—An act appropriating money for the construction and equipment of a dormitory for women students at the State Teachers College of Fresno;

Also: Assembly Bill No. 1083—An act appropriating money for the construction and equipment of a cafeteria building for the State Teachers College of Fresno;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 876—An act to amend an act entitled "An act to provide for the development of electric power by irrigation districts," approved May 21, 1919, as amended, is hereby amended by adding a new section to be designated section 4 prescribing the method of sale;

Also: Assembly Bill No. 567—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 36 thereof, relating to the allowance of deputies for the assessor;

Also: Assembly Bill No. 581—An act to amend an act entitled "An act to permit boards of directors of irrigation districts organized and existing under and by virtue of an act of the Legislature entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such district, and also to provide for the distribution of water for irrigation purposes' approved March 31, 1897, to provide for the payment in two installments of the assessments levied under and in accordance with the provisions of said act", approved March 19, 1909, by amending sections 2 and 4 of said act, relating to the amounts of such installments;

Also: Assembly Bill No. 444—An act to repeal an act entitled "An act to be known as 'the California Irrigation Act' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power, creating an irrigation board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation dis-

tricts under this act; and empowering said irrigation board to make and approve contracts and agreements to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts, providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act, directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor and repealing the California Irrigation Act approved June 4, 1915, and chapter DCXLVI of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMS, Chairman.

Also:

MR SPEAKER. Your Committee on Irrigation, to which was referred Assembly Bill No. 650—An act to amend section 46 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes" approved March 31, 1897, as amended;

Also: Assembly Bill No. 536—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by adding thereto two new sections to be numbered 47*a* and 47*b*, relating to redemption for delinquent assessments,

Also Assembly Bill No 716—An act to amend an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, as amended, by repealing section 3*b*, relating to expenditures,

Also Assembly Bill No. 565—An act to amend section 59 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to special assessments,

Also Assembly Bill No 335—An act to add a new section to the Penal Code to be numbered 592*a*, relating to the diversion or use of water for purposes of irrigation and cultivation,

Also Assembly Bill No. 138—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, by amending section 25 thereof, and to add a new section to said act to be numbered section 61*d*, relating to the incurring of indebtedness and the issuing of warrants by directors of irrigation districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMS, Chairman.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1050—An act to amend sections 47 and 47½ of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended,

Also: Assembly Bill No 578—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 30*a* thereof, relating to the submission of the report of the board of directors of irrigation districts to the Bond Certification Commission;

Also Assembly Bill No. 839—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed, providing for the duties in connection therewith of the county officials of each county in which

any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes providing for the payment of the debts thereof by a tax levied on the lands embraced therein, providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers, providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators, providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another, and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended

Also Assembly Bill No 1057—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners, providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes, providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby, providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended,

Has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMS, Chairman.

Also:

MR. SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 576—An act to amend section 1241 of the Code of Civil Procedure, relating to eminent domain—has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMS, Chairman.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER Your Committee on Claims, to which was referred Assembly Bill No. 207—An act making an appropriation to pay the claim of the American Mutual Liability Insurance Company against the State of California;

Also Assembly Bill No 648—An act to repeal an act entitled "An act authorizing the State Board of Medical Examiners to refund taxes fees and penalties collected by mistake, error or inadvertence and providing an appropriation therefor," approved May 6, 1919,

Also Assembly Bill No. 802—An act to appropriate money to pay the claim of Schwabacher-Frey Stationery Company against the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WEST, Chairman.

ON REAPPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on reapportionment, to which was referred Assembly Bill No. 1—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts;

Also Assembly Bill No. 109—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also Assembly Bill No 118—An act to amend sections 78 and 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Assembly Bill No 254—An act to amend section 179 of the Political Code, relating to dividing the State into congressional districts, and opening and establishing such district, and to repeal all acts in conflict with this act,
Has had the same under consideration, and respectfully reports the same back without recommendation.

EKSWARD, Chairman.

ON PUBLIC CHARITIES AND CORRECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER. Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 724—An act to repeal an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto and to make an appropriation therefor," approved May 3, 1919;

Also: Assembly Bill No. 952—An act to repeal an act entitled "An act to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons, to provide for the government and maintenance thereof, and for the study of mental deficiency and related problems, to provide for admission and commitment to such institution, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act, to provide for the sterilization of inmates of such institutions, to prescribe penalties for procuring the escape, or aiding or advising in the escape, of inmates, or concealing inmates thereof, to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917;

Also: Assembly Bill No. 244—An act to amend an act entitled "An act to establish an institution for the confinement, care and reformation of delinquent women, to provide for its maintenance, conduct and government, to provide for commitment and admission thereto, and to make an appropriation therefor," approved May 5, 1919, and to provide for commitment and admission thereto of women convicted of a felony and to make an appropriation therefor;

Also: Senate Bill No. 168—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an Old Age Pension Law and making an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WOODBRIDGE, Chairman.

ON SOLDIERS AND SAILORS AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 782—An act to amend section 4041*f* of the Political Code, relating to meeting places for veterans and associations of veterans,

Also: Assembly Bill No. 784—An act to amend an act entitled "An act to authorize the creation of debt or debts liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to carry on the operations of the Veterans' Welfare Board in accordance with the provisions of the California Veterans' Welfare Act enacted at the forty-fourth session of the Legislature of the State of California, and also in accordance with the provisions of the Veterans' Farm and Home Purchase Act enacted at the forty-fourth session of the Legislature of the State of California, or either of them enacted at the forty-fourth session of the Legislature of the State of California, and of any and all acts amendatory or supplemental to said acts, or either of them; to provide ways and means, exclusive of loans, for the payment of the interest on such debt or debts, liability or liabilities, as such principal matures; to create a Veterans' Welfare Finance Committee the members of which are to serve without compensation; to define the powers and duties of said Veterans' Welfare Finance Committee and of other State officers in relation to this act, to appropriate money for the expense of preparing and of advertising the sale of the bonds herein authorized to be issued; and to provide for the submission of this act to vote of the people at the general election to be held in the month of November, 1922," approved May 30, 1921,

Also Assembly Bill No. 785—An act to add a new title to part IV of division I of the Civil Code, to be numbered title XI*b*, consisting of sections numbered 592*m* to 592—, inclusive, relating to the organization, incorporation and management of patriotic societies;

Also Assembly Bill No. 786—An act to provide for a grant of State funds to school districts in which State land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption;

Also: Assembly Bill No. 788—An act to amend section 3898*a* of the Political Code, relating to the education of dependents of veterans;

Also, Assembly Bill No. 870—An act to amend an act entitled "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved June 1, 1921;

Also Assembly Bill No. 1181—An act providing for the relief of veterans and families of deceased veterans in indigent circumstances;

Also: Assembly Bill No. 9—An act entitled "An act declaring certain corporations, individuals or associations engaged in the manufacture, refinement, transmission, delivery or furnishing of petroleum products to be public utilities and subject to the provisions of the Public Utilities Act".

Has had the same under consideration, and respectfully reports the same back without recommendation.

MUELLER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 243—An act to add a new section to the Civil Code, to be numbered 1716, relating to the payment and enforcement of claims against municipal corporations in certain cases,

Also Assembly Bill No. 267—An act to amend an act entitled "An act to provide for the levying and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved May 27, 1895, as amended, and defining municipal corporations for the purposes of this act,

Also Assembly Bill No. 321—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended

Also Assembly Bill No. 382—An act to amend section 10 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory" approved June 11, 1913, as amended,

Also Assembly Bill No. 439—An act to amend section 2 and section 25 of an act entitled "An act to provide for the formation, management and dissolution of county irrigation districts, for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts, and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, as amended;

Also Assembly Bill No. 510—An act to amend section 2656 of the Political Code, relating to the division of district funds, upon the incorporation of municipalities, or annexation to municipalities,

Also Assembly Bill No. 529—An act to regulate the amount of license or regulatory tax which any county, city and county, or incorporated cities or towns, or chartered cities or towns in the State of California may fix or impose upon persons, firms or individuals manufacturing their products in the State of California and having a fixed place of business therein where such goods or products are manufactured

Also Assembly Bill No. 589—An act to amend an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said act, to be numbered 6a, relating to doing of public work by municipalities,

Also, Assembly Bill No. 745—An act to ratify and confirm the following ordinances of the town of Sausalito: Ordinance or resolution declaring certain streets and avenues in said town of Sausalito vacated, abandoned and closed, dated December 8, 1902, and ordinance "granting to North Shore Railroad Company right to occupy a portion of Railroad Avenue," dated January 12, 1903,

Also Assembly Bill No. 857—An act relating to outdoor advertising as in this act defined and granting to municipalities the power to regulate or prohibit such advertising,

Also Assembly Bill No. 892—An act to amend sections 2, 3, 4, and 5 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section 8, article XI, of the constitution" approved March 2, 1891;

Also Assembly Bill No. 911—An act to provide for the construction of parks and boulevards in municipalities within the State containing a population of 10,000 or over,

Also Assembly Bill No. 931—An act to validate bonds of the city of Burbank issued for water supply purposes.

Also Assembly Bill No 932—An act to validate bonds of the city of Burbank issued for sewer farm purposes.

Also Assembly Bill No. 1106—An act to amend sections 107, 414, 536, 628, 777 and 874 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Also Assembly Bill No 1230—An act to add a new section to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, to be numbered 38;

Also Assembly Bill No 1231—An act to amend sections 5 and 18 of an act entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of waterworks, electric power works, gas works, lighting works, and other public works and utilities, for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, as amended;

Also Assembly Bill No. 1252—An act requiring records of all assessments, bonds and other liens composed by, under or in accordance with any street improvement, opening, widening, etc;

Also Assembly Bill No. 1372—An act to provide for the removal of weeds and rubbish from sidewalks, streets, alleys, lanes, courts and property in incorporated cities and towns and prescribing the method of affecting such removal.

Has had the same under consideration, and respectfully reports the same back without recommendation.

DONOHUE, Chairman.

ON CONSERVATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No 1167—An act to amend sections 1 and 2 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor," approved March 18, 1905, as amended;

Also Assembly Bill No. 1226—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto two new sections, to be numbered 11*a*, relating to storage of water in underground basins and subsequent storage of said water in surface reservoirs; and 11*b*, relating to ascertainment of maximum amounts of water that may be withdrawn from underground basins without overdraft, requiring permits for use on other than overlying lands, and directing refusal of permits when a condition of maximum draft from an underground basin exists.

Also Assembly Bill No. 912—An act to empower State Highway Commission to acquire redwood forests along the State highways to aid in the maintenance and preservation of the attractions and scenic beauties thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

McMILLAN, Chairman.

ON PUBLIC UTILITIES.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No 49—An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts;

Also Senate Bill No. 84—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points;

Has had the same under consideration and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 956—An act requiring that railway trains upon which toilets are maintained shall be equipped with septic containers or other devices in connection with said toilets; and prescribing penalties for violations thereof,

Also: Assembly Bill No. 1031—An act to amend an act entitled "An act providing for the sale of State railroads and other franchises in counties and municipalities, providing conditions for granting such franchises by legislative or other government bodies and repealing conflicting acts," approved March 22, 1905, as amended,

Also: Assembly Bill No. 1354—An act to repeal an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the railroad commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended,

Also: Assembly Bill No. 208—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915;

Also: Assembly Bill No. 906—An act to amend section 5 of an act entitled, "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts, upon certain county officers," approved June 1, 1921;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 757—An act to amend the title of the act and to amend the act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages, and auto stages, providing for the issue by incorporated cities and towns, cities and counties, and counties of permits for the operation of such automobiles, jitney busses, auto trucks, stages and auto stages; empowering incorporated cities and towns, cities and counties and counties to enact ordinances for the supervision and regulation of automobiles, jitney busses, auto trucks, stages and auto stages, and providing penalties for the violation of such ordinances; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission, providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 10, 1917, as amended;

Also: Assembly Bill No. 9—An act declaring certain corporations, individuals or associations engaged in the manufacture, refinement, transmission, delivery or furnishing of petroleum products to be public utilities and subject to the provisions of the Public Utilities Act,

Also: Assembly Bill No. 925—An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, as amended, by amending section 2 thereof, and by adding a new section thereto to be numbered section 8, relating to the powers of the Railroad Commission in certain cases to relieve such common carriers by railroad from the provisions of said act;

Also: Assembly Bill No. 935—An act prohibiting public utilities furnishing water, gas or electricity to the inhabitants of any county, city, or city and county in this State from making a charge for the use of meters used in the measurement of said commodities,

Also: Assembly Bill No. 846—An act to add a new section to the Penal Code, to be numbered 392*a*, relating to mail and express trains;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

Also:

MR. SPEAKER. Your Committee on Public Utilities, to which was referred Assembly Bill No. 966—An act to repeal an act entitled "An act to require railroad companies operating within any part of this State to provide and equip certain engine cabs with handrails and footboards for the safety and protection of railroad employees, and providing a penalty for the violation thereof," approved June 3, 1921;

Also: Assembly Bill No. 967—An act to repeal an act entitled "An act to require railroad companies when operating engines accompanied by tenders of insufficient clearance between the overhang of the roof of the cab and the top of the tender to provide a safe clearance by cutting out an opening in the overhanging roof of the cab so as to enable the engineman safely to go from the cab of the engine to the top of the tender, and providing a penalty for the violation thereof," approved June 3, 1921.

Also: Assembly Bill No. 970—An act to repeal an act entitled "An act regulating headlights on all locomotives, and providing a penalty for violation of the provisions of this act," approved June 4, 1913.

Also: Assembly Bill No. 969—An act to repeal an act entitled "An act to provide for the equipment of steam locomotives with automatic bell-ringing devices," approved June 1, 1917;

Also: Assembly Bill No. 971—An act to repeal an act entitled "An act prescribing a certain kind of water glass for use on steam locomotives; providing a penalty for neglect to use such glass," approved May 25, 1915.

Has had the same under consideration, and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

Also:

MR. SPEAKER. Your Committee on Public Utilities, to which was referred Assembly Bill No. 457—An act to require all railroad companies to construct and maintain on or along side of every railroad bridge within the State of California a gangway or sidewalk along each railroad track along such bridge for the use of train and enginemen and other employees in cases of exigency and emergency; and providing penalties for the violation of its provisions—has had the same under consideration, and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

ON MEDICAL AND DENTAL LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923

MR. SPEAKER. Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 470—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended March 21, 1907, and April 21, 1909.

Also: Assembly Bill No. 523—An act to prohibit pharmacists or druggists from overcharging for liquors prescribed by physicians; to prevent adulteration of such liquors and providing a penalty for any violation of this act.

Also: Assembly Bill No. 898—An act to add a new section to the Penal Code to be numbered 347b, relating to selling or giving away poisons.

Also: Assembly Bill No. 1206—An act to amend sections 6, 10, 11, 13 and 14 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, and amended May 26, 1921.

Also: Assembly Bill No. 646—An act to amend sections 1, 2, 4, 5, 6, 8, 9, 10, 10½, 11, 12½, 13, 14, 15, 17, 18, 22, 23 and 24 of an act entitled "An act to regulate the examination of applications for licenses and the practice of these licenses, treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Has had the same under consideration and respectfully reports the same back without recommendation.

BALL, Chairman.

Also:

MR. SPEAKER. Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 719—An act to amend section 2157 of the Political Code, relating to restrictions on physicians and medical superintendents in State hospitals—has had the same under consideration, and respectfully reports the same back without recommendation.

BALL, Chairman.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 107—An act to add a new section to the Political Code to be numbered 737*p*, relative to the salaries of the superior judges of Stanislaus County—has had the same under consideration, and respectfully reports the same back without recommendation.

KLINE, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 6—An act to be known as the Court of Domestic Relations Law, and providing that the superior court in every county, and city and county in the State, shall sit as a court of domestic relations in certain classes of cases, empowering the judge or judges of said court of domestic relations to direct the probation officers of the juvenile court to investigate and report on certain facts and circumstances in proceedings pending in said court of domestic relations, and defining and limiting the powers and duties of said probation officers under this act;

Also, Senate Bill No. 96—An act to amend section 70 of the Civil Code, relating to the solemnization of marriages;

Also, Senate Bill No. 104—An act to amend section 1668 of the Civil Code, relating to certain unlawful contracts;

Also, Senate Bill No. 139—An act to establish Gold Discovery Day;

Also, Senate Bill No. 150—An act to amend section 171 of the Code of Civil Procedure, relating to the prohibition of judges from practicing law;

Also, Senate Bill No. 267—An act to add a new section to the Code of Civil Procedure to be numbered 287*a*, relating to the taking of depositions where the conduct of an attorney is being investigated by a bar association or a committee thereof;

Also, Senate Bill No. 364—An act to amend section 4153 of the Political Code, relating to duties of the district attorney;

Also, Senate Bill No. 403—An act to add a new section to the Penal Code to be numbered 1559, relating to extradition;

Also, Senate Bill No. 649—An act to add a new section to the Code of Civil Procedure to be numbered 1718, relative to the judicial ascertainment and establishment of the presumption of death in certain cases;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 569—An act to amend section 791 of the Political Code, relating to notaries public;

Also, Senate Bill No. 198—An act to amend sections 198, 199, 200, 201, 202, 204, 204*c*, 210, 219 and 246 of the Code of Civil Procedure, relating to jurors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1211—An act to amend section 837*a* of the Code of Civil Procedure, relating to affirmative relief;

Also, Assembly Bill No. 1212—An act to amend section 1772 of the Code of Civil Procedure, relating to partition by guardian;

Also: Assembly Bill No. 1218—An act for the protection of owners of duly recorded mortgages, deeds of trust, or other instruments whereby the payment of any monetary obligation is secured by land which is subject to be assessed by the governing authorities of any district or other political subdivision to pay for the construction or maintenance of works for the improvement, benefit or protection of the lands embraced therein, to require notices of such assessments and of proceedings thereunder to be given upon demand, and to prohibit the imposition of penalties when such notices are not given after demand made;

Also, Assembly Bill No. 1229—An act to amend section 1387 of the Civil Code, relating to the inheritance of children born out of wedlock;

Also, Assembly Bill No. 1232—An act to amend section 196*a* of the Civil Code, relating to illegitimate children;

Also, Assembly Bill No. 1233—An act to add a new section to the Civil Code, to be numbered 60*a*, relating to illegitimate children and marriage;

Also, Assembly Bill No. 1234—An act to amend sections 1387 and 1388 of the Civil Code, relating to succession;

Also: Assembly Bill No. 1240—An act to amend section 1272*a* of the Code of Civil Procedure, relating to the recovery of property received by or deposited with the State Treasurer.

Also: Assembly Bill No. 1247—An act to amend section 1559 of the Code of Civil Procedure, relating to the payment of commissions on sales of real property;

Also: Assembly Bill No. 1267—An act to repeal section 257 of the Civil Code, relating to guardian and ward;

Also: Assembly Bill No. 1275—An act to add a new section to the Code of Civil Procedure, to be numbered 2089*a*, relating to the taking of depositions;

Also: Assembly Bill No. 1296—An act to amend sections 269*a*, and 269*b*, of the Penal Code, relating to cohabitation and adultery;

Also: Assembly Bill No. 1355—An act to amend section 670 of the Code of Civil Procedure, relating to judgment rolls;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 1070—An act to amend section 224 of the Civil Code, relating to the adoption of children;

Also: Assembly Bill No. 1071—An act to amend section 1365 of the Civil Code, relating to the order of persons entitled to administer and providing that a partner shall not administer;

Also: Assembly Bill No. 1077—An act to amend section 1526 of the Code of Civil Procedure, relating to sales of personal property;

Also: Assembly Bill No. 1078—An act to amend section 270 of the Penal Code, relating to failure to provide minor children with food and other necessaries;

Also: Assembly Bill No. 1087—An act to be known as the State Arbitration Act, providing for the submission of controversies to arbitration, providing what controversies may be submitted and when and by whom; providing for the number and power of arbitrators, providing for an award and for the vacating, modification, and collection of same; providing for court orders, judgments and appeals affecting and pertaining to such awards and repealing all acts or parts of acts inconsistent with this act,

Also: Assembly Bill No. 1120—An act to amend section 82 of the Civil Code, relating to causes for annulment of marriage,

Also: Assembly Bill No. 1179—An act declaring trust deed in lieu of mortgage to be against public policy and allowing trustor one year for redemption of property after sale of property by trustee his heirs or assigns,

Also: Assembly Bill No. 1186—An act to amend section 340 of the Code of Civil Procedure, relating to limitations of actions;

Also: Assembly Bill No. 1187—An act to provide a new section numbered 1454*a* of the Code of Civil Procedure, relating to obtaining personal property by heirs;

Also: Assembly Bill No. 1193—An act to provide for the issuance of duplicate bonds, warrants and other interest bearing obligations issued by the State of California or any political subdivision thereof, and to provide for the payment of the same when lost or destroyed after maturity;

Also: Assembly Bill No. 1205—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years, and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 844—An act to amend section 611 of the Civil Code, relating to cemetery bonds.

Also: Assembly Bill No. 845—An act to amend section 609 of the Civil Code, relating to elections held by cemetery corporations,

Also: Assembly Bill No. 860—An act to add a new section to the Code of Civil Procedure to be numbered 542*b*, relating to attachments,

Also: Assembly Bill No. 907—An act to amend section 1729 of the Civil Code, relating to agreements to sell and buy;

Also: Assembly Bill No. 909—An act to add a new section to the Civil Code, to be numbered 54*a*, relating to admissions to places of amusements.

Also: Assembly Bill No. 940—An act to amend section 1243 of the Penal Code, relating to the effect of an appeal by the defendant.

Also: Assembly Bill No. 960—An act to add a new section to the Civil Code, to be numbered 3066, relating to nurseryman's lien;

Also: Assembly Bill No. 961—An act to add a new section to the Code of Civil Procedure, to be numbered 1191*a*, relating to nurseryman's lien;

Also: Assembly Bill No. 964—An act to add a new section to the Penal Code, to be numbered section 531*a*, relating to executions;

Also: Assembly Bill No. 995—An act to amend sections 198, 199, 200, 201, 202, 204, 204*c*, 210, 214, 219 and 246 of the Code of Civil Procedure, relating to jurors;

Also: Assembly Bill No. 1053—An act to amend the Penal Code by adding thereto a new section to be numbered 1168, relating to indeterminate sentences of persons convicted of criminal offenses, and to provide for the determination of such sentences and the release of such persons from custody;

Also: Assembly Bill No. 1055—An act to add a new section to the Code of Civil Procedure, to be numbered 1255*b*, relating to condemnation proceedings;

Also: Assembly Bill No. 1061—An act to add a new section to the Code of Civil Procedure, to be numbered 1255*c*, relating to condemnation proceedings.

Also: Assembly Bill No. 1062—An act to amend section 1249 of the Code of Civil Procedure, relating to the date at which compensation in eminent domain proceedings shall be assessed.

Also: Assembly Bill No. 1063—An act to amend section 1248 of the Code of Civil Procedure, relating to the measure of compensation and damages in eminent domain proceedings.

Also: Assembly Bill No. 1069—An act to amend section 1369 of the Civil Code, defining who are incompetent to act as administrators.

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 667—An act to add a new section to the Code of Civil Procedure to be numbered 1319, providing that where a contest of a will may be brought under the provisions of section 1312, subdivision III, of the Code of Civil Procedure, a forfeiture clause forfeiting any bequest, legacy or interest under said will shall at all times be deemed, held and considered contrary to public policy and void and of no effect.

Also: Assembly Bill No. 686—An act to amend section 920 of the Penal Code, relating to grand juries;

Also: Assembly Bill No. 691—An act giving additional protection to human beings and imposing penalties upon those who may shoot at or wound or kill a human being in mistake for either game or other wild creatures or objects;

Also: Assembly Bill No. 710—An act to add a new section to the Penal Code, to be numbered 211*a*, relating to robbery committed on persons in vehicles on public highways.

Also: Assembly Bill No. 712—An act to amend sections 211 and 213, relating to robbery and punishment therefor.

Also: Assembly Bill No. 713—An act to add a new section to the Penal Code, to be numbered 211*b*, relating to punishment for robbery when committed by the use of an automobile or other vehicle.

Also: Assembly Bill No. 714—An act to amend section 213 of the Penal Code, relating to the punishment of the crime of robbery.

Also: Assembly Bill No. 730—An act to repeal an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods, in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

Also: Assembly Bill No. 808—An act to amend section 791 of the Political Code, relating to notaries public.

Also: Assembly Bill No. 814—An act to amend section 1190 of the Code of Civil Procedure, relating to time of continuance of mechanic's liens.

Also: Assembly Bill No. 818—An act to amend section 671*a* of the Code of Civil Procedure, relating to judgments.

Also: Assembly Bill No. 819—An act to amend section 869 of the Civil Code, relating to conveyances.

Also: Assembly Bill No. 820—An act to amend section 1373 of the Code of Civil Procedure relating to notice of petitions for letters of administration.

Also: Assembly Bill No. 840—An act to provide protection to turkey growers from theft; to provide regulation for sale of same and to provide penalties for the violation thereof.

Also: Assembly Bill No. 843—An act to repeal an act entitled "An act authorizing and providing for the abandonment and disposal of cemeteries and cemetery

lands, or parts of either in incorporated cities, cities and counties or towns having a population of not less than 100,000 persons, by cemetery corporations, associations, corporation sole or other persons owning or controlling such cemeteries, and authorizing and providing for the removal of the human remains therefrom, and the reinterment of such remains or the depositing of the same in a mausoleum or columbarium, and repealing all acts in conflict therewith," approved May 20, 1921;
Has had the same under consideration, and respectfully reports the same back without recommendation

MORRIS, Chairman.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No 430—An act to add a new article to chapter IV of title VII of part ------ of the Code of Civil Procedure to be numbered article DXLIIb, relating to attached property.

Also Assembly Bill No 445—An act to amend section 10 of the Political Code, relating to holidays

Also Assembly Bill No. 440—An act to amend sections 927e, 927g, 927j, 927k, 927l, 927m and 927p of the Code of Civil Procedure, relating to the small claims court.

Also Assembly Bill No. 449—An act to add a new section to the Political Code, to be numbered 754a, relating to the salaries of the justices of the Supreme Court,

Also Assembly Bill No 450—An act to add a new section to the Political Code, to be numbered 757b, relating to the salaries of the justices of the District Court of Appeal

Also Assembly Bill No 467—An act providing for the acquisition of land for public parks, the creation of assessment districts to pay the expense thereof, and the issuance of bonds;

Also. Assembly Bill No 468—An act to amend an act entitled "An act requiring the recording maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15 1907, as amended,

Also: Assembly Bill No 503—An act to amend section 685 of the Code of Civil Procedure relating to the enforcement of judgments

Also. Assembly Bill No 545—An act to add a new section to the Penal Code to be numbered 1112, relating to evidence:

Also: Assembly Bill No. 549—An act to amend section 857a of the Code of Civil Procedure, relating to judgments in justice courts;

Also. Assembly Bill No 553—An act to add a new section to the Code of Civil Procedure, to be numbered 1274b, relating to escheats,

Also: Assembly Bill No 554—An act to add a new section to the Civil Code to be numbered 1714a, relating to vehicles and persons being carried therein;

Also Assembly Bill No 591—An act to amend section 4308 of the Political Code, relating to district attorney's special fund;

Also: Assembly Bill No 625—An act to amend section 1373 of the Code of Civil Procedure, relating to day set for hearing by clerk of court;

Also Assembly Bill No 639—An act to amend section 690 of the Code of Civil Procedure relating to property exempt from execution;

Also: Assembly Bill No 682—An act to amend section 928 of the Penal Code, relating to the duty of grand juries relative to examination of books,
Has had the same under consideration, and respectfully reports the same back without recommendation

MORRIS, Chairman.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 295—An act to amend section 702 of the Code of Civil Procedure, relating to time of redemption,

Also: Assembly Bill No 297—An act to amend section 132 of the Civil Code, relating to final decree of divorce,

Also: Assembly Bill No 301—An act to amend section 974 of the Code of Civil Procedure, relating to appeals to the superior court

Also Assembly Bill No. 302—An act to amend section 132 of the Civil Code, relating to judgments of divorce,

Also Assembly Bill No. 306—An act to amend section 1159 of the Penal Code, relating to conviction of an offense included in or similar to the one charged,

Also Assembly Bill No 319—An act to amend sections 541, 542, and 544 of the Code of Civil Procedure relating to attachments

Also Assembly Bill No 330—An act to amend section 2778 of the Civil Code, relating to rules of interpretation of contracts of indemnity

Also Assembly Bill No 340—An act to amend section 379 of the Code of Civil Procedure, relating to defendants;

Also: Assembly Bill No. 349—An act to amend section 2889 of the Civil Code, relating to void contracts;

Also: Assembly Bill No. 355—An act to amend section 1365 of the Code of Civil Procedure, relating to order of administration;

Also: Assembly Bill No. 356—An act to amend section 1920 of the Civil Code, relating to interest on judgments;

Also: Assembly Bill No. 377—An act to define and prohibit bucketing and bucket shopping and bucket shops, to prohibit the communication, receipt, exhibition or display of quotations of prices of any securities or commodities for the purpose of bucketing or bucket shopping, to prohibit the use of property for the purpose of carrying on bucket shops or bucketing or bucket shopping, to require the keeping of records or books of account and the furnishing of statements of facts in certain cases, and fixing penalties;

Also: Assembly Bill No. 381—An act to add a new section to the Political Code, to be numbered 3779, relating to certain unclaimed tax sale moneys;

Also: Assembly Bill No. 387—An act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for or with the sale of goods, wares, merchandise, and providing a penalty for the violation thereof;

Also: Assembly Bill No. 389—An act to amend section 689 of the Code of Civil Procedure, relating to third party claim;

Also: Assembly Bill No. 391—An act to amend section 4085*a* of the Political Code, relating to the use of appropriations instead of funds;

Also: Assembly Bill No. 395—An act authorizing the preparation and adoption, as an official map, of the plat of any piece or parcel of land which has not been subdivided and platted;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 146—An act to validate bonds of Brawley Union High School District;

Also: Assembly Bill No. 151—An act to provide for the payment of retirement salaries to judges of this State, and providing for the method of payment of such salaries;

Also: Assembly Bill No. 156—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution;

Also: Assembly Bill No. 162—An act to amend section 113 of the Code of Civil Procedure, relating to the concurrent jurisdiction of the superior court and the justice court;

Also: Assembly Bill No. 189—An act to amend section 69 of the Civil Code and to add a new section thereto, to be numbered 68*a*, relating to marriage licenses and providing for the filing of a declaration of intention to marry with the county clerk;

Also: Assembly Bill No. 193—An act to prevent actions for alienation of affections;

Also: Assembly Bill No. 220—An act to add a new section to the Code of Civil Procedure to be numbered section 634, relating to judgment upon trial by court;

Also: Assembly Bill No. 237—An act to amend section 1121 of the Penal Code, relating to the placing of juries in criminal actions in the charge of officers, the furnishing of separate rooms therefor when composed of both males and females, and the prohibiting of deliberations when so separated;

Also: Assembly Bill No. 249—An act to add a new section to be numbered 146*a* of the Penal Code, relating to the search and seizure of dwellings without due process;

Also: Assembly Bill No. 255—An act to amend an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919;

Also: Assembly Bill No. 262—An act to add a new section to the Civil Code, to be numbered 2957*a*, relating to the filing of memorandum of conditional sales contracts and certain leases;

Also: Assembly Bill No. 280—An act to amend section 1880 of the Code of Civil Procedure, relating to persons who can not testify;

Also: Assembly Bill No. 286—An act to add a new section to the Code of Civil Procedure, to be numbered 1718, authorizing the court to appoint attorney for legatees, devisees, minor or absent heirs at law, and to fix the compensation thereof;

Also: Assembly Bill No. 287—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of life estates, the investiture of title in homesteads, and affecting titles held in joint tenancy, and in community property;

Also: Assembly Bill No. 293—An act to amend section 407 of the Code of Civil Procedure relating to appearance after service of summons;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 48—An act to amend section 953*e* of the Code of Civil Procedure, relating to transcripts upon appeal to the Supreme Court.

Also: Assembly Bill No. 49—An act to amend section 649 of the Code of Civil Procedure, relating to bill of exceptions upon appeal in civil cases.

Also: Assembly Bill No. 50—An act to amend section 650 of the Code of Civil Procedure, relating to bill of exceptions upon appeal in civil cases.

Also: Assembly Bill No. 65—An act to amend section 674 of the Code of Civil Procedure, relating to the filing of transcripts of judgments.

Also: Assembly Bill No. 76—An act to amend section 671*a* of the Code of Civil Procedure, relating to filing and recording of transcripts of judgments and judgments rendered in federal courts;

Also: Assembly Bill No. 83—An act to amend sections 1618 and 1619 of the Code of Civil Procedure, relating to compensation for executors and administrators, and attorneys, in probate proceedings;

Also: Assembly Bill No. 89—An act to amend section 190 of the Penal Code, relating to the punishment of persons found guilty of murder;

Also: Assembly Bill No. 90—An act to add a new section to the Political Code, to be numbered 737*dd*, relating to the salaries of superior court judges;

Also: Assembly Bill No. 92—An act to amend section 1469 Code of Civil Procedure, relating to administration of estate not exceeding $2500 in value;

Also: Assembly Bill No. 96—An act to amend section 1249 of the Code of Civil Procedure, relating to the assessing of compensation and damages in actions to condemn property for public use;

Also: Assembly Bill No. 104—An act to amend section 602 of the Penal Code, prescribing a penalty for malicious injury to real property;

Also: Assembly Bill No. 108—An act to amend section 1597 of the Code of Civil Procedure, relating to the conveyance of real estate and transfer of personal property by executors and administrators in certain cases;

Also: Assembly Bill No. 119—An act to amend section 848 of the Code of Civil Procedure, relating to service of summons;

Also: Assembly Bill No. 140—An act to amend sections 1401 and 1402 of the Civil Code, relating to the distribution of community property on death of husband or wife;

Also: Assembly Bill No. 145—An act to validate bonds of Mount Signal union school district;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 5—An act to increase the number of judges of the Superior Court of the State of California, in and for the county of Tulare, to provide for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 8—An act to amend section 791 of the Political Code, relating to notaries public;

Also: Assembly Bill No. 12—An act to amend section 1373 of the Code of Civil Procedure, relating to notice of petitions for letters of administration;

Also: Assembly Bill No. 15—An act to add a new section to the Penal Code, to be numbered 476*b*, relating to the issuing of checks or drafts with intent to defraud;

Also: Assembly Bill No. 23—An act to amend section 1380 of the Code of Civil Procedure, relating to special notices to heirs, devisees and legatees during administration;

Also: Assembly Bill No. 25—An act to amend section 537 of the Penal Code, relating to defrauding innkeepers and merchants;

Also: Assembly Bill No. 30—An act to amend section 629 of the Penal Code of the State of California, relative to placing and maintaining screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist;

Also: Assembly Bill No. 32—An act to amend sections 3, 6 and 7 of an act entitled "An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons, and the giving, transferring and disposition thereof to other persons within this State, providing for the registering of the sales of firearms, prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another," approved May 4, 1917, and to add two new sections to said act to be numbered 6*a* and 7*a*, relating to the carrying of concealed weapons;

Also. Assembly Bill No. 45—An act to amend section 690 of the Code of Civil Procedure of California, relating to property exempt from execution or attachment.

Also. Assembly Bill No. 46—An act to amend section 613 of the Code of Civil Procedure, relating to deliberations of the jury in civil actions.

Also: Assembly Bill No. 47—An act to amend section 607 of the Code of Civil Procedure, relating to procedure in the trial of civil actions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article I thereof, relating to indictment, information and grand jury—has had the same under consideration, and respectfully reports the same back without recommendation.

MORRIS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1923.

MR. SPEAKER. Your Committee on Labor and Capital, to which was referred Assembly Bill No. 579—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph, or telephone establishment or office, or by any express or transportation company, compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the duties of their employment, and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended,

Also Assembly Bill No. 968—An act to repeal an act entitled "An act regulating the hours of labor of conductors, engineers firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway in whole or in part in the State of California, and prescribing penalties for violation of this act," approved April 21, 1911, as amended, by an act entitled "An act to amend section 1 of an act entitled 'An act regulating the hours of labor of conductors, engineers, firemen, brakemen, train dispatchers and telegraph operators employed by any corporation or receiver operating a line of railway, in whole or in part, in the State of California, and presenting penalties for violation of this act' approved April 21, 1911," approved June 4, 1913, and to repeal each of said acts;

Also Assembly Bill No. 253—An act to require the furnishing of seats for elevator operators,

Also Assembly Bill No. 261—An act to amend section 3 of an act entitled, "An act requiring employers to provide hospital service for their employees and to make a charge therefor and to keep records and accounts of all such charges and to make an annual written report thereof, requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service and prescribing penalties for the violation of the provisions thereof," approved June 8, 1915, as amended;

Also Assembly Bill No. 989—An act to require the registration of private and public employment agencies where no fee is exacted from applicants for employment, providing for the operation thereof and a permit therefor, providing for forms of registration to be used and kept and reports to be furnished to the Bureau of Labor Statistics and for the refunding of expenses in the event of failure to secure employment and prohibiting misrepresentation of employment,

Also Assembly Bill No 1072—An act to amend section 11 of an act entitled "An act regulating private employment agencies, etc",

Also Assembly Bill No. 1011—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BURNS, Chairman

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 731—An act to amend sections 3664*a*, 3664*b* 3664*c* and 3664*d* of the Political Code, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State;

Also. Assembly Bill No. 750—An act to amend section 2653 of the Political Code, relating to property highway tax;

Also. Assembly Bill No. 1154—An act to add a new section to the Political Code, to be numbered 2657, relating to a property tax for highway purposes.

Also Assembly Bill No. 1147—An act to fix the date on which estimates for special or district taxes must annually be submitted to the board of supervisors.

Also: Assembly Bill No. 804—An act to provide for an ad valorem tax on all motor vehicle tires sold in California;

Also Assembly Bill No. 681—An act to amend section 3746 of the Political Code, relating to the publication of notice that taxes are due;

Also: Assembly Bill No. 778—An act to amend section 3366 of the Political Code, relating to taxation;

Also: Assembly Bill No. 121—An act to add two new sections to the Political Code, to be numbered sections 3650*a* and 3764*a*, relating to the preparation by the county assessor, of a list of real property exempt from taxation and the publication thereof;

Also. Assembly Bill No. 333—An act to amend section 3650 of the Political Code, relating to assessment of property.

Also: Assembly Bill No. 266—An act to amend section 3825 of the Political Code, relating to personal property taxes;

Also. Assembly Bill No 419—An act to amend section 3897 of the Political Code, relating to the sale of property for delinquent taxes;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COOMBS, Chairman.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 231—An act to amend section 3818 of the Political Code, relating to the collection of property taxes.

Also Assembly Bill No. 508—An act to amend sections 2653 and 2656 and to repeal sections 2652 and 2671 of the Political Code, relating to highway taxes;

Also Assembly Bill No. 1328—An act levying an excise or license tax upon the production of petroleum, or other crude oil, or mineral oil, and of natural gas, providing for the collection and disposition of such excise taxes, providing penalties for violation of the provisions of said act, and repealing all acts or parts of acts inconsistent herewith.

Also. Assembly Bill No. 1022—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts and imposing certain duties and functions in connection with such districts, upon certain county officers, approved June 1, 1921.

Also: Assembly Bill No. 347—An act to add four new sections to the Civil Code, to be numbered 1166, 1167, 1168 and 1168*a*, relating to the recording of lists of delinquent taxes of municipalities and other public corporations and of street improvement and other assessment liens, in the office of the county recorder and prescribing the manner of such recordation and the manner of evidencing the payment thereof, and the removal of such liens, and prescribing that such liens shall not be effective against third persons unless so recorded;

Also: Assembly Bill No. 680—An act to amend section 3823 of the Political Code, relating to taxation;

Also. Assembly Bill No. 1165—An act providing for the licensing of public oil service stations, providing rules, regulations and certain restrictions for the location and regulation of same;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COOMBS, Chairman.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No 213—An act to amend section 7 of "The Vehicle Act", approved May 10, 1915, as amended, relating to registration fees;

Also: Assembly Bill No. 122—An act to amend section 15 of an act entitled "The Vehicle Act," approved May 10, 1915, as amended;

Also Assembly Bill No. 245—An act to amend sections 13 and 15 of an act entitled "The Vehicle Act", approved May 10, 1915, as amended;

Also: Assembly Bill No. 413—An act to amend section 15 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles

and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder, to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this act, and to make appropriation therefor; and to repeal all acts or parts of acts in conflict with this act," approved May 10, 1915, as amended, relating to penalties for overloading vehicles;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BROMLEY, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate reports back without recommendation the following

Assembly Bill No. 1056—An act to amend section 305 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 595—An act to amend sections 5, 19, 22b, 26 and 57 of an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended;

Also: Assembly Bill No. 566—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding thereto a new section to be numbered 38*a*, relating to the assessment of land irrigated by means of water pumped from underground sources;

Also: Assembly Bill No. 577—An act to amend the title and sections 1 and 2 of an act entitled "An act to provide for drainage by irrigation districts," approved March 18, 1907, so as to extend the scope of said act to all districts empowered to provide for the irrigation of lands, and to provide for the raising of revenue for the purposes of said act;

Also: Assembly Bill No. 506—An act to amend sections 7, 8*a* and 8*c* of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as amended;

Also: Assembly Bill No. 1336—An act creating the office of county veterinary inspector and assistant county veterinary inspector, prescribing their duties, providing for their appointment, removal, and compensation;

Also: Assembly Bill No. 899—An act to add a new section to the Penal Code, to be numbered 402*a*, relative to the use of soiled or unlaundered table linen or napkins for the purposes of cleaning, wiping or drying utensils, dishes, tableware or glassware in any public eating-house or place where meals, food, drink or refreshments of any kind are prepared, served, consumed or sold;

Also: Assembly Bill No. 1005—An act to amend section 5 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR SPEAKER I am directed to inform your honorable body that the Senate reports back without recommendation the following:

Assembly Bill No. 1117—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway,

and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917;

Also. Assembly Bill No. 221—An act to amend section 863 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 275—An act to amend section 862 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Also: Assembly Bill No. 758—An act to amend sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to amend sections 2 and 8*a* of an act entitled 'An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations,' approved March 27, 1895, as amended," all relating to the levy and collection of taxes by and for the use of municipal corporations and to the consolidation of certain municipal offices, and to add a new section, to be numbered 8*b* thereto, defining the term "municipal corporations" for the purposes of this act;

Also: Assembly Bill No. 360—An act to amend section 4387 of the Political Code, relating to claims against cities;

Also: Assembly Bill No. 74—An act making the initiative, referendum and recall applicable to levee district No. 1 of Sutter County;

Also: Assembly Bill No. 1274—An act to add three new sections to the Penal Code, to be numbered 369*h*, 369*i* and 369*j*, prohibiting the drilling, digging or otherwise sinking of any well for oil, gas, or any other hydrocarbon substance in certain localities and prohibiting the operation and maintenance of any well so located;

Also: Assembly Bill No. 981—An act to amend sections 360*a*, 360*b*, and 360*d* of the Political Code, relating to a Department of Finance.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate reports back without recommendation the following:

Assembly Bill No. 479—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipality voting upon the question of incurring such indebtedness.

Also: Assembly Bill No. 1173—An act to amend section 296 of the Civil Code, relating to corporations;

Also: Assembly Bill No. 1364—An act to amend an act entitled "An act to accept the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States Congress assembled and approved February 25, 1920, entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain' and setting aside the funds received by the State under the provisions of said act of Congress," approved May 27, 1921, by amending section 2 thereof, and by adding thereto a new section to be numbered 4;

Also: Assembly Bill No. 651—An act to provide for the celebration of the National Encampment of the Grand Army of the Republic in the city of Pasadena, California, and making an appropriation therefor;

Also: Assembly Bill No. 609—An act making an appropriation to pay the claim of the city of Sacramento against the State of California.

Also: Assembly Bill No. 643—An act to appropriate money to pay the expense of certain street improvements of benefit to the Southern Branch of the University of California, situated in the city of Los Angeles.

Also: Assembly Bill No. 642—An act to appropriate money to pay the expense of certain street improvements of benefit to the Southern Branch of the University of California, situated in the city of Los Angeles.

Also: Assembly Bill No. 894—An act to amend section 3460 of the Political Code, relating to the reapportionment of reclamation assessments.

Also: Assembly Bill No. 1006—An act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class;

Also: Assembly Bill No. 764—An act to amend section 626*j* of the Penal Code, relating to the running of deer by dogs.

Also: Assembly Bill No. 1092—An act to amend sections 1, 2 and 4 and to repeal sections 5, 6, 7, 8, 9, 10 and 53 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts, and to repeal an act entitled

"An act to divide the State of California into six fish and game districts, approved March 21, 1911, and all acts or parts of acts inconsistent therewith," approved May 26, 1917, as amended.

Also Assembly Bill No. 794—An act to amend section 632 of the Penal Code, relating to the protection of fish.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate reports back without recommendation the following:

Assembly Bill No. 1129—An act creating the office of county engineer; providing for the appointment to such office, manner of removal, qualifications, compensation and duties, transferring to such engineer certain powers, functions and duties heretofore vested in and performed by county surveyors and members of the boards of supervisors; also authorizing the boards of supervisors for each county to purchase and obtain all necessary equipment, materials and instrumentalities to carry out the objects of this act, to provide said county engineer with an office and necessary assistants; abolishing the office of county surveyor and repealing all acts and parts of acts inconsistent herewith;

Also, Assembly Bill No. 1302—An act to amend section 4236a of the Political Code, relating to jurors fees in counties of the seventh class;

Also Assembly Bill No. 1175—An act to amend section 4262 of the Political Code, entitled "Salaries and fees of officers of counties of the thirty-third class";

Also Assembly Bill No. 1047—An act to amend section 310 of the Penal Code, relating to the desecration of the national flag;

Also Assembly Bill No. 1123—An act to amend section 2070 of the Political Code of the State of California, relating to the National Guard of the State of California;

Also Assembly Bill No. 42—An act entitled "An act to amend section 1072 of the Political Code, relating to compensation of officers of election";

Also Assembly Bill No. 1377—An act to amend sections 1, 3, 4, 5, 6, 7, 10, 12, 13, 21, 22, 23, 24, 25, 28, 33, and 36 of an act entitled "An act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended;

Also Assembly Bill No. 368—An act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases;

Also Assembly Bill No. 1377—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education;

Also Assembly Bill No. 412—An act to amend section 1612 of the Political Code of the State of California, relating to the letting of contracts of boards of school trustees and city boards of education;

Also Assembly Bill No. 433—An act to provide for the creation of revolving funds in the school districts, high school districts and junior college districts of the State;

Also Assembly Bill No. 812—An act confirming and validating the organization of school districts.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate reports back without recommendation Assembly Bill No. 917—An act to amend section 1608 of the Political Code, relating to powers of boards of school trustees and city boards of education;

Also Assembly Bill No. 1155—An act to amend section 1612 of the Political Code, relating to the powers and duties of the governing boards of school districts;

Also Assembly Bill No. 1290—An act to provide for the appointment of a committee to investigate the plan of operation and organization of the public school system in the State of California and to devise a plan of reorganization of such system of education, and making an appropriation therefor;

Also Assembly Bill No. 1358—An act providing for the payment into the State treasury of all moneys belonging to the State received by any State department or

agency; regulating the disposition of such moneys; providing for the creation and continuation of certain funds in the State treasury and for the lapsing of certain other funds therein; abolishing all funds in the State treasury not otherwise provided for herein, and providing for the reversion into the general fund of the unexpended balances thereof; and repealing all acts and parts of acts in conflict herewith.

Also: Assembly Bill No. 70—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications and the competency of witnesses;

Also: Assembly Bill No. 107—An act to amend section 1549 of the Code of Civil Procedure, relating to sales and conveyances of property of decedents;

Also: Assembly Bill No. 166—An act to amend section 632 of the Code of Civil Procedure of California, relating to decision upon trial by court.

Also: Assembly Bill No. 167—An act to amend section 633 of the Code of Civil Procedure, relating to special decisions of the court;

Also: Assembly Bill No. 168—An act to amend section 664 of the Code of Civil Procedure, relating to entry of judgment;

Also: Assembly Bill No. 169—An act to repeal section 634 of the Code of Civil Procedure, relating to waiver of findings of fact.

Also: Assembly Bill No. 170—An act to amend section 663 of the Code of Civil Procedure, relating to vacation of judgments.

Also: Assembly Bill No. 171—An act to amend section 663*a* of the Code of Civil Procedure, relating to notice of intention to vacate judgment and granting of new trial.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate reports back without recommendation Assembly Bill No. 296—An act to amend sections 1327 and 1328 of the Code of Civil Procedure, relating to will contests;

Also: Assembly Bill No. 557—An act to add a new section to the Code of Civil Procedure, to be numbered 359*a*, relating to the time within which actions must be commenced against directors and stockholders of corporation;

Also: Assembly Bill No. 720—An act to amend section 1281 of the Civil Code, relating to wills, the validity of which by its own terms, is made conditional.

Also: Assembly Bill No. 821—An act to amend section 674 of the Code of Civil Procedure, relating to recording of judgments;

Also: Assembly Bill No. 949—An act to amend section 607 of the Code of Civil Procedure, relating to the conduct of trial in civil cases and the order of proceeding on trial;

Also: Assembly Bill No. 963—An act to amend sections 851 and 854 of the Code of Civil Procedure, relating to pleadings in justices' courts;

Also: Assembly Bill No. 1244—An act to amend section 1523 of the Code of Civil Procedure, relating to duty of executor or administrator to sell personal property.

Also: Assembly Bill No. 1246—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of money of estates;

Also: Assembly Bill No. 1322—An act adding three new sections to the Political Code to be numbered 3085, 3086, and 3087, relating to the purchase of records of vital statistics, and providing for the distribution thereof;

Also: Assembly Bill No. 1350—An act to amend section 953*b* of the Code of Civil Procedure, relating to undertakings.

Also: Assembly Bill No. 1352—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county, or city is a party;

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend section 23 of article IV of the Constitution, relative to members of the Legislature.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: I am directed to inform your honorable body that the Senate reports back without recommendation Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new article thereto to be numbered XXIV, relative to boxing exhibitions;

Also: Assembly Bill No. 1265—An act to increase the number of judges of the Superior Court of the State of California in and for the county of San Bernardino, to provide for the appointment of an additional judge and for his compensation.

Also: Assembly Bill No. 1374—An act to amend the title and section 1 of an act entitled "An act to prevent persons from unlawfully using or wearing the badge or other insignia of the Grand Army of the Republic or of the United Spanish War

Veterans or of the American Legion or of the Veterans of Foreign Wars of the United States or of certain other other organizations composed of veterans and descendants of veterans of wars in which the United States has been a participant, and repealing an act entitled 'An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,' approved March 10, 1887," approved May 18, 1921;

Also Assembly Bill No 56—An act amending the Political Code by amending section 3756 thereof, relating to the time at which taxes become delinquent;

Also Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California to amend section 36, article IV of the Constitution of said State, relating to State highways; bridge and highway districts, construction of bridges and highways, the charging and collection of tolls, the application of moneys collected, and the conferring of the powers granted to districts heretofore formed pursuant to legislative authority;

Also Assembly Joint Resolution No. 25—Relative to the control of floods of the Sacramento River and to appropriations to be made by Congress in compliance with the provisions of the act of Congress to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes, approved March 1, 1917;

Also Assembly Joint Resolution No. 26—Relative to proposal of an amendment to the Constitution of the United States permitting the enactment of legislation regulating the minimum wage to be paid women in trade or industry;

Also Assembly Joint Resolution No. 28—Relative to requesting the Federal Government to prevent the destruction of the Leevining Creek falls in the Mono National Forest.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER I am directed to inform your honorable body that the Senate reports back without recommendation the following

Assembly Joint Resolution No. 5—Relative to an investigation of the growing narcotic menace,

Also Assembly Joint Resolution No. 7—Relative to the adoption by the Congress of the United States of legislation to assist the silver mining industry;

Also Assembly Joint Resolution No. 8—Relative to memorializing Congress to amend the constitution of the United States relating to citizenship,

Also Assembly Joint Resolution No 11—Relating to national parks;

Also Assembly Joint Resolution No 18—Relative to the construction of a bridge from Morrow Cove, Solano County, to Valona, Contra Costa County;

Also: Assembly Joint Resolution No. 22—Relative to a tour of inspection of military establishments of the State of California, by the Secretary of War and members of the Committee on Military Affairs of the House of Representatives and of the United States Senate.

J. A. BEEK, Secretary of Senate.
By G. MELVIN WARREN, Assistant Secretary.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, May 18, 1923.

To the Assembly of the State of California

Assembly Bill No. 1014 is returned herewith without my approval.

This bill prohibits publication of matters of indebtedness. It would make editors responsible for such news items or advertisements containing references to indebtedness, whether it be wilful or not. This bill is an attack upon the freedom of the press This bill appears to be another attempt to protect those who do not want to pay their just debt. Section 654*a* of the Penal Code amply protects the public against false or misleading publications.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

The above message ordered printed in the Journal.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1923.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1312—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code, all relating to partnerships; and to make the Partnership Law of the State of California uniform with the law of other states,

Also: Assembly Bill No. 869—An act to amend section 5 of, and to add a new section to be numbered 7a, to an act entitled "An act providing for the organization and regulation of reciprocal or inter-insurance exchanges, to be known as the 'Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee,' approved December 24, 1911, approved May 26, 1917, as amended," approved June 3, 1921;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1020—An act to add a new section to the Code of Civil Procedure, to be numbered 981a, relating to dismissal of appeal,

Also: Assembly Bill No. 466—An act to amend sections 24 and 25 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended,

Also: Assembly Bill No. 1243—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class,

Also: Assembly Bill No. 237—An act to authorize the payment of the claim of John Akers and Jesse M. Akers against the State of California and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented the same to the Governor this eighteenth day of May, 1923, at four o'clock and fifty minutes p m

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 174—An act to amend section 309 of the Civil Code, relating to corporations,

Also: Assembly Bill No. 191—An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof;

Also: Assembly Bill No. 1044—An act providing for the establishment of a whole-time health department in counties of the fifth class; defining a whole-time health department, to enable the State Board of Health to contribute to the support and maintenance of such whole-time health department and to appropriate money for that purpose,

Also: Assembly Bill No. 1343—An act to provide for the organization and government of highway districts, and to provide for the construction, acquisition and maintenance of highways in such districts,

Also: Assembly Bill No. 979—An act to provide for the organization and government of road districts, and to provide for the construction, acquisition and maintenance of roads in such districts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 738—An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses, to make an appropriation for the purposes of this act; and to repeal all acts or parts of acts in conflict herewith;

Also Assembly Bill No. 491—An act to amend section 4041 of the Political Code, relating to the powers of boards of supervisors,

Also: Assembly Bill No. 1166—An act to amend sections 2924 and 2932 of the Civil Code, relative to power of sale conferred by mortgage and redemption from such sale and sales under transfers subject to defeasance;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1297—An act to create a water district known as the Mono-Inyo water district prescribing its boundaries and providing for the government and control thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1051—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1304—An act to amend sections 5, 6, 7, 8, 10, 25, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913 and amended and approved May 29, 1917, and amended and approved April 8, 1919—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1378—An act to amend section 6 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof, approved March 6, 1907, as amended"—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 251—An act to amend section 1111 of the Code of Civil Pro-

cedure, relating to election contests—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1045—An act to amend sections 24, 30 and 31 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved June 1, 1921,

Also: Assembly Bill No. 1197—An act making an appropriation for improvements at the California Industrial Farm for Women;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1180—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 721—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 828—An act to add a new section to the Penal Code, to be numbered 645, relating to prevention of procreation of persons convicted of carnal abuse of females under the age of ten years;

Also: Assembly Bill No. 497—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class;

Also: Assembly Bill No. 841—An act to prohibit and punish the fraudulent obtaining of transportation and advances from employers or prospective employers;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 35—An act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, Norwalk State Hospital, the Sonoma State Home, San Quentin State Prison and Folsom State Prison; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1273—An act to provide for the care of undernourished pupils in the public elementary schools by elementary school boards, to provide for the levy of a tax to pay the cost thereof;

Also: Assembly Bill No. 703—An act to regulate the erection and construction of schools and to provide penalties for the violation thereof.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 824—An act to legalize and authorize bonds of municipal improvement districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 822—An act to validate and authorize municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 1210—An act to amend section 851 of an act entitled "An act providing for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Also: Assembly Bill No. 1306—An act to provide for the issuance of bonds to create a revolving fund to be used by municipalities;

Also: Assembly Bill No. 1014—An act to add a new section to the Penal Code, to be numbered 257a, relating to the prohibiting of publication of indebtedness;

Also: Assembly Bill No. 561—An act to amend section 1662 of the Political Code, relating to elementary schools;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1347—An act to amend section 1586 of the Penal Code, relating to manufactures in the prisons of this State;

Also: Assembly Bill No. 660—An act to amend section 10 of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 38—An act to amend setcion 953c of the Code of Civil Procedure, relating to record on appeal—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1361—An act authorizing the board of supervisors or other governing body of any incorporated city, or city and county, having a population of more than 100,000 persons, to order the disinterment and removal of all human bodies interred in any cemetery of more than five acres in extent, or from a part thereof, situate within the boundaries of such city, or city and county, and directing the reinterment of such bodies in cemeteries outside of the limits of such city, or city and county, or the depositing of the same in a mausoleum or columbarium, whenever the further maintenance of such cemetery or part thereof as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public, and providing a mode of procedure under and by which such removals may, when so ordered, be made by the cemetery corporation, association, corporation sole or other person governing or controlling such cemetery lands, or by the relatives or friends of those whose bodies are buried therein, and providing for the sale, mortgage or pledge of cemetery lands from which the human bodies are removed—and reports that the same has been correctly enrolled, and presented the

same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 277—An act to amend an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended, by amending sections 1, 6, 10 and 15 thereof, and to repeal sections 3*a*, 7 and 8 thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 816—An act to amend sections 6 and 9 and 4 of and to add a new section to be numbered section 7*a* to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 265—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the sixth class;

Also: Assembly Bill No. 1376—An act granting to the city and county of San Francisco certain lands of the State of California located in the city and county of San Francisco, upon certain trusts and conditions;

Also: Assembly Bill No. 1052—An act to amend section 46½ of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended;

Also: Assembly Bill No. 552—An act to provide for the regulation and use of aircraft in the State of California, to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an aircraft department under his jurisdiction, to carry into effect the provisions of this act, and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 711—An act to amend section 208 of the Penal Code, relating to kidnaping;

Also: Assembly Bill No. 838—An act to amend section 2319*i* of the Political Code, relating to the licensing of nurserymen, and to repeal section 2319*j* of the Political Code, relating to the shipment of nursery stock;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 3—An act to add a new section to the Civil Code to be numbered 3051*a*, fixing a limit on the amount of a lien on property held under the provisions of section 3051 of said Code;

Also: Assembly Bill No. 1286—An act to authorize and provide for the formation of municipal harbor districts by cities, cities and counties and unincorporated territory for the purpose of improving, repairing and maintaining their harbors and for the construction of wharves and piers, seawalls, State or municipal railroad and spurs,

betterments, appurtenances, dredging and filling necessary in connection therewith, and granting powers to governing bodies of said districts which are necessary or convenient to accomplish said purposes, and to authorize such districts to levy and collect taxes for the purpose of providing a fund therefor, and to authorize such districts to issue and sell their bonds, to create a fund for such repair, maintenance and improvement, or construction or any part thereof;

Also, Assembly Bill No 318—An act to amend section 20 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of State improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended,

Also Assembly Bill No. 1136—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 361—An act to amend section 4077 of the Political Code, relating to claims against counties;

Also Assembly Bill No. 320—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds for the single object of creating a fund to be used by the California Highway Commission for the construction and improvement of the mother lode highway, leading from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County and to carry out the provisions of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921, to provide ways and means exclusive of loans for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, to appropriate money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, creating the mother lode highway fund, specifying the work, creating a revolving fund to be used by the California Highway Commission for the purposes of this act, and providing for the submission of this act to the vote of the people:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 668—An act to be known as "Palo Verde Irrigation District Act", creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as "Palo Verde Irrigation District", for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde drainage district, and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes, and providing for the payment, funding and refunding of all such indebtedness, providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized, defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work,

maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby, providing also a means for dissolving said district—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 133—An act to amend section 1142 of the Political Code, relating to appointment of election officers.

Also: Assembly Bill No. 653—An act to add a new section to be numbered section 15*b* to an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the uses of said funds," approved June 16, 1913, relating to retirement of attendance officers.

Also: Assembly Bill No. 91—An act to amend section 3769 of the Political Code, relating to the publication, by the tax collector, of the delinquent tax list; providing for an affidavit of the printer concerning the same and providing for the posting of copies of notices;

Also: Assembly Bill No. 418—An act to repeal section 3897*a* of the Political Code, relating to the sale of lands purchased by the State for delinquent taxes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 569—An act to amend section 1 of an act entitled "An act to provide for the development of electrical power by irrigation districts," approved May 21, 1919, as amended relating to development of electric power and the disposal of same;

Also: Assembly Bill No. 420—An act to add a new section, to be numbered section 8*g*, to an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof, approved March 6, 1907," as amended relating to reports to be made by physicians to police authorities;

Also: Assembly Bill No. 404—An act to amend section 927 of the Code of Civil Procedure, relating to the small claims court.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 521—An act to amend the title of chapter XI of title XIII of part I of the Penal Code and sections 548 and 549 of the Penal Code, relating to crimes against insured property and insurance carriers;

Also: Assembly Bill No. 1353—An act granting to irrigation districts of the State of California the right to construct, operate and maintain electric light and power lines along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume;

Also: Assembly Bill No. 1000—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this state, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act;

Also: Assembly Bill No. 229—An act recognizing and declaring valid the Tracy-Clover irrigation district and approving and declaring valid all proceedings on formation and organization of said district.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 263—An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the

person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this state, to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof, to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder, and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject;

Also, Assembly Bill No. 618—An act to amend section 799 of the Political Code, relating to official bond;

Also, Assembly Bill No. 611—An act to amend section 1261 of the Political Code, relating to papers to be sealed up by election board;

Also Assembly Bill No. 478—An act to protect the public health by regulating the use of the X-ray or Roentgen ray; providing for the examination and registration of persons as radiographers by the State Board of Health; providing penalties for the violations hereof,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 575—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed, providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes, providing for the payment of the debts thereof by a tax levied on the lands embraced therein, providing for the issuance and sale of bonds thereby, providing that said bonds may be investigated by an appointive board of three hydraulic engineers, providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators, providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for non-user of corporate power," approved June 13, 1913, as amended, by amending sections 1, 1a, 2, 2a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 21, 22 and 23 thereof, and by adding new sections thereto, numbered 2b, 2c, 4a, 4b, 4c, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 6a, 6b, 6½, 7a, 7b, 7c, 8a, 8b, 8c, 9a, 10a, 10b, 10c, 11a, 11b, 11c and 34, relating to the organization and management of such districts, the powers of the board of directors, the levying and collection of assessments, and issuance of bonds, and providing for drainage connected with such irrigation—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 746—An act to amend section 1612 of the Political Code, relating to the powers and duties of school trustees and boards of education—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 893—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897, as amended," by adding a new section thereto to be numbered section 64—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 343—An act appropriating money to pay the claim of John C. Corbett against the State of California;

Also Assembly Bill No. 344—An act appropriating money to pay the claim of John Mitchell against the State of California,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 632—An act to amend section 149 of the Code of Civil Procedure, relating to seals of superior courts;

Also · Assembly Bill No. 630—An act to amend section 2171 of the Political Code, relating to judgment, commitment, form of;

Also Assembly Bill No. 627—An act to amend section 1247 of the Penal Code, relating to appeals in criminal cases;

Also Assembly Bill No. 623—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No. 515—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class;

Also Assembly Bill No. 351—An act to amend section 4244 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifteenth class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 624—An act to amend section 1246 of the Penal Code, relating to appeals in criminal cases.

Also Assembly Bill No. 422—An act to amend sections 1, 2, 4, and 5 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, as amended,

Also · Assembly Bill No. 85—An act to amend an act entitled "An act regulating private employment agencies, providing a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding thereto a new section, designated section 11a, providing for the establishment and observance of a regular schedule of fees by each licensed employment agency,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 901—An act authorizing the Director of Agriculture to undertake the control and destruction of predatory wild animals, making an appropriation therefor, and repealing acts authorizing the payment of bounties on such animals—and reports that the same has been correctly enrolled, and presented the same to

the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 1365—An act to add a new chapter to title II of part III of the Political Code to be numbered chapter XIV and to include sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, and 1364, to provide for absent qualified elector or electors voting at any primary or any general election while absent from the State or from the county in which he, or they, may be qualified elector or electors; to provide the method or methods of carrying out such provision or provisions, to provide the method of counting and tallying the votes of such qualified elector or electors, to require all election officers, county clerks, registrar of voters and other persons charged with any duties hereunder to perform such duties as may be required in connection therewith, and providing penalties for the violation thereof;

Also: Assembly Bill No. 1007—An act to amend section 1687 of the Political Code, relating to public school teachers.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 494—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes, p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 236—An act to provide for the treatment and surgical care of deformed, crippled or injured children by the State of California, in its general hospitals and institutions, and providing funds therefor—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 358—An act to amend section 4243 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the fourteenth class, and fixing their mileage and per diem of grand and trial jurors in such counties—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 732—An act to establish an annual State fair at the city of Riverside, Riverside County, California, and to provide for the management and control of the same,

Also: Assembly Bill No. 211—An act to amend sections 363, 363a, 363c and 363h of the Political Code, relating to the Department of Public Works,

Also: Assembly Bill No. 285—An act to amend section 246 of the Political Code, relating to officers and employees of the Assembly,

Also: Assembly Bill No. 1110—An act to amend sections 1927 and 2086 of the Political Code, relating to officers and employees in the Adjutant General's office,

Also: Assembly Bill No. 1338—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIf, embracing sections 365 to 365c both inclusive, relating to the California Highway Commission.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following.

Assembly Bill No 154—An act relating to employment where the work is to be performed outside of this State by persons hired within this State, prohibiting false statements regarding the conditions of such employment and providing penalties for the violation hereof.

Also. Assembly Bill No. 22—An act to increase the number of judges of the superior court of the State of California, in and for the county of Sacramento, to provide for the appointment of an additional judge and for his compensation;

Also Assembly Bill No 60—An act providing for the building of a bridge across the Klamath River in Del Norte County to be known as the G. H. Douglas Bridge and making an appropriation therefor;

Also Assembly Bill No. 165—An act to amend section 67*a* of the Code of Civil Procedure, relating to the superior court of Los Angeles County;

Also Assembly Bill No. 188—An act to provide for the reforestation, constructing and maintaining of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor;

And reports that the same have been correctly enrolled, and presented the same to Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 309—An act authorizing the State Board of Charities and Corrections to investigate and report at the forty-sixth session of the Legislature concerning the adoption of an old age pension law and making an appropriation therefor,

Also: Assembly Bill No 435—An act making an appropriation to pay the claim of Joseph M Raines as executor against the State of California.

Also: Assembly Bill No. 436—An act making an appropriation to pay the claim of Frank H. Buck and Leonard W. Buck against the State of California

Also Assembly Bill No 671—An act appropriating money to pay the claim of the Auditorium Company, a corporation, against the State of California:

Also. Assembly Bill No. 672—An act making an appropriation to pay the claim of E. A. Wheeler, against the State of California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following

Assembly Bill No. 673—An act appropriating money to pay the claim of the Clark and Henery Construction Company against the State of California;

Also Assembly Bill No. 855—An act making an appropriation to pay the claim of director general of railroads, United States Railroad Administration, against the State of California upon a judgment under section 3669*a* of the Political Code:

Also. Assembly Bill No. 856—An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California upon three judgments under section 3669*a* of the Political Code,

Also: Assembly Bill No 1019—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges:

Also: Assembly Bill No 437—An act making an appropriation to pay the claim of Ruel D. Robbins, Mary Emma Robbins Sutton, John L. M Robbins, Marie Robbins Hilbert, William C Robbins and Irving W. Robbins, heirs of R D. Robbins:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 441—An act making an appropriation to pay the claim of Mary Ella Cecil against the State of California;

Also: Assembly Bill No. 498—An act to add a new section to the Political Code, to be numbered 738*c*, relating to the salary of superior judges in counties of the forty-sixth class;

Also: Assembly Bill No. 638—An act appropriating money to pay the claim of the Postal Telegraph Company against the State of California;

Also: Assembly Bill No. 641—An act making an appropriation to pay the claim of the B. F. Coulter Association, a corporation, against the State of California;
Also: Assembly Bill No. 669—An act appropriating money to pay the claim of J. C. Tario, Jr., against the State of California;
Also: Assembly Bill No. 670—An act appropriating money to pay the claim of T. Ashton Fry and Fannie S. Fry, against the State of California;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined the following:
Assembly Bill No. 114—An act making an appropriation for the prevention and extinguishment of fires in Tamalpais forest fire district;
Also: Assembly Bill No. 451—An act making an appropriation to pay the claim of Carl G. Brown against the State of California;
Also: Assembly Bill No. 1009—An act making an appropriation for the construction and maintenance of fire lanes and trails on the mountains composing the watersheds of Los Angeles County;
Also: Assembly Bill No. 1320—An act making appropriation to pay the claim of E. R. Simon against the State of California;
Also: Assembly Bill No. 654—An act to add a new section to the Political Code to be numbered section 4041*a*, relating to boards of supervisors;
Also: Assembly Bill No. 348—An act to add a new section to the Code of Civil Procedure to be numbered section 1671 and relating to distribution of estates;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:
Assembly Bill No. 936—An act to amend section 927*p* of the Code of Civil Procedure, relating to the small claims court;
Also: Assembly Bill No. 937—An act to amend sections 927*c* and 927*l* of the Code of Civil Procedure, relating to the small claims court;
Also: Assembly Bill No. 1021—An act to amend section 871 of the Code of Civil Procedure, relating to judgment by default in justices' courts;
Also: Assembly Bill No. 206—An act to amend section 978 of the Code of Civil Procedure, relating to undertaking on appeal in justices' court;
Also: Assembly Bill No. 922—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sale of property under execution or power under deed of trust;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:
Assembly Bill No. 1332—An act appropriating money to pay the claim of Park-Union Foreign Banking Corporation;
Also: Assembly Bill No. 1041—An act to provide for the survey of a tract to be called the Lassen National Volcanic Park and to make an appropriation therefor;
Also: Assembly Bill No. 849—An act appropriating money to pay the claim of Hammond Weeks and Dagmar F. Weeks;
Also: Assembly Bill No 806—An act to amend an act entitled "An act to provide for the organization and supervision of course in fire prevention in the elementary, secondary and normal schools of the State," approved May 12, 1921, and to provide in addition for training in accident prevention;
Also: Assembly No. 986—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1369—An act to add a new section to the Political Code, to be numbered 1608*a*, relating to school districts;

Also: Assembly Bill No. 1127—An act to amend sections 7 and 14 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 980—An act relating to boards and commissions holding under appointment of the Governor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 248—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations;

Also: Assembly Bill No. 1309—An act to add a new section to the Penal Code, to be numbered 439, relating to defamation of insurance companies by rival companies;

Also: Assembly Bill No. 546—An act to amend section 607*c* of the Civil Code of the State of California, relating to societies for the prevention of cruelty to children or animals;

Also: Assembly Bill No. 1344—An act providing for a comprehensive study of the State highway system of the State of California and providing for the appointment of an advisory committee to cooperate in making a study for the purpose of making a recommendation for the extension or reduction of the State highway system and for future financing of the same;

Also: Assembly Bill No. 813—An act confirming and validating changes in the boundaries of school districts and high school districts.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 226—An act to add a new section to the Political Code of the State of California, to be numbered section 737*p*, relating to salaries of judges of the superior court of Sacramento County, providing when said act shall go into effect and repealing all parts of acts in conflict therewith.

Also: Assembly Bill No. 380—An act appropriating money for expenditure as directed by the division of water rights of the Department of Public Works of the State of California in aiding the Department of Interior of the United States in stream gaging work in the State of California;

Also: Assembly Bill No. 402—An act to add a new section to the Political Code, to be numbered 737*mm*, relating to the salaries of superior judges, approved June 3, 1921;

Also: Assembly Bill No. 484—An act to provide for the establishment of mine rescue stations centrally located in the mining districts of California and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 601—An act to repeal section 626*u* of the Penal Code, relating to the protection of game,

Also: Assembly Bill No. 934—An act to amend sections 362*a*, 362*b*, 362*c*, and 362*d* of the Political Code, relating to the Department of Education;

Also: Assembly Bill No. 102—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 163—An act to provide for a grant of State funds to school districts in which state land settlements and settlements under the California Veterans' Welfare Act are situated to meet losses arising from the withdrawal of property in such districts from taxation on account of title to such property vesting in the State and on account of veterans' exemption, and making an appropriation therefor,

Also: Assembly Bill No. 217—An act making an appropriation for the restoration, care and upkeep of the old Greek chapel and grounds, at Fort Ross;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1017—An act to add a new section to the Political Code to be numbered 737*zz*, relating to the salaries of superior court judges,

Also: Assembly Bill No. 1058—An act to amend section 360*b* of the Political Code, relating to Department of Finance,

Also: Assembly Bill No. 1084—An act appropriating money for the purchase and improvement of additional land for the State Teachers College of Fresno,

Also: Assembly Bill No. 1370—An act to add a new section to the Political Code to be numbered 737*ab*, relating to the salaries of superior court judges in and for the county of Contra Costa,

Also: Assembly Bill No. 427—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 1330—An act providing for the collection of money advanced in payment of taxes on real property by co-owners,

Also: Assembly Bill No. 779—An act to amend sections 1 and 6 of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921,

Also: Assembly Bill No. 787—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921;

Also: Assembly Bill No. 781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 15*a*, 16, 17, 18, 19, 20, 24, 25 and 28 of an act entitled, "An act creating a Veterans' Welfare Board and defining its powers and duties and making an appropriation in aid of its operations," approved May 30, 1921,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and forty-five minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Bill No. 789—An act to amend sections 4295 and 4297 of the Political Code, relating to official services and fees,

Also: Assembly Bill No. 551—An act to amend section 4233 of the Political Code, relating to salaries, fees and expenses of officers in counties of the fourth class,

Also: Assembly Bill No. 570—An act to amend section 39*f* of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the payment of tolls and charges for the use of water and other public uses, making the same a lien upon the lands and a part of the annual assessment levied by said district;

Also: Assembly Bill No. 571—An act to amend section 44 of the California Irrigation District Act, approved March 31, 1897, as amended, relating to the sale of land for nonpayment of assessments,

Also: Assembly Bill No. 572—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section to said act to be numbered 27*a*, relating to the appointment of deputies;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at three o'clock and thirty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 24—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-fifth session of the Legislature of the State of California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 23—Relative to an investigation by the Surveyor General of the prevalence of oil upon the beaches along the coast of California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined the following:

Assembly Joint Resolution No. 13—Relative to the indorsement of H. R. 13298 and Senate Bill 4142, to amend the war risk insurance and the vocational rehabilitation act so as to include disabled veterans of all the wars of the United States, and their dependents,

Also: Assembly Joint Resolution No. 27—Relative to federal taxes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 10—Relating to protection of forests from fire—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 1¾ of article XIII of the constitution relating to the exemption of State and municipal bonds from taxation—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article XIII of the constitution relating to tax exemption—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII thereof, to be numbered section 9*a*, relative to taxation—and reports that the same has been correctly enrolled, and presented the same to the

Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p.m.

ROBERTS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to section 12 of article XIII of the constitution, relative to a poll tax—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1923, at four o'clock and fifty minutes p m.

ROBERTS, Chairman.

APPOINTMENT OF SPECIAL COMMITTEES.

The Speaker announced the appointment of Messrs. Eksward, Scott and Noyes, as a special committee, in accordance with the provisions of Assembly Concurrent Resolution No. 13.

The Speaker announced the appointment of Messrs. Pomeroy, Williams and Davis as a special committee in accordance with Assembly Concurrent Resolution No. 21.

ANNOUNCEMENTS BY THE SPEAKER.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. Harry Lyons of Los Angeles and Mr. John W. Johnston of Sacramento to write the argument in favor of Assembly Constitutional Amendment No. 2. There being no member voting against this amendment, no one was appointed to write the argument against it.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Dr. Earnest Dozier of Redding and Mr. E. H. Christian of Haywards to write the argument in favor of Assembly Constitutional Amendment No. 24. There being no member voting against this amendment, no one was appointed to write the argument against it.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. Wm. Seward Scott of San Francisco and Mr. Frank Weller of Glendale to write the argument in favor of Assembly Constitutional Amendment No. 30, and that he had appointed Mr. Frank Coombs of Napa to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. David C. Williams of Le Grand, Merced County, and Mr. George H. Davis of El Centro, Imperial County, to write the argument in favor of Assembly Constitutional Amendment No. 31, and that he had appointed Mr. Henry E. Carter of Wilmington, Los Angeles County, to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. C. C. Spalding of Sunnyvale, Santa Clara County, and Mr. Chester M. Kline of San Jacinto, Riverside County, to write the argument in favor of Assembly Constitutional Amendment No. 46, and that he had appointed Mr. Frank W. Anderson of Oakland to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. Frank Johnson of Hardwick, Kings County, and Mr. George C. Cleveland of Watson-

ville, Santa Cruz County, to write the argument in favor of Assembly Constitutional Amendment No. 47, and that he had appointed Mr. Homer Spence of Alameda to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. Edwin Mueller of El Cajon, San Diego County, and Mr. Chris B. Fox of Berkeley to write the argument in favor of Assembly Constitutional Amendment No. 49, and that he had appointed Mr. Bert Snyder of Chico, Butte County, to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. Emmett I. Donohue of Petaluma, Sonoma County, and Mr. P. A. Whitacre of San Diego to write the argument in favor of Assembly Constitutional Amendment No. 51, and that he had appointed Mr. Sidney Graves of Los Angeles to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. Richmond M. Lyman, Jr., of Oakland and Mr. C. C. Baker of Salinas, Monterey County, to write the argument in favor of Assembly Constitutional Amendment No. 52, and that he had appointed Mr. Lucien Fulwider of Santa Rosa, Sonoma County, to write the argument against the amendment.

The Speaker announced that, in accordance with the provisions of section 1195 of the Political Code, he had appointed Mr. P. Connolly of Ukiah, Mendocino County, and Mr. Elmer P. Bromley of Los Angeles to write the argument in favor of Assembly Constitutional Amendment No. 57, and that he had appointed Mr. Frank Eksward of Burlingame, San Mateo County, to write the argument against the amendment.

COMMITTEE FROM THE SENATE.

Senators McDonald and Sharkey appeared before the bar of the Assembly, and informed the Assembly that the Senate was now ready to adjourn sine die, and asked if the Assembly had any further message to convey to the Senate.

SPEAKER'S REPLY.

The Speaker informed the committee that the Assembly had practically concluded its labors, and would appoint a committee to wait upon the Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Pedrotti:

Resolved, That a committee of three be appointed to wait upon the Senate and inform it that the Assembly has concluded its labors and asks if it has any further message to deliver to this body.

Resolution read, and on motion of Mr. Pedrotti, adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker announced the appointment of the following committee to wait upon the Senate: Messrs. Eksward, Foster and Roberts.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that it had been informed that the Senate had concluded its labors and was ready to adjourn sine die.

RESOLUTION.

The following resolution was offered:

By Mr. Morris:

Resolved, That the Speaker appoint a committee of four to wait upon His Excellency Friend Wm. Richardson, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Resolution read, and on motion of Mr. Morris, adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker announced the appointment of the following committee to wait upon the Governor: Messrs. Eksward, Schmidt, Roberts and Foster.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that they had waited upon the Governor, and His Excellency had informed them that he had no further communication to convey to the Assembly.

READING AND APPROVAL OF MINUTES.

The minutes of Friday, May 18, 1923, were read, and on motion of Mr. Eksward, approved.

ADJOURNMENT SINE DIE.

At five o'clock p.m. on Friday, May 18, 1923, in accordance with the provisions of Assembly Concurrent Resolution No. 12, the Honorable Frank F. Merriam, Speaker of the Assembly, announced that the time for final adjournment of the forty-fifth session of the Legislature of the State of California had arrived and thereupon declared the Assembly adjourned sine die.

ARTHUR A. OHNIMUS,
Chief Clerk of the Assembly.

FRANK F. MERRIAM,
Speaker of the Assembly.

C. WILLIAM BOOTH,
Minute Clerk of Assembly.

FRANK W. ANDERSON,
Speaker pro tempore of Assembly.

F. A. COOLEY,
Asst. Minute Clerk of Assembly.

ADELYN B. STAFFORD,
Asst. Minute Clerk of Assembly.